



ANNO QUARTO

GULIELMI IV. REGIS.

Cap. i.

An Act to empower the *Liverpool* Oil Gas Light Company to produce Gas from Coal and other Materials, and to amend the Act relating to the said Company. [26th *March* 1834.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for lighting with Oil Gas the Town of Liverpool, and certain Places adjacent thereto*: And whereas the Company of Proprietors established by virtue of the said Act have raised the Sum of Forty thousand Pounds, the Capital of the said Company, and have expended the same for the Purposes of the said Act, and have thereby been enabled to afford and still continue to afford a Supply of Oil Gas to the Inhabitants of the said Town of *Liverpool* and the Places adjacent thereto: And whereas by the extended Use of Gas, and the increased Demand for the same, within the Limits aforesaid, a larger Supply has become requisite for the Accommodation of the Public: And whereas from the fluctuating Prices of Oil and other Materials from which by the Provisions of the said Act the said Company is alone authorized to make Gas, they are unable to furnish the Public therewith at as cheap a Rate as if the said Company was authorized to use Coal as well as other Materials in the Manufacture thereof; and it is therefore expedient that the Restrictions in the said Act which prevent the said Company from using Coal should be repealed, and that the said Company should be authorized to raise a further Sum of Money for

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Provisions of former Act continued, except where altered by this Act.

the Purposes of the said Undertaking, and that the Provisions in the said Act should in other respects be altered and amended, and further and additional Powers granted to the said Company; but the said several Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Provisions, Regulations, Directions, Privileges, Penalties, Forfeitures, Restrictions, Matters, and Things whatsoever contained in the said recited Act, save and except so far as the same are altered, repealed, or varied by this Act, shall be and they are hereby declared to be in full Force and Effect in as full, ample, and beneficial a Manner to all Intents and Purposes whatsoever as if the same and every Part thereof were repeated and re-enacted in this Act, and were made Part thereof; and the said recited Act and this Act shall, as to the Powers, Provisions, Matters, and Things not repealed or altered, be construed together as One Act.

Repealing Clause preventing making of Gas from Coal.

Power to make Gas from Coal or any other Material, and to sell same, and also Coke and other Product.

II. And be it further enacted, That from and after the passing of this Act so much of the said recited Act as prohibits the said Company of Proprietors from making, manufacturing, or producing Gas or Inflammable Air from Pit Coal, Cannel Coal, or Coal of any other Species, Description, or Denomination, shall be and the same is hereby repealed; and the said Company of Proprietors shall from henceforth be fully authorized and empowered to make or cause to be made or manufactured Gas or Inflammable Air from Coal as well as from Oil and from any other Material, Liquid, or Substance whatsoever, and to contract for and sell and dispose of the same in manner and to the Extent declared and authorized by the said recited Act, and likewise to sell and dispose of the Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and other Product, Refuse, or Residuum arising or to be obtained from the Materials used in or for the manufacture or producing of Gas, in such Manner as the said Company may think proper and advantageous.

Altering Name and Style of Company.

III. And whereas it is expedient that the Corporate Name given to the said Company by the said recited Act should be altered; be it therefore further enacted, That from and after the passing of this Act the Name and Style of the said Company of Proprietors shall be "The *Liverpool* New Gas and Coke Company," by which Name and Style the said Company of Proprietors shall thenceforth sue and be sued, plead or be impleaded, or prefer any Bill of Indictment, and shall by such Name and Style have perpetual Succession and a Common Seal, and be one Body Politic and Corporate, in lieu and stead of the Name and Style of the *Liverpool* Oil Gas Light Company, given and declared in and by the said recited Act.

Repealing Limitation of Number of Shares to be held by the Proprietors.

IV. And be it further enacted, That from and after the passing of this Act so much and such Part of the said recited Act as restricts any Person or Persons, Body or Bodies Politic or Corporate, who should be a Subscriber or Subscribers to the said Undertaking, from holding more than Five Shares therein, shall be and same is hereby repealed.

V. And

V. And whereas, in order to enable the said Company to make Gas from Coal and other Substances as well as from Oil, and to carry into effect the necessary Alterations and Improvements in the said Undertaking, it is expedient that the said Company should be authorized to raise a further Sum of Money; be it therefore enacted, That for the Purposes aforesaid it shall be lawful for the said Company to raise, either by Sale of Shares in manner herein-after mentioned, or by Contribution amongst themselves, or by the Admission of other Persons as Subscribers to the said Undertaking, a further or additional Sum of Money, not exceeding in the whole the Sum of One hundred thousand Pounds, over and above the Sum authorized to be raised by the said recited Act, and which said further or additional Sum shall be raised, either altogether or from Time to Time, in such Amounts as the said Company or the Committee of Management for the Time being shall deem most advantageous for the Interests of the said Company.

