ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. XV.

An Act to repeal *An Act for lighting with Gas the Town of* Belfast *and the Suburbs thereof*, and to make other Provisions for that Purpose.

[28th *May* 1852.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for lighting with Gas the Town of* Belfast *and the* 4 G. 4. c. 37. *Suburbs thereof:* And whereas the *Belfast* Gaslight Company, by the said Act incorporated, were authorized to supply Gas to the said Town of *Belfast* and the Suburbs thereof, and in order to the Construction by them of the necessary Works, to purchase Lands (not exceeding Five Statute Acres in the whole), and to raise by the Creation of Shares a Capital of Thirty-five thousand Pounds, and in case of the same being found insufficient to raise a further Sum of Eight thousand seven hundred and fifty Pounds among themselves, in such equal Shares and Proportions as to them should seem meet, or by way of Loan on Security of the Property and Effects belonging to the said Company, or by raising and creating new and additional Shares, or by any of the said Ways and Methods: And whereas the said Company proceeded to carry the Powers of the said Act into

execution, and established Works, and lighted various Streets, Places, and Buildings in the said Town and Suburbs, and raised and expended for the Purposes of the said Act the whole of the said Sums of Thirty-five thousand Pounds and Eight thousand seven hundred and fifty Pounds respectively, that is to say, the said Sum of Thirty-five thousand Pounds by the Issue of Shares, and the said other Sum by Mortgage: And whereas since the passing of the said Act the Number of Dwelling Houses, Mills, and other Buildings in the said Town and Suburbs has greatly increased; and in order to meet the additional Demand for Gas occasioned thereby the said Company have extended their Works, and expended on such Extension, up to the 31st of *December* 1851, over and above the said Sum of Thirty-five thousand Pounds and the said Sum of Eight thousand seven hundred and fifty Pounds which they were so authorized to raise or borrow, a further Sum of Thirty-six thousand three hundred and forty-nine Pounds Eighteen Shillings and Tenpence, which was raised out of the Profits of the Undertaking, and a Portion of which, that is to say, Twenty-one thousand Pounds, it is desirable should form Part of the Capital Stock of the Company incorporated by this Act: And whereas it is expedient that the Provisions of the said Act should be amended, and that for providing the Means of furnishing an increased Supply of Gas within the said Town and Suburbs the Company incorporated by this Act should be authorized to raise a further Sum of Money: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament, and the same might be more conveniently provided for if the said recited Act were repealed, and if other Powers and Provisions were granted instead of those contained therein: 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Recited Act repealed.

I. That the said recited Act shall be and is hereby repealed.

Provisions of 8 & 9 Vict. cc. 16. & 18. extended to this Act.

II. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845" (except such of the Provisions thereof as relate to the Purchase of Lands otherwise than by Agreement), and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act.

Interpretation of Terms.

III. That in construing this Act and the said "Companies Clauses Consolidation Act, 1845," the said "Lands Clauses Consolidation Act, 1845," and the said "Gasworks Clauses Act, 1847," as incorporated with this Act, the following Words and Expressions shall have the Meaning hereby assigned to them, unless there be something

thing in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Special Act" shall mean this Act:

The Expressions "the Works" or "the Undertaking" shall mean the Gasworks and Works connected therewith by this Act vested in the Company incorporated or constituted by this Act, or which they may be authorized to execute:

The Expressions "the Promoters of the Undertaking" or "the Undertakers" shall mean the Company incorporated by this Act:

The Expression "Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the said Company:

The Word "Company" shall mean the Company incorporated by this Act:

The Expression the "Mayor, Aldermen, and Burgesses" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Belfast*:

The Expression "Quarter Sessions" or "Court of Quarter Sessions" shall mean the General or Quarter Sessions of Peace for the Division of *Belfast* in the County of *Antrim* held at *Belfast*.

Re-establishment of Belfast Gas Company.

IV. That the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in the Capital of the Company hereby dissolved, and all other Persons and Corporations who have subscribed or shall hereafter subscribe to the Undertaking of the Company, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and supplying Gas within the Limits of this Act, and for using and making Gasworks for that Purpose, with proper Works and Conveniences connected therewith, according to the Provisions in this and the said incorporated Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Belfast* Gaslight Company," and by that Name shall be a Body Corporate, with perpetual Succession, and may sue and be sued, and shall have a Common Seal, and Powers to purchase and hold and sell Lands for the Purposes of the said Undertaking.

Real and Personal Estate and Liabilities of dissolved Company vested in and binding on Company hereby established.

V. That from and immediately after the passing of this Act all the Lands, Tenements, and Hereditaments, and all Rights, Claims, Easements, and Privileges, and all Monies, Goods, Chattels, Effects, Bonds, Bills of Exchange and Promissory Notes, Deeds, Books, Writings, Maps, Plans, and Personal Estate of the Company hereby dissolved, shall be and the same are hereby vested in the Company hereby incorporated; and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the Company hereby dissolved shall pay the same, together with all Interest

(if

(if any) due or to accrue due for the same, to the Company hereby incorporated; and all Debts which immediately before the passing of this Act were due and owing by the Company hereby dissolved shall be paid, together with all Interest (if any) due and to accrue due thereon, by the Company hereby incorporated; and all Rates or Rents which immediately before the passing of this Act were due and payable or then accruing due, under or by virtue of the recited Act, to the Company hereby dissolved, shall be and become due and payable to the Company hereby incorporated, and shall and may be collected and recovered by the same Ways and Means, and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as the Rates and Rents by this Act made payable to the Company hereby incorporated; and all Conveyances, Contracts, Mortgages, Bonds, Covenants, Liabilities, Securities, Arrangements, and Agreements made or entered into before the passing of this Act to, with, in favour of or by or for the Company hereby dissolved shall be and remain as valid and effectual in favour of or against and with reference to the Company hereby incorporated, and may be proceeded on, enforced, and satisfied, in the same Manner, to all Intents and Purposes, as if the Company hereby incorporated had been a Party to, executed, and incurred the same, or had been named or referred to therein, instead of the Company incorporated by the recited Act.

