ANNO DUODECIMO

VICTORIÆ REGINÆ.

Cap. iii.

An Act for supplying the District of *Brierley Hill* in the Parish of *Kingswinford* in the County of *Stafford* with Gas. [11th *May* 1849.]

WHEREAS the District of *Brierley Hill* in the Parish of *Kingswinford* in the County of *Stafford* is now ill supplied with Gas, and it would be a great Advantage to the Inhabitants of the said District and to the Public if they were better supplied therewith: And whereas the Parties herein-after mentioned are willing to supply the said District with Gas; but the same cannot be effected without the Authority of Parliament: 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 the several Acts of Parliament following, that is to say, "The Companies Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act. 8 & 9 Vict. c. 16. and 10 & 11 Vict. c. 15. incorporated with this Act.

II. And be it enacted, That the Expression "Quarter Sessions" in the said incorporated Acts shall be construed to mean the Quarter Sessions of the Peace for the County of *Stafford* holden at *Stafford*. Quarter Sessions.

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Brierley Hill* Gas Act, 1849." Short Title.

8 & 9 Vict. c. 18. incorporated with this Act.

IV. And be it enacted, That the "Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act; and the Provisions of the said Lands Clauses Consolidation Act shall be applicable to the Undertaking hereby authorized, except as hereinafter mentioned.

Nothing to authorize Company to take Land without Consent, &c.

V. Provided always, and be it enacted, That nothing in the said Lands Clauses Consolidation Act contained shall authorize the Company hereby constituted to take or use any Land, unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof.

Limits of Act.

VI. And be it enacted, That the Limits of this Act shall extend to and include the District of *Brierley Hill* in the County of *Stafford*, and the Liberties and Precincts thereof and Places adjacent thereto, comprising the several Places herein-after named; that is to say, *Brierley Hill*, *Badger's Bank*, *Brettell Lane*, *Moor Lane*, *Leys*, *Brockmoor*, *Bromley*, *Gosty Bank*, *Common Side*, *Pensnett*, *Round Oak*, *Crawley Plain*, *Level*, *Mill Lane*, *Delph*, *Rocks Hill*, *Clyer's Plain*, *Mount Pleasant*, and *Quarry Bank*, all in the Parish of *Kingswinford* in the County of *Stafford*, and also that Part of *Hartshill* which lies in the Parish and County aforesaid.

Company incorporated.

VII. And be it enacted, That *George Collison Tuting*, *Reuben Plant*, *Francis Tandy*, *John Fraser Watkins*, *William Henzey Bond*, *Thomas Southall*, *William Cooke*, *Benjamin Stinson*, *John Price*, *Abraham Whitehouse*, *Joseph Kell*, *Thomas Grove*, *John Parkes*, *John Compson Wright*, *Joseph Moore*, *Henry Weaver*, *Samuel Hudson*, *George Ford*, *William Meller*, *John Harper*, *Benjamin Green*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purpose of making and supplying Gas within the Limits of this Act, and for 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 "*Brierley Hill* District Gaslight Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking.

Quantity of Land to be held by Company limited.

VIII. Provided always, and be it enacted, That it shall not be lawful for the Company to purchase or hold for the Purposes of the Undertaking more than Five Acres of Land.

Capital.

IX. And be it enacted, That the Capital of the said Company shall be Six thousand Pounds.

Shares.

X. And be it enacted, That the Number of Shares into which the said Capital shall be divided shall be Twelve hundred, and the Amount of each Share shall be Five Pounds.

XI. And

Calls.

XI. And be it enacted, That One Pound *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and that Three Fifths of the Amount of a Share shall be the utmost aggregate Amount of the Calls to be made in any One Year upon any Share, and that Two Months at the least shall intervene between successive Calls.

Power to borrow Money on Mortgage.

XII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums of Money not exceeding in the whole the Sum of Two thousand Pounds; but no Part of such Sum shall be raised until the whole of the said Capital or Sum of Six thousand Pounds shall have been subscribed for, and One Half thereof shall actually have been paid up.

Arrears may be enforced by Appointment of Receiver.

XIII. And be it enacted, That it shall be lawful for the Mortgagees of the Company to enforce the Payment of the Arrears of the Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Five hundred Pounds in the whole.

First and other Meetings.

XIV. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Two Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held on the Second *Wednesday* in the Months of *February* and *August;* and the first of such Ordinary Meetings shall be held at the *Star* Inn at *Brierley Hill* aforesaid; and such Meetings, whether ordinary or extraordinary, shall be held at *Brierley Hill.*

Quorum of General Meetings.

XV. And be it enacted, That the Quorum for any General Meeting of the Company shall be Seven Shareholders holding in the aggregate not less than Five hundred Pounds in the Capital of the Company.

Number of Shareholders requisite to convene Extraordinary Meeting.

XVI. And be it enacted, That the Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be Twenty Shareholders holding in the aggregate not less than One thousand Pounds in the Capital of the Company.

Scale of voting.

XVII. And be it enacted, That the Scale according to which Shareholders may vote in respect of their Shares shall be as follows; (that is to say,)

For One Share or more, but not exceeding Twenty, One Vote:

For more than Twenty Shares, but not exceeding Forty, Two Votes.

For more than Forty Shares, Three Votes.

Number and Qualification of Directors.

XVIII. And be it enacted, That (subject to the Provisions herein contained for increasing or reducing the Number of Directors) the Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking.

XIX. And

Power to vary the Number of the Directors.

XIX. And be it enacted, That it shall be lawful for the Company from Time to Time to increase or reduce the Number of Directors of the Company, but the whole Number of Directors, after such an Increase or Reduction as aforesaid, shall not be greater than Nine nor less than Five.

First Directors.

XX. And be it enacted, That *Reuben Plant*, *George Collison Tuting*, *Thomas Southall*, *John Price*, *Joseph Moore*, *Benjamin Green*, *John Harper*, *John Fraser Watkins*, and *Benjamin Stinson*, shall be the first Directors of the Company.

Committees of Directors.

XXI. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Five, and the Quorum of such Committees shall be Three.

The Amount of reserved Fund.

XXII. And be it enacted, That the Amount of the reserved or contingent Fund shall be One thousand Pounds.

Power to Undertakers to construct Gasworks, &c.

XXIII. And be it enacted, That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company from Time to Time to construct and maintain such Gasworks and Apparatus, and such Buildings, with Approaches thereto, upon the Lands belonging to the Company, or hereby authorized to be purchased by them, and to do all such other Acts as they shall think necessary for supplying the Inhabitants within the Limits of this Act with Gas, and to supply such Gas upon such Terms as shall be agreed upon between the Company and the Persons supplied therewith, and to sell and dispose of the Coke and other Residuum arising from the Materials used in the Manufacture of Gas, in such Manner as the Company may think proper.

Maximum Price or Charge.

XXIV. And be it enacted, That the Price or Charge for the supplying of Gas to any Persons or Person for or in respect of any public or private Lights or Light shall in no Case exceed the Price or Charge of Eight Shillings and Sixpence for every Thousand Cubic Feet of Gas.

Power to Undertakers to lay Pipes for lighting Buildings.

XXV. And be it enacted, That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company to lay any Pipe, Branch, or other Apparatus from any Main or Branch Pipes into, through, or against any Building, for the Purpose of lighting the same, and to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Public Act.

XXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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