Power to raise additional Capital not exceeding 100,000l.

VI. And be it further enacted, That in order to raise the said additional Sum of One hundred thousand Pounds it shall and may be lawful for the said Company to create and issue such a Number of Shares in the said Undertaking, of the Amount and Value of One hundred Pounds each, as may be necessary to produce the Capital by this Act authorized to be raised; and such Shares when so created and issued shall be numbered in regular or arithmetical Progression, and every such Share shall always be distinguished by the Number to be applied to the same.

Power to issue such a Number of Shares as shall be deemed expedient to raise the additional Capital.

VII. Provided always, and be it further enacted, That before making Distribution of any of the said Shares amongst the present Proprietors of the said Company, in manner herein-after mentioned, the said Company or the said Committee of Management shall and they are hereby required to offer for Sale and sell by public Auction Three hundred of such Shares, subject to such Conditions as to the Payment of the Purchase Money and Calls in respect of such Shares as the said Company may think proper; and the Monies arising from the Sale of any such Shares shall form Part of the One hundred thousand Pounds hereby authorized to be raised as Capital Stock of the said Company.

Three hundred of the new Shares to be offered for Sale by public Auction.

VIII. And whereas the Number of Shares in the said Undertaking created by the said recited Act, and now held by the Proprietors of the said Company, is Four hundred; be it therefore enacted, That an equal Number of the Shares to be created under the Authority of this Act shall, after the Sale of the said Three hundred Shares herein-before mentioned, be offered to the present Proprietors of Shares in the said Undertaking in the Proportion of One of such new Shares for every original Share of One hundred Pounds now held by such Proprietors; and in case any of the said Proprietors shall refuse, or for the Space of One Calendar Month next after Offer of the same by Letter under the Hand of the Clerk of the said Company given or sent by Post to him, or left at his usual Place of Abode, shall neglect, to accept any such new Share to which he may be entitled under the Provisions of this Act, it shall be lawful for the said Company or for the said Committee of Management, and they are hereby required, to offer the same to Sale and sell by public Auction in manner herein mentioned.

Certain Number of new Shares to be offered to Proprietors of old Shares.

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IX. And

Remainder
of new Shares
to be sold
by public
Auction.

IX. And be it further enacted, That it shall be lawful for the said Company or for the said Committee of Management, and they are hereby required, to offer to Sale and sell by public Auction, subject to such Conditions as to the Payment of the Purchase Money and Calls as they may think proper, such of the said Four hundred Shares herein-before mentioned (if any) as shall not be accepted by the present Proprietors of Shares in the said Undertaking, and also so many of the remaining Three hundred Shares created under the Authority of this Act as may be necessary to produce the Capital by this Act authorized to be raised, or so many of such Shares as the said Company or the said Committee of Management may from Time to Time think proper; and the Money arising from the Sale of such Shares shall form Part of the One hundred thousand Pounds hereby authorized to be raised as Capital Stock of the said Company.

Persons
becoming
possessed of
new Shares
entitled to
the Profits
according to
the Sums
paid by
them.

X. And be it further enacted, That the several Persons who shall become possessed of Shares created under the Authority of this Act shall receive, in proportion to the Sums by them respectively paid, as and when the same shall be called for by the said Company, the net Profits and Advantages which shall arise or accrue from or by the Gas Rents and other Sums of Money to be received by the said Company, as and when the same shall be divided and paid by the Authority of the said recited Act and of this Act or either of them: Provided always, that no Person who may become possessed of any Share by Purchase at public Auction as herein-before mentioned shall in any Case be entitled to receive Dividends upon an Amount exceeding the nominal Value of such Shares, notwithstanding the Amount of the Purchase Money by him paid for such Shares.

Limiting
Amount of
Profits to be
divided
amongst
Proprietors.