Rates, &c. payable under recited Act to continue till altered by this Act.

VI. That all Rates, Rents, or Charges made or imposed under or by virtue of the recited Act, and which at the Time of the passing of this Act shall be due and payable or accruing due and payable, or if this Act had not passed would have been due and payable, or would have accrued due and payable, shall continue to be payable until the same shall be altered or reduced under the Authority of this Act, and may be collected and recovered by such Means and under such Restrictions and Regulations as any Rates, Rents, or Charges to be received in pursuance of this Act may be collected or recovered.

Transfers of Shares, &c. to remain in force.

VII. That all Sales, Transfers, and Dispositions made, entered into, or executed before the passing of this Act of any Share or Shares in the Capital or Joint Stock of the Company hereby dissolved shall remain in full force and virtue, and shall be and continue available in all respects whatsoever, in the same Manner as if the same respectively were or had been made, entered into, or executed under or by virtue of any of the Powers or Authorities contained in this Act.

Actions, &c. not to abate, and Penalties to be recoverable.

VIII. That no Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the Company hereby dissolved previously to the passing of this Act, shall abate or be discontinued or prejudicially affected by this Act, but, on the contrary, the

the same shall continue to take effect either in favour of or against the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in relation to the Company hereby dissolved if this Act had not been passed, and also all Penalties incurred by reason of any Offence against the Provisions of the recited Act previously to the passing of this Act may be sued for, and all Offences which may have been committed before the passing of this Act against the Provisions of the recited Act may be prosecuted, in such or the like Manner, to all Intents and Purposes, as the same might have been sued for and prosecuted respectively if this Act had not been passed, the Company hereby incorporated being in reference to the Matters aforesaid in all respects substituted in the Place of the Company hereby dissolved.

Books, &c. made Evidence by recited Act to continue so.

IX. That all Orders and Proceedings, Books and other Documents whatsoever, by the recited Act authorized or directed to be entered and kept, and thereby made Evidence, shall still be admitted as Evidence in all Courts whatsoever.

Officers acting under recited Act to continue till removed under this Act.

X. That all Clerks, Officers, and Persons appointed by virtue of or acting under the Authority of the recited Act, and not acting contrary to the Provisions and Directions in this Act contained, shall hold and enjoy their respective Offices and Employments, together with the Salaries or Emoluments thereunto annexed, until they shall be removed therefrom by the Company or the Directors; and all such Clerks, Officers, and Persons shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if they had been appointed by virtue of this Act.

Capital.

XI. That the Capital of the Company shall be Fifty-six thousand Pounds, subject to Augmentation as herein-after mentioned, and shall be divided into Seven hundred Shares of the nominal Value of Eighty Pounds each.

Appropriation of Shares.

XII. Whereas the Capital of Thirty-five thousand Pounds, which the Company hereby dissolved raised by the Creation of Shares, pursuant to the Provisions of the recited Act, was divided into Seven hundred Shares of the nominal Value of Fifty Pounds each: And whereas the Sum of Thirty-six thousand three hundred and forty-nine Pounds Eighteen Shillings and Tenpence which the said Company expended upon their Works, over and above the Thirty-five thousand Pounds which they raised by the Creation of Shares, and over and above the Sum of Eight thousand seven hundred and fifty Pounds

which they borrowed under the Authority of the said recited Act, was raised out of the Profits of their Undertaking: Be it enacted, That all and every Person and Persons and Corporations who immediately before the passing of this Act was or were possessed of or entitled to One or more Share or Shares of Fifty Pounds each in the Capital of the Company hereby dissolved shall for each such Share be possessed of or entitled to One or more Share or Shares of Eighty Pounds each of Capital Stock in the Company incorporated by this Act, without making any further Payment in respect thereof, and the said Shares are hereby vested in such Person and Persons and Corporations respectively accordingly.

New Shares to be subject to the same Trusts as the old Shares.

XIII. That all Persons and Corporations in whom such Stock as aforesaid is or shall be vested by virtue of this Act shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances (if any), upon or to which the Share or Shares in the Capital of the Company hereby dissolved in respect of which such Stock is or shall be so vested was or were subject or liable immediately before the passing of this Act, and so as to give Effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such Share or Shares.

Power to raise additional Capital by Creation of new Shares.

XIV. That in addition to the said Capital of Fifty-six thousand Pounds, it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Holders of Capital Stock, present in Person or by Proxy at any General Meeting specially convened for the Purpose, to raise by the Creation of Shares of the nominal Value of Twenty Pounds each any further Sum or Sums that they may think proper, not exceeding in the whole the Sum of Fifty thousand Pounds, and if they shall think fit, with the like Consent, to guarantee such Amount of Interest or Dividend on the Shares to be so from Time to Time created, or any of them, not exceeding Six Pounds *per Centum per Annum* on the Amount for the Time being paid thereon, and to attach such other Privileges with respect to Preference or Priority or otherwise with respect to such Shares or any of them, or the Interest or Dividends to be payable in respect thereof, as may be agreed upon at such Meeting or Meetings.

