

is tried by a jury, such jury shall find for the defendants; upon which judgment or verdict, or if the plaintiff or plaintiffs shall become nonsuited, or shall suffer a discontinuance of his or their action after the defendant or defendants shall have appeared thereto, or if judgment be rendered, or a verdict shall pass against the plaintiff or plaintiffs therein, or if upon the demurrer or otherwise, judgment shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have his, her, or their costs, and shall have such remedy for recovering the same as defendants have for recovering costs of suit by law in any other cases.

29. No plaintiff shall recover in any action for any irregularity, trespass or other wrongful proceeding, made or committed in the execution of this Act, if tender of sufficient amends shall have been made by or on behalf of the party or parties who shall commit such irregularity, trespass or other wrongful proceeding before such action brought; and, in case no tender shall have been made, it shall be lawful for the defendant or defendants in any such action, by leave of the Court wherein such action shall depend, at any time before issue joined, to pay into Court such sum or sums of money as he, she, or they shall think fit; whereupon proceedings, order and adjudication shall be had and made in and by such Court as in other actions where defendants are allowed to pay money into Court.

30. No gas company shall be bound to see to the execution of any trust, whether express, implied, or constructive, to which any of the shares therein may be subject, and the receipt of the party in whose name any share or shares shall stand in the books of such gas company, or, if in the names of more parties than one, the receipt of one of the parties, shall from time to time be a sufficient discharge to such gas company for any dividend or other sum of money payable in respect of such share or shares, notwithstanding any trust to which such share or shares may then be subject, and whether or not the company have had notice of such trust, and the company shall not be bound to see to the application of the money paid upon such receipt, any law or usage to the contrary notwithstanding.

31. This Act shall not affect the rights of any gas company under existing Acts of Incorporation, except in so far only as its provisions are inconsistent with the provisions of this Act.

Defendant may tender amends.

Gas Companies not bound to see to the execution of any trust or application of trust monies invested in shares.

This Act shall not affect existing rights.