XI. Provided always, and be it further enacted, That the Profits of the said Undertaking divisible amongst the Proprietors of the said Company shall not exceed Ten Pounds *per Centum per Annum* in any One Year on the Amount paid in respect of each Share of One hundred Pounds in the said Undertaking, and in no Case shall exceed Ten Pounds *per Annum* on each Share; and in order to ascertain the Profits of the said Undertaking the said Company or the said Committee of Management shall and they are hereby required to cause a true and particular Account to be kept and annually made up to the Thirty-first Day of *December* in each Year of all Monies received by them under the Authority of the said recited Act and of this Act, and of all Charges and Expences attending the Construction, repairing, and maintaining the said Works, and the carrying on the said Undertaking; and if the clear Profits of the said Undertaking, after Payment of all such Charges and Expences, shall in any Year amount to a larger Sum than shall be sufficient to make Distribution amongst the Proprietors of the said Company of Ten Pounds *per Centum per Annum* on the Amount paid in respect of each Share of One hundred Pounds in the said Undertaking, the Excess beyond the Sum which may be necessary for the Purposes aforesaid shall from Time to Time be invested in Government or other Securities, and the Dividends and Interest arising from such Securities shall also be invested in the same or like Securities, in order that the same may accumulate at Compound Interest, until the Fund so formed shall amount to the Sum of Five thousand Pounds, which Sum shall form a contingent or reserved Fund to answer any Deficiency which may at any
Time

Time happen in the Amount of divisible Profits of the said Company, or to meet any extraordinary Claim or Demand which may at any Time arise against the said Company: Provided always, that when such Fund shall by Accumulation or otherwise amount to the Sum of Five thousand Pounds, the Interest and Dividends thereon shall no longer be invested, but shall be applied to any of the general Purposes of the said Undertaking to which the Profits of the said Company are applicable; and an Abstract of such Account, together with an Account of the said contingent Fund, shall be annually laid before the Justices assembled at the Quarter Sessions of the Peace in and for the Borough of *Liverpool* next after the Time of making up such Accounts, and be filed with the Clerk of the Peace of the said Borough; and the said Company or the said Committee of Management shall also, if required by the Justices or by the Accountant or other Person to be appointed as herein-after mentioned, produce their Books of Account, and other Books, Bills, Receipts, Vouchers, and Papers relating to the said Undertaking; and such Justices shall and they are hereby required to nominate and appoint some Accountant or other competent Person, not being a Proprietor in any Gas Company in the said Town of *Liverpool*, at the Expence of the said Company, the Amount of such Expence to be ascertained and decided by such Justices, to examine and ascertain the actual State and Condition of the Concerns of the said Company, and to make Report thereof to the said Justices; and the said Justices may examine any Witnesses upon Oath touching the Truth of the said Accounts and the Matters therein referred to; and if it shall thereupon appear to such Justices that the Profits of the said Company for the preceding Year shall have exceeded Ten Pounds *per Centum per Annum* on the Amount paid in respect of every Share of One hundred Pounds, and in no Case exceeding Ten Pounds on each Share as aforesaid in the said Undertaking, the said Company shall make such a rateable Reduction in the Rents and Prices of Gas to be furnished by the said Company for the then current Year as the said Company may deem prudent, or as in the Judgment of the said Justices shall be proper, but so as such Rents or Prices when reduced shall ensure to the said Company a Profit as near as may be to the Amount of Ten Pounds *per Centum per Annum* upon the Amount paid in respect of each Share of One hundred Pounds for the then current Year; and if the said Company shall refuse or wilfully neglect to lay before the said Justices the said Abstract of Accounts, or to produce to the said Justices or to the said Accountant or other Person as aforesaid the Books of Account, and other Books, Bills, Receipts, Vouchers, and Papers herein-before mentioned, for the Space of Seven Days after being required so to do by the said Justices, or by such Accountant or other Person as aforesaid, the said Company shall forfeit and pay the Sum of One hundred Pounds for every such Refusal or wilful Neglect, and the further Sum of Ten Pounds for every Day such Refusal or wilful Neglect shall continue after the Expiration of the said Seven Days, such respective Penalties to be recovered by any Person who may sue for the same, with full Costs of Suit, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*; and it shall be lawful for any Consumer of Gas supplied by the said Company to inspect and peruse the Accounts so filed, on Payment to the Clerk of the Peace of the Sum of One Shilling for every such Inspection, and to take or make Copies thereof, paying for every such Copy the Sum of Sixpence for every One hundred Words.

XII. And

Company may resort to contingent Fund in case divisible Profits are less than 10 per Cent.