New Shares to be offered in the first place to existing Shareholders.

XV. That whenever any Shares are newly created for augmenting the Capital of the Company, pursuant to the Provisions of this Act, they shall be offered to the then Proprietors of Capital Stock, and in proportion (as nearly as can conveniently be done) to the Amount of Stock held by the Holders thereof respectively.

XVI. That

New Shares to vest in Persons accepting and paying Calls.

XVI. That such Offer shall be made by Letter under the Hand of the Clerk of the Company, given to or sent by Post to each Proprietor, or left at his usual or last known Place of Abode, or addressed to his last Address appearing in the Shareholders Address Book, by the said "Companies Clauses Consolidation Act, 1845," required to be kept, of which Letter having been so given or sent the Certificate of such Clerk shall be conclusive Evidence; and such newly created Shares shall vest in and belong to the Proprietors who shall accept the same respectively, and pay to the Company the Price at which the same were allotted to them, at such Times and in such Manner and by such Instalments as shall be fixed by the Directors.

As to Disposal of Shares not taken by the Proprietors.

XVII. That if any Proprietor or Proprietors fail for One Month after such Offer of newly-created Shares to accept the same, or to pay any of the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares to any Party willing to become the Purchaser thereof, for such Sum as the Company can obtain for the same, or otherwise, as they think proper.

Calls.

XVIII. That if the Company shall create any Capital under the Provisions of this Act, Forty *per Centum* on the Amount of such Capital shall be the greatest Amount of the First Call which may be made in respect thereof, and Twenty *per Cent.* upon the Amount of such Capital shall be the greatest Amount of any subsequent Call which may be made in respect thereof, and so in like Manner with respect to every subsequent Creation of Capital which may be made by the Company; and in all Cases there shall be an Interval of not less than Three Months between any Two successive Calls; and the aggregate Amount of all Calls on any One Share in One Year shall not exceed Two Thirds of the Amount of such Share.

Power to borrow Money on Mortgage, &c.

XIX. That the Company may borrow any Sums of Money on Mortgage or Bond not exceeding in the whole, inclusive of such Sums as may have been borrowed by the Company hereby dissolved, and may remain unpaid, the Sum of Eighteen thousand six hundred and sixty-six Pounds.

Former Mortgages to have Priority.

XX. That all Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages and Bonds to be created by virtue of this Act.

Power to reborrow.

XXI. That if the Company shall pay off any Money owing by them on Mortgage or Bond, whether the same shall have been borrowed

borrowed prior to the passing of this Act or subsequent thereto, it shall be lawful for them again to borrow (in One or more Sum or Sums) the Money so paid off, and so from Time to Time as Occasion shall require.

Application of Money.

XXII. That all Money to be raised under the Provisions of this Act, whether by means of Shares or by Exercise of the Powers of borrowing, shall be applied to the Purposes of the Undertaking by this Act authorized, and to no other Purpose.

Number and Qualification of Directors.

XXIII. That, subject to the Provisions herein contained for reducing the Number of the Directors, the Number of the Directors of the Company shall be Nine, and the Qualification of a Director shall be the Possession by him of not less than Five hundred Pounds of Capital Stock in the said Company.

Power to vary the Number of Directors.

XXIV. That it shall be lawful for the Company, by Vote of any General Meeting, from Time to Time to reduce the Number of Directors, provided the reduced Number be not less than Six.

First Directors.

XXV. That the Persons who immediately before the passing of this Act constituted the Committee of Management of the Company hereby dissolved shall be the First Directors of the Company.

Election of future Directors.

XXVI. That the Directors appointed by this Act shall continue in Office until the Ordinary Meeting of the Company to be held on the Second *Monday* in the Month of *September* in the Year One thousand eight hundred and fifty-two, at which Meeting they shall retire from Office; and at such Meeting the Shareholders present, personally or by Proxy, shall elect a new Body of Directors (the Directors so retiring, or any of them, being nevertheless eligible for Election or Re-election); and at every subsequent Ordinary Meeting of the Company to be held on the Second *Monday* in the Month of *September* in every succeeding Year, or some Adjournment thereof, One Third, as nearly as may be, of the Directors, shall go out of Office, and the Shareholders present, personally or by Proxy, shall in like Manner elect Persons to supply their Places; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead, under the Provisions of this Act.

Directors re-eligible.

XXVII. That any Director retiring from Office under the Provisions of this Act may be immediately or at a future Time re-elected a Director.

XXVIII. That

Remuneration of Directors and Auditors.

XXVIII. That the Remuneration of the Directors and Auditors shall from Time to Time be fixed by a General Meeting of the Company, and shall be paid out of the Rents, Rates, or Sums receivable under this Act.

Quorum.

XXIX. That a Quorum of a Meeting of the Directors shall be Three.

Quorum of General Meeting.

XXX. That the Quorum for any General Meeting of the Company shall be Five Shareholders holding Stock of the aggregate Amount of not less than One thousand Pounds.

First and other Meetings.

XXXI. That the First Ordinary Meeting of the Company shall be held on the Second *Monday* in the Month of *September* in the Year One thousand eight hundred and fifty-two; and the subsequent Ordinary Meetings of the Company shall be held on the Second *Monday* in the Month of *September* in every succeeding Year; and all Meetings of the Company, whether ordinary or extraordinary, shall be held at such Place as the Directors shall appoint.

Where Shares are joint Property, the Person whose Name stands first shall for Purposes of this Act be deemed the Owner.

XXXII. That when any of the said Capital Stock or Shares shall be jointly possessed by or be the Property of more than One Person, the Owner or Proprietor whose Name shall stand first in order on the Books of the said Company shall for all the Purposes of the said Company be deemed and taken to be the Owner or Proprietor of such Stock or Shares respectively; and all Notices required to be given to the Owner or Proprietor of such Capital Stock or Shares in the said Company shall or may be given or served upon such Person whose Name shall so stand first in order on the Books of the said Company, and such Service upon such Person shall be deemed and taken to be a Service upon all the Owners or Proprietors of such Stock or Shares for all the Purposes for which such Service is intended to be made upon the Owner or Proprietor of any Capital Stock or Shares; and such Person shall be entitled to any Vote or Votes to be given in respect of such Capital Stock.

Scale of voting.

XXXIII. That at any General Meeting of the Company every Holder of Capital Stock to the Amount of Eighty Pounds and upwards, present in Person or by Proxy, shall have One Vote for every Eighty Pounds of such Stock held by him up to One thousand Pounds, and an additional Vote for every Two hundred and forty Pounds of such Capital Stock held by him beyond Nine hundred and sixty Pounds.

Number of Shareholders necessary to call Extra-

XXXIV. That the Number of Holders of Capital Stock on whose Requisition an Extraordinary Meeting may be required to be convened shall

ordinary Meetings.

shall be Five holding in the aggregate not less than Two thousand five hundred Pounds in the Capital Stock of the Company; and that the Directors for the Time being may at any Time call an Extraordinary Meeting of the said Company, provided that the Notice for convening any Extraordinary Meeting shall express the Objects for which the same shall be convened.

Limits of the Act.

XXXV. That the Limits of this Act shall comprise the Borough of *Belfast* and the Parish of *Belfast* otherwise *Shankhill* in the County of *Antrim*, and the Parishes of *Knockbreda* and *Hollywood*, in the County of *Down*.

Power to purchase Lands.

XXXVI. Whereas the Company hereby dissolved were authorized by the recited Act to purchase by Agreement with the Owners of and other Persons interested in Lands any Quantity of Land not exceeding Five Statute Acres for the Purposes of their Undertaking: Be it enacted, That it shall be lawful for the Company to purchase any Quantity of Land by Agreement with the Owners thereof, or the Persons entitled to sell the same, not exceeding in the whole, together with such other Lands as may be then vested in them, Eight Statute Acres.

Power to re-sell surplus Lands already purchased by the Company.

XXXVII. That with respect to Lands already purchased or hereafter to be purchased by the Company, which shall not be required for the Purposes of this Act, the Company shall sell and dispose of all such Lands before such Time and according to such Provisions as are prescribed for that Purpose by the said "Lands Clauses Consolidation Act, 1845;" and the Receipt of the Treasurer of the Company for the Time being shall be a sufficient Discharge to the Purchaser of any such Lands for the Money in any such Receipt acknowledged to be received.

Company empowered to construct Gasworks, &c., and to supply Gas.

XXXVIII. That, subject to the Provisions in this and the said incorporated "Gasworks Clauses Act, 1847," contained, it shall be lawful for the Company from Time to Time to make, erect, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and also such Houses and Buildings, and Approaches thereto, upon the Lands now held or hereby authorized to be held or purchased by the Company, and to do all such other Acts as may be necessary, consistently with the Provisions of this Act, for manufacturing and supplying Gas within the Limits of this Act, and for the Purposes authorized by this Act, and to sell, manufacture, and dispose of the Coke and Residuum arising or to be obtained from the Materials used in the Manufacture of Gas, in such Manner as the Company may think proper.

XXXIX. That

Quality of Gas.

XXXIX. That all the Gas supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven-Inch Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Twelve Wax Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

Power to Company to erect an experimental Meter.

XL. That the Company shall, within Six Months after the passing of this Act, erect or cause to be erected on some convenient Part of their Works an experimental Meter, furnished with an Argand Fifteen-Hole Burner and a Seven-Inch Chimney, and capable of consuming Five Cubic Feet of Gas by the Hour, with other necessary Apparatus for estimating the illuminating Power, and for testing the Purity of Gas.

Experiments to be made on Application of the Town Council or of Six Consumers.

XLI. That if at any Time the Town Council of the said Borough, or any Six Consumers of Gas supplied by the Company, shall wish to test the illuminating Power and Purity of the Gas, it shall be lawful for the said Town Council, under the Hand of the Town Clerk, or any Six Consumers under their Hands, to appoint some competent Person to proceed to the Works of the Company; and it shall be lawful for such Person so appointed, at all reasonable Times, on the Production of such written Authority, to enter the Works of the Company, and forthwith, in the Presence of the Superintendent or other Officer of the Company, to make Experiments upon the illuminating Power and Purity of the Gas, by means of the experimental Meter and other Apparatus herein-before mentioned; and if it shall be proved to the Satisfaction of any Two Justices, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company, when consumed in an Argand Fifteen-Hole Burner at the Rate of Five Cubic Feet by the Hour, did not equal the illuminating Power of not less than Twelve Wax Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour, or if it shall be proved that the said Gas contained a sufficient Quantity of Sulphuretted Hydrogen to discolour the usual Test Paper, then and in every such Case the Company shall forfeit such Sum not exceeding Ten Pounds as to the said Justices shall seem fit.