XII. And be it further enacted, That if in any Year after the passing of this Act the Profits of the said Undertaking divisible amongst the Proprietors thereof shall not amount to the Sum of Ten Pounds *per Centum per Annum* on the Amount paid in respect of every Share of One hundred Pounds in the said Undertaking, not exceeding in any Case Ten Pounds on each Share, such a Sum may be taken from the contingent Fund as, with the actual divisible Profits of such Year, will enable the Company to make a Dividend of Ten Pounds *per Centum per Annum* on the Amount paid in respect of every such Share, not exceeding as aforesaid, and so from Time to Time as often as the divisible Profits of the said Company shall fall short of Ten Pounds *per Centum per Annum* on the Amount paid in respect of every such Share, not exceeding as aforesaid.

Repeal of Clause appointing Proprietors on Committee.

XIII. And be it further enacted, That so much of the said recited Act as directs that the several Members thereby nominated of the first Committee of Management should continue in Office until the General Meeting of the Proprietors to be held on the Third *Wednesday* in *January* One thousand eight hundred and twenty-five, when Thirteen other Proprietors, duly qualified as in the said Act is mentioned, should be appointed in their stead in pursuance of that Act, shall be and the same is hereby repealed.

Appointment of Committee.

XIV. And be it further enacted, That the present Committee of Management shall continue in Office until the next General Meeting of the Proprietors of the said Undertaking to be held in the Month of *January* One thousand eight hundred and thirty-five, in pursuance of the said recited Act and of this Act, at which said Meeting Five of the said Committee of Management (to be determined by Ballot amongst themselves) shall go out of Office and cease to be Members of the said Committee of Management, and Four Persons, duly qualified, shall in manner in the said recited Act and this Act be elected and appointed Members of the said Committee in their stead; and at the General Meeting of the Proprietors of the said Undertaking in the Month of *January* One thousand eight hundred and thirty-six Four others of the present Committee of Management (to be determined as aforesaid) shall go out of Office and cease to be Members of the said Committee of Management, and their Places shall be supplied by the Election of Four other Persons, duly qualified as aforesaid; and at the General Meeting of the Proprietors of the said Undertaking in the Month of *January* One thousand eight hundred and thirty-seven the remaining Four Members of the present Committee of Management shall go out of Office, and their Places shall be supplied in like Manner; and at the General Meeting of the Proprietors of the said Undertaking to be held in the Month of *January* in every subsequent Year Four of the Members of the Committee of Management who shall have been longest in Office shall cease to be Members of the said Committee, and their Places shall be supplied in like Manner.

Company to remunerate Committee.

XV. And be it further enacted, That it shall be lawful for the said Company at any of their General Meetings to fix and determine what Remuneration (if any), not exceeding Three hundred Pounds *per Annum*, shall be made to the Committee of Management for the Time being of the said Company for their Time and Trouble in conducting the Affairs of the said Company, and to direct the Amount of such Remuneration

to be paid to such Committee of Management out of the Funds of the said Company.

XVI. And whereas it is expedient that the Proprietors of the said Company should be entitled to vote in Meetings of the said Company in respect of such Shares held by them in the said Undertaking according to the Scale herein-after mentioned; be it therefore enacted, That so much of the said recited Act as enacts that Persons who entitled to One or more Shares in the said Undertaking should have One Vote only in respect of all or any such Share or Shares at the General or Special Meetings of the said Company shall be and the same is hereby repealed.

Repealing Clause in recited Act prohibiting Proprietors from having more than One Vote in respect of their Shares.

XVII. And be it further enacted, That the several Persons already possessed or who shall hereafter become possessed of Shares in the said Undertaking shall be entitled to vote at the General and Special Meetings of the said Company according to the Scale following; that is to say, for any Number of Shares not exceeding Four Shares, One Vote; for any Number not exceeding Nine Shares, Two Votes; for any Number not exceeding Fourteen Shares, Three Votes; for any Number not exceeding Nineteen Shares, Four Votes; and for Twenty or any greater Number of Shares, Five Votes.

Directing how Proprietors of Shares shall vote.