Company to supply public and private Lights when required.

XLII. That the Company shall from Time to Time, when required by the Council of the Borough so to do, supply Gas to all the public Lamps of the Borough for the Time being, and shall also supply Gas to all the Inhabitants of the Borough applying for the same, whose Premises are situate in any Street or Place therein where the Mains of the Company are now laid down, or to which they may for the Time being extend: Provided always, that if at any Time after the Termination of the existing Contract between the Mayor, Aldermen,

Differences as to Price to be settled by Arbitration.

Aldermen, and Burgesses, and the Company, for the Supply of the public Lamps, any Difference should arise as to the Price to be charged therefor thereafter, it shall be lawful for the said Council to require the same to be settled by Arbitration in the Manner provided by the "Lands Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration.

Limiting Price of Gas and Rent of Meters.

XLIII. That it shall not at any Time be lawful for the Company to charge a higher Price for Gas, or a higher Rent for Meters, than the Prices and Rents chargeable at the Time of the passing of this Act, nor to allow less Discount than at the same Period allowed by the Company, which said Prices, Rents, and Discounts are as follows; *viz.*

Price of Gas.—Five Shillings *per* Thousand Cubic Feet, subject to the following Discounts:—

On a Quarterly Consumption of

10,000 Cubic Ft., and not exceeding	50,000	Cubic Ft.,	£2½	*per Cent.*			
Above	50,000	„	„	100,000	„	5	„
„	100,000	„	„	200,000	„	10	„
„	200,000	„	„	400,000	„	15	„
„	400,000	„				20	„

Provided the Account be paid at the Company's Office or at the Gasworks on or before the 24th Day of *January*, *April*, *July*, and *October* in each Year.

Rent of Meters *per* Quarter:—

			s.	*d.*
3-Light	*Crossley*		1	6
5 ditto	ditto		2	0
10 ditto	ditto		3	0
20 ditto	ditto		4	0
30 ditto	ditto		5	0
45 ditto	ditto		6	0
60 ditto	ditto		7	6
80 ditto	ditto		10	0
100 ditto	ditto		12	6
150 ditto	ditto		15	0

Power to recover Gas Rent under 40*l.* in the Court of Quarter Sessions.

XLIV. That if any Person supplied with Gas by the Company, or having hired from the Company any Meters or Fittings for Gas, neglect to pay the Rent due for the same to the Company, and the Rent so due does not amount to Forty Pounds, the Company may recover the same in the Court of Quarter Sessions within the District in which the said Gas shall have been supplied, as well as in the Manner prescribed for the Recovery thereof in the "Gasworks Clauses Act, 1847."

XLV. And

Authorizing the Sale of Gasworks to the Council of the Borough of Belfast.

XLV. And whereas by a Local and Personal Act, 9th and 10th *Victoria*, Chapter 294, the Council of the Borough of *Belfast* are authorized to purchase or take on Lease any Gasworks and Gas Apparatus already erected and set up, or thereafter to be erected or set up or used, for the Purpose of supplying Gas to the Inhabitants of the said Borough or the Vicinity thereof, and any Lands, not exceeding Eight Acres, held therewith: Be it enacted, That it shall be lawful for the Company, with the Consent of Three Fourths in Value of the Proprietors thereof present at any Meeting of the Company specially called for the Purpose, to contract and agree to sell, dispose of, or let on Lease, grant or demise, (for such Consideration or Rent, and to be paid or secured in such Manner and for such Term or Estate as shall be agreed upon,) all the Houses, Lands, Plant, Works, Mains, Pipes, Stock, and Property of the *Belfast* Gaslight Company to the Mayor, Aldermen, and Burgesses of the Borough of *Belfast*; and that any such Contract, Agreement, or Arrangement which shall be made or entered into between the Company, and the Mayor, Aldermen, and Burgesses, and be sealed with their respective Common Seals, shall be valid and effectual to all Intents and Purposes whatsoever.

Contract shall specify the Debts to be paid by the Directors and Corporation of Belfast respectively.

XLVI. That any such Contract as last aforesaid for the absolute Sale of the Lands and other Property of the Company shall specify which (if any) of the Debts that may be owing by the Company at the Time of the Undertaking becoming vested in the Mayor, Aldermen, and Burgesses shall be stipulated to be paid by the Directors out of the Purchase Monies and Securities to be paid to them by the Mayor, Aldermen, and Burgesses, and which (if any) of such Debts shall be stipulated to be paid by the said Mayor, Aldermen, and Burgesses; and the Directors of the Company shall, if they shall require the same, be sufficiently indemnified by the Mayor, Aldermen, and Burgesses (at or previously to the Execution by the said Directors of the Deed or Deeds for carrying such Sale into effect) against such last-mentioned Debts, and also against all Actions, Suits, and Liabilities which may be then pending.

Company to convey Works to Corporation, and the Receipt of Three Directors to be a Discharge for Purchase Monies.

XLVII. That it shall be lawful for the Company, in pursuance of such Contract or Agreement, to convey and transfer or demise and grant the Houses, Lands, Plant, Works, Mains, Pipes, Stock, and Property so agreed to be sold or transferred or demised or granted to the Mayor, Aldermen, and Burgesses of the Borough of *Belfast*, unto the Mayor, Aldermen, and Burgesses and their Successors, or as they shall direct; and the Receipt of any Three Directors of the Company for the Money or Securities agreed to be paid or given for the Purchase or Transfer or Demise or Grant of such Works and Premises shall be a good and sufficient Discharge for the Monies or Securities therein expressed to be received; and the Mayor, Aldermen,

and Burgesses shall not be bound to see to the Application of the Monies then paid, or of any Monies to be subsequently paid upon or in respect of any such Securities.

Company may lease their Works to Corporation.

XLVIII. That it shall be lawful for the Company, in pursuance and execution of any such Contract in this Behalf, to demise or grant, by Deed under their Common Seal, all or any Part of the Houses, Lands, Plant, Mains, Pipes, Stock, and Property of the Company, to the Mayor, Aldermen, and Burgesses, for such Term or other limited Interest, for such Consideration (by way of annual Rent or otherwise), and with such Covenants as may be agreed upon, and which shall be inserted in such Deed; and that, subject to the Terms and Stipulations in such Deed to be contained, the same Lands and other Property shall remain vested in the Company, and be subject to the Provisions of this Act.

In case of absolute Sale, upon Execution of Conveyance by the Company, their Works to vest in the Corporation.

XLIX. That in case of such absolute Sale as aforesaid, then, immediately upon the Execution by the Company of a Deed or Deeds of Conveyance and Assignment under their Common Seal, and duly stamped, (in which Deed or Deeds the Consideration for the same shall be fully and truly stated and set forth,) of all their Houses, Lands, Plant, Works, Mains, Pipes, Stock, Debts, Gas Rents, and other Monies and Property, to the Mayor, Aldermen, and Burgesses, all the Houses, Lands, Plant, Works, Mains, Pipes, Stock, Debts, Gas Rents, and other Monies and Property comprised in or expressed to be conveyed or transferred by such Conveyance shall by virtue of this Act become absolutely vested in the Mayor, Aldermen, and Burgesses, and their Successors, for all such or the like Estate or Interest as the Company were seised or possessed of or entitled to therein at the Date of such Conveyance; and the Mayor, Aldermen, and Burgesses shall have all such and the same Powers for the Recovery of the Debts, Gas Rents, and other Monies so transferred to them as the Company would have had if no such Transfer thereof had been made.

Upon Execution of Conveyance of Works, and on Notice being given, the Company to be dissolved, and this Act declared repealed.

L. That immediately upon the Execution by the Company of an absolute Conveyance or Conveyances of the Gasworks and other Property aforesaid to the Mayor, Aldermen, and Burgesses, and upon Publication of a Notice thereof in the *Dublin Gazette* and in some Newspaper usually printed or circulated in the Borough of *Belfast*, "The *Belfast* Gaslight Company" shall be and the same is hereby declared to be dissolved, save and except as to the Acts, Matters, and Things herein-after authorized to be done by the Company or by the Directors thereof, or otherwise, in or about the winding up the Affairs of the Company, or in relation thereto, according to the true Intent and Meaning of this Act: Provided always, that the Dissolution of the Company shall not annul or in anywise prejudice or affect any Purchase, Sale, Conveyance,

Conveyance, Lease, Grant, Security, Act, Matter, or Thing whatsoever theretofore made, done, or executed under or by virtue or in pursuance of the recited Act hereby repealed or of this Act, but that all such Purchases, Sales, Conveyances, Leases, Grants, Acts, Matters, and Things shall be and remain good, valid, and effectual, in favour of, against, and in reference to the Mayor, Aldermen, and Burgesses, and their Successors, to all Intents and Purposes.

Conveyances, &c. in favour of or against the Company to operate in favour of and against the Corporation.

LI. That immediately upon the Houses, Lands, Works, Mains, Pipes, Stock, Debts, Gas Rents, and other Monies and Property of the Company becoming vested in the Mayor, Aldermen, and Burgesses, all Contracts, Engagements, Agreements, Conveyances, Leases, Covenants, and Indemnities made or entered into with or in favour of or by or for or on behalf of the Company, previously to such Conveyance of the Gasworks, shall remain as good, valid, and effectual, in favour of and against and in reference to the Mayor, Aldermen, and Burgesses, and may be proceeded on and enforced in the same Manner, by or against the Mayor, Aldermen, and Burgesses, to all Intents and Purposes as if the Mayor, Aldermen, and Burgesses had been Parties to and executed the same, or had been named or referred to therein, instead of the Company.

Certain Debts of the Company to be paid by Corporation.

LII. That all Debts owing by the Company at the Time of the Undertaking becoming vested in the Mayor, Aldermen, and Burgesses, which shall not have been stipulated to be paid by the Directors thereof out of the Purchase Monies and Securities to be paid to them by the Mayor, Aldermen, and Burgesses, shall be paid by the Mayor, Aldermen, and Burgesses; and the same may be enforced against them in the same Manner as if such Debts had been contracted by them, and not by the Company, and shall not be enforceable against the Directors or other Members of the Company so to be dissolved.

Actions, &c. not to abate by reason of Transfer of Works to Corporation.