XVIII. And be it further enacted, That it shall and may be lawful for the said Company, or the Committee of Management for the Time being, to contract and agree with any Person or Persons, Body or Bodies Politic or Corporate, Tenant for Life or in Fee Tail, General or Special, or other the Owner or Owners, Proprietor or Proprietors of, or with any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or Party whomsoever interested in any Manner in, any Lands or Tenements in any of the Townships or Places within the Limits of the said recited Act and this Act, for the absolute Purchase of such Lands, Tenements, or Hereditaments, or any of them respectively, for the Purpose of establishing suitable Stations, Gasometers, and other Manufactories and Works required for the said Undertaking, not exceeding in the whole the Space of Six Acres Statute Measure, inclusive of the Lands and Hereditaments now held by the said Company; and any such Lands, Tenements, or Hereditaments so to be purchased by them as aforesaid shall be held or enjoyed for the Purposes of the said Undertaking, without the said Company incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and it shall and may be lawful for the said Company, or the Committee of Management for the Time being, at any Time or Times thereafter whenever expedient so to do, to sell and dispose of the said Lands, Tenements, or Hereditaments, or any of them, or any Part or Parts thereof, and from Time to Time to purchase any other Lands, Tenements, or Hereditaments more suitable or convenient for the Purposes of the said recited Act and of this Act, or either of them, and again to sell the same in like Manner.

Power to purchase Land for Stations, &c. for the Purposes of this Act, not exceeding Six Statute Acres, inclusive of the Land now held by the Company.

XIX. And be it further enacted, That it shall and may be lawful to and for the said Company, or their Committee of Management for the Time being, to lend or hire any Meter or Meters for ascertaining the Quantity of Gas consumed or supplied, for such Rent, Rate of Premium, or Hire

Authority to lend or hire Meters.

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as shall be agreed upon; and such Rent, Premium, or Hire shall be recoverable in the same Manner as the other Rents due to the said Company; and such Meter or Meters shall not be subject to the Rights of Distress of the Landlords or Setters of the Premises where such may be used, for Rent, nor for any Lien or Pledge known in the Law of *England*, any Law or Practice to the contrary notwithstanding.

Penalty for
the Injury of
Meters.

XX. And be it further enacted, That it shall be lawful for the Clerk, Engineer, or other Officer duly appointed for that Purpose by the said Company to inspect all and every Building or Buildings and Place or Places lighted with Gas supplied by the said Company; and if in any such Building or Buildings, Place or Places, any Meter or Meters which may be used for ascertaining the Quantity of Gas consumed or supplied shall be in any way injured, destroyed, or fraudulently altered, the Person or Company making use of such Meter or Meters which shall be so injured, destroyed, or fraudulently altered shall for every such Offence forfeit and pay to the said Company a Penalty not exceeding Ten Pounds, to be recovered summarily as authorized by the said recited Act and this Act.

Penalty on
improper
Consumption
of Gas.

XXI. And be it further enacted, That if any Person or Persons shall place or cause to be placed any Burner or Burners or Pipe or Pipes to communicate with any Pipe belonging to the said Company, or with any Pipe communicating with the Pipes of the said Company, without the Consent of the said Company first had and obtained, or shall use any Burner or Burners of larger Dimensions, or of a different Form, or more in Number, or for a greater Space of Time, than he or she or they respectively shall contract or pay for, or shall wilfully enlarge the Aperture of any Burner so as by any Means to waste or improperly increase the Consumption of Gas, or shall attach any Wire or Wires or other Substances above or across the Orifice of any Burner or Burners, or shall improperly or without Notice to the said Company use or consume any Gas or Inflammable Air belonging to the said Company, every such Person shall either forfeit his, her, or their Contract, if any such there be, and all Benefit therefrom, and any Payment he, she, or they may have made on account thereof, or be held still bound to fulfil the same, in the Option of the said Company, and shall also forfeit and pay to the said Company the Sum of Twenty Shillings for every Day or Part of a Day that such Burner or Burners or Pipe or Pipes shall so communicate, or that such Burner or Burners of larger Dimensions, or of a different Form, or more in Number than contracted for, shall be used, or such Waste or improper Use or Increase of the Consumption of Gas shall continue, without Notice to the said Company, to be recovered summarily, as authorized by the said recited Act and this Act.

Surveyor of
Highways
within the
Town of
Liverpool
to reinstate
Pavement,
and charge
Expences to
the Com-
pany.