LIII. That no Action, Suit, or other Proceeding whatsoever commenced by or against the Company previously to such Purchase or Transfer from them being made to the Mayor, Aldermen, and Burgesses as aforesaid shall abate or be discontinued or prejudicially affected by the Circumstance of such Purchase or Transfer having been made, but the same shall continue and take effect, either in favour of or against the Mayor, Aldermen, and Burgesses, in the same Manner and in all respects as the same would have continued and taken effect in relation to the Company if such Purchase or Transfer as aforesaid had not been made; and also that all Penalties by reason of any Offence against the Provisions of this Act previous to such Purchase or Transfer as aforesaid shall and may be sued for, and all Offences which may have been committed before such Purchase or Transfer against the Provisions of the said Act may be prosecuted, in such or the like Manner, to all Intents and Purposes, as the same might have been

been sued for and prosecuted respectively if such Purchase or Transfer had not been made, the Mayor, Aldermen, and Burgesses being in reference to the Matters in the Enactment mentioned in all respects substituted for and in the Place of the Company.

Application of Purchase Monies.

LIV. That the Directors for the Time being of the Company to whom such Purchase Monies or Securities for the same are hereinbefore directed to be paid by the Mayor, Aldermen, and Burgesses shall stand possessed of the same upon trust to retain and divide the same amongst the several Persons who, at the Time of the Payment of such Purchase Monies or Securities for the same as aforesaid shall be the Proprietors of the Capital Stock and Shares of the Company, in proportion to the Amount of Stock and the Number of Shares belonging to them respectively, and their respective Executors, Administrators, and Assigns.

Certain Debts of the Company to be paid by the Directors before Distribution of Purchase Monies.

LV. That before the said Directors shall distribute the said Purchase Monies or Securities amongst the Proprietors of the Company, they shall pay all just Debts and Demands against the Company which shall not have been stipulated to be paid by the Mayor, Aldermen, and Burgesses, and shall also pay all Costs and Expenses incurred by the Directors in carrying the Provisions of this Act into effect, and also all other Costs and Expenses the Deduction or Retention whereof by them is by this Act authorized; and the Surplus of such Purchase Monies and Securities remaining after such Payments shall be deemed to be the Purchase Monies or Securities by this Act made distributable amongst the Proprietors.

Directors to wind up Accounts of Company.

LVI. That it shall be lawful for the Directors to pay any Debt or Demand which shall be claimed to be owing from or by the Company, upon such Evidence as the said Directors may deem satisfactory, and also to adjust and wind up any Accounts between the Company and any Person or Persons whomsoever, and to give full and complete Acquittances and Discharges in relation thereto, and to refer to Arbitration any Disputes which may have arisen with any Person or Persons upon or touching any such Debt, Claim, or Demand, or otherwise concerning the Premises; and such Arbitration shall be conducted in the Manner prescribed in and by the "Companies Clauses Consolidation Act, 1845," or as near thereto as Circumstances will permit.

Company not bound to regard Trusts.

LVII. That the said Directors shall not be bound to see to the Execution of any Trusts, whether express, implied, or constructive, to which any of the Capital Stock or Shares in the Company may be subject; and the Receipt of the Person or Persons in whose Name or Names any Stock or Shares shall stand in the Books of the Company shall be a sufficient Discharge to the Directors for all Monies which

shall be paid in respect thereof, notwithstanding any Trust to which such Stock or Shares may be subject, and whether the Company or the Directors thereof shall or shall not have had Notice of such Trusts; and the Company shall not be bound to see to the Application of the Money paid upon such Receipt.

Monies payable to certain Stock or ShareHolders to be paid into Court of Chancery.

LVIII. That in case any of the Persons who may appear on the Books of the said Company to be Proprietors of Capital Stock or Shares, and entitled as such to participate in the Purchase Monies or Securities by this Act made distributable among the Proprietors, or who may appear on such Books entitled to any Arrear of Dividends in respect of any Capital Stock or Shares in the said Company, shall be absent, or incapable of receiving all or any Part of such Money, or shall refuse the same, or be undiscoverable, then and in such Case it shall be lawful for the said Directors acting with respect to the Distribution of such Money to pay all such Monies as would have been payable to such Persons as aforesaid if known, and present, and capable and willing to receive the same, into the Bank of *England*, with the Privity of the Accountant General of the High Court of Chancery of *England*, to the Account of such Accountant General, "In the Matter of the dissolved *Belfast* Gaslight Company," in trust to attend the Orders of the said Court, and such Monies shall thereafter be paid out and applied in the Manner directed by the Act 11 *Victoria*, Cap. 96; and such Directors shall, previously to or at the Time of such Payment, file an Affidavit, stating with regard to each Part of the Sum so paid in by them on what Account the same is paid, and who on the Books of the said Company appears to be entitled thereto, with any other necessary Particulars as to the same which may be known to the Person or Persons making such Affidavit by means of such Books or otherwise; and the Receipt of One of the Cashiers of the said Bank for the Money so paid shall be a sufficient Discharge to the Chairman and Board of Directors for the same.

Directors may employ Clerks, &c.

LIX. That it shall be lawful for the said Directors and they are hereby authorized to employ such Clerks and other Servants as they may deem requisite for carrying into effect such of the Provisions of this Act as relate to the Company or the said Directors, in winding up the Affairs of the Company, and to allow them such Salaries or Remuneration as such Directors shall think fit, out of the Funds which shall come to their Hands by virtue of this Act.

Directors to meet whenever requisite.

Three to be a Quorum.

LX. That it shall be lawful for the said Directors to meet when and where and as often as they shall think fit, for the Purposes of winding up the Affairs of the Company; and that Three of such Directors present at a Meeting shall (so long as Three Directors remain) be a Quorum, and competent to act; and that when and so soon as the

Number of such Directors shall be reduced below Three, the remaining Directors or Director for the Time being shall or may exercise all the Powers and Authorities by this Act vested in the whole Body of the Directors.

Directors to be respectively chargeable for their own Acts only.

LXI. That the respective Directors, or any of their respective Executors or Administrators, shall not be charged or chargeable with or for any more or other Monies than they respectively shall actually receive or than shall come to their respective Hands under and by virtue of this Act, and that they or any of them shall not be answerable or accountable for any Officer or Agent, Banker, Broker, or other Person with whom or in whose Hands any Part of the said Purchase Monies or the Assets of the Company shall or may be placed or lodged for safe Custody, Remittance, Sale, Investment, Payment, or otherwise, in execution of the Trusts hereby in them reposed, and that they or any of them shall not be answerable or accountable for any other Misfortune, Loss, or Damage which may happen to the said Monies or Assets of the Company in the Execution of the said Trusts or in relation thereto, unless the same shall happen by or through their own wilful Default respectively, and then and in that Case such Person respectively shall singly and alone be answerable for such Loss or Damage as shall arise from his own wilful Neglect or Default; and also that it shall be lawful for the said Directors, by and out of the Money which shall come to their respective Hands by virtue of the Provisions of this Act, to deduct, retain, and reimburse to and for themselves respectively, and also to allow to their Colleagues, and to the Executors and Administrators of any deceased Director of the said Company, all Costs, Charges, Damages, and Expenses which they or any of them shall or may suffer, sustain, or expend, disburse, lay out, or incur in or about the Execution of the Provisions and Trusts hereby reposed in them or in relation thereto, or in or about any Action, Suit, or Proceeding, either at Law or in Equity, relating to the Company or its Property or Affairs, which the said Directors for the Time being may deem proper to use, take, prosecute, or defend, except such Costs, Damages, or Expenses as shall happen by or through the wilful Neglect or Default of any such Director or Directors, and also to settle, adjust, and allow the Accounts of any of the Directors of the Company who shall depart this Life, and also to receive and give Discharges for the Money which shall appear to be the Balance of the same Accounts, without any Responsibility in the Person or Persons paying the same Money to see to the Application thereof, or being answerable for any Misapplication or Nonapplication of the same or any Part thereof.

Persons whose Names appear in the Books to be Proprietors of Capital

LXII. That the several Persons whose Names shall appear on the Books of the Company to be respectively sole or joint Proprietors of

Capital Stock or Shares therein shall, until the contrary be proved to the Satisfaction of the said Directors, be considered to be the Persons entitled to distributive Parts or Shares of the said Purchase Monies and of any other Monies to be divided amongst the Proprietors of Capital Stock or Shares in the Company.

Books as Proprietors to be deemed such until the contrary be proved.

LXIII. That all Persons in whom any Lands are or may be vested as Trustees for the Company, or for the Mayor, Aldermen, and Burgesses, shall, in the event of such absolute Sale as aforesaid to the latter being completed, and when directed so to do by the Mayor, Aldermen, and Burgesses, convey such Lands unto and for the Use and Benefit of the Mayor, Aldermen, and Burgesses, or as they shall direct.

Trustees for Company, &c. to convey to Corporation.

LXIV. That when and so soon as the Gasworks and Undertaking of the Company shall, under the Provisions of this Act, have become vested in the Mayor, Aldermen, and Burgesses, the Limits of this Act shall be deemed, construed, and taken to be the Limits within which it shall be lawful for the Mayor, Aldermen, and Burgesses to supply Gas under the Powers of the said Act, 9 & 10 *Victoria*, Chapter 294.

Mayor, &c. to supply Gas within the Limits of this Act, when Works are vested in them.

LXV. That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, diminish, interfere with, or in any Manner affect any of the Powers, Rights, Privileges, or Authorities granted to or vested in the Mayor, Aldermen, and Burgesses of *Belfast*, or the Council of the said Borough, or any Officer thereof, under or by virtue of the Local and Personal Acts herein-after mentioned, that is to say, the 8th and 9th *Victoria*, c. 142., the 9th and 10th *Victoria*, c. 294., the 10th and 11th *Victoria*, c. 254., and the 13th and 14th *Victoria*, c. 108., or of any Law, Statute, Charter, or otherwise whatsoever, but that all and every the Powers, Rights, Interests, Properties, Privileges, and Authorities granted to or vested in the Mayor, Aldermen, and Burgesses, or the said Council, or any Officer thereof, shall and may be exercised, possessed, and enjoyed in as full and ample a Manner, to all Intents and Purposes, as the same were or might have been exercised, possessed, and enjoyed if this Act had not been passed.

Saving Rights of Corporation of Belfast.

LXVI. That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Rights, Privileges, or Authorities of the "*Belfast* Water Commissioners," granted by the Local and Personal Act, 3 & 4 *Victoria*, Chapter 79.

Saving Rights of the Belfast Water Commissioners.

LXVII. That

Expenses of Act.

LXVII. That all the Costs, Charges, and Expenses of applying for and obtaining this Act, or incident thereto, shall be defrayed by the Company.

Short Title.

LXVIII. That in citing this Act in Acts of Parliament, or any other Instrument whatever, it shall be sufficient to use the Expression "The *Belfast* Gas Act, 1852."

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1852.