XXII. And be it further enacted, That when and so often as the said Company shall, in pursuance of the said recited Act and this Act, have broken up or removed the Stones, Ground, Soil, or Pavement in or of any Highways, Streets, Roads, and public and private Ways, or any Part thereof, within the said Town of *Liverpool*, the said Company shall and they are hereby required immediately thereafter to give Notice thereof to the Surveyors, Commissioners, or other Person or Persons having the Repair and Management of the said Highways,
Streets,

Streets, Roads, and public and private Ways, and thereupon the said Surveyors or Commissioners, or other Person or Persons aforesaid, shall and may, in case they shall be desirous so to do, reinstate, pave, and form such Highways, Streets, Roads, and public and private Ways, and carry away all Rubbish occasioned thereby, and the Expences thereof shall be repaid by the said Company to the said Surveyors, Commissioners, or other Person or Persons so reinstating the same; and in default of Payment thereof within Twenty Days next after Demand thereof in Writing shall have been made for and on behalf of such Surveyors, Commissioners, or other Person or Persons, (Proof being made thereof by the Oath of One credible Witness before One or more Justice or Justices of the Peace,) all such Sum or Sums of Money to be paid, together with any Sum not exceeding Forty Shillings by way of Penalty, shall and may be levied and recovered for the Use of such Surveyors, Commissioners, or other Person or Persons, by Distress and Sale of the Goods and Chattels of the said Company, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, who is and are by the said recited Act and this Act empowered to grant the same: Provided always, that in case the said Surveyors, Commissioners, or other Person or Persons aforesaid shall refuse or neglect to repair or reinstate the said Pavement or Ground for the Space of One Day after the Expiration of the said Notice, it shall and may be lawful to and for the said Company to repair and make good the same, any thing in the said recited Act or this Act contained to the contrary notwithstanding.

XXIII. And be it further enacted, That in all Cases in which by this Act or the said recited Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, or against the said recited Act before the passing of this Act, it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

XXIV. And be it further enacted, That if any Question shall arise between the said Company, and the Surveyors, Commissioners, or other Person or Persons having the Repair and Management of the said Highways, Streets, Roads, and public and private Ways, or any Part thereof, touching the Amount to be paid by the said Company for such Reinstatement and Pavement as herein-before mentioned, then and in such Case the same shall be referred to any Two Justices of the Peace for the Borough of *Liverpool* or County of *Lancaster*; and it shall and may be lawful to and for such Justices, upon Information and Complaint before them, to summon the respective Parties, and to hear and determine the Matter in a summary Way, and to award and adjudge such Sum of Money to be paid by the said Company to the said Surveyors, Commissioners, or other

Disputes between Surveyors of Highways and Company to be referred to Two Justices.

other Person or Persons so reinstating the said Highways, Streets, Roads, and public and private Ways, or any Part thereof, together with such Costs and Charges as to such Justices shall seem proper; and the Amount of such Sum so awarded and adjudged shall and may be recovered from the said Company by the said Surveyors, Commissioners, or other Person or Persons as aforesaid, in manner herein-before mentioned: Provided always, that it shall not be competent for any such Justices of the Peace to hear and determine any such Question as aforesaid unless Two full Days Notice shall have been given by either of the said Parties to the other of them of the intended Application to such Justices, with the Grounds of such Complaint.

Company not authorized to break up Pavements of Street without Consent of Commissioners of Paving.

XXV. Provided always, and be it enacted, That nothing in the said recited Act or in this Act contained shall extend to authorize or enable the said Company to enter upon or break up the Soil or Pavement in or of any Highways, Streets, Roads, and public and private Ways, or any Part thereof, within the Town of *Liverpool* aforesaid, without the Consent in Writing from Time to Time first had and obtained of the Commissioners for the better paving and sewerage of the Town of *Liverpool* aforesaid for the Time being, to be signified by Writing under the Hand of the Clerk or other Officer for the Time being of such Commissioners.

Such Consent may be revoked.

XXVI. Provided also, and be it enacted, That such Consent as aforesaid shall be revokeable and may in every Case be revoked in like Manner as the same is hereby directed to be obtained, if the said Company shall not thereafter do or cause to be done all such Acts, Matters, and Things as aforesaid, within such Time, and in such Manner, and according to such Conditions and Stipulations as shall have been previously agreed upon and consented to by and between the said Company and the said Commissioners; and in case of such Consent or Consents being so revoked as aforesaid, Notice of such Revocation being given as Notices are in and by the said recited Act directed to be given to the said Company, all Power and Authority of the said Company, and of their Officers, Servants, or Workmen, under and by virtue of the Provision herein-before contained, shall thenceforth cease and be at an end as fully as if the same had not been consented to, until such Time as such Consent shall be again obtained, renewed, and signified in manner herein-before mentioned.

For paying Expences of this Act.

XXVII. And be it further enacted, That all Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act shall be paid and discharged by the said Company out of the Monies received or to be received by them under the Authority of the said recited Act and this Act, or either of them, in preference to any other Payment.

Public Act.

XXVIII. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially noticed as such by all Judges, Justices, and others.