CHAPTER xxvii.

A.D. 1375.

An Act to dissolve and re-incorporate the Broadstairs Gaslight and Coke Company, Limited, and to grant them powers to improve their Works and increase their Capital; and for other purposes. [13th May 1875.]

WHEREAS in the year 1851 certain persons formed themselves into a gas company for the purpose of supplying with gas Broadstairs, in the Isle of Thanet, in the county of Kent, and its neighbourhood, and generally for carrying on the business usually carried on by gas companies, and such Company was duly registered under "The Companies Act, 1862," by the name of the Broadstairs Gaslight and Coke Company (Limited) (herein-after referred to as "the limited Company):"

And whereas the present share capital of the limited Company consists of six thousand pounds, divided into one thousand two hundred shares of five pounds each, the whole of which capital has been subscribed, and four thousand six hundred pounds paid up, and the Company has no mortgage or bond debt:

And whereas the limited Company purchased three pieces of land situate in Broadstairs aforesaid, described in the schedule to this Act, and erected gasworks thereon, and have from time to time improved and enlarged the same with the capital raised by them, and are now supplying gas within Broadstairs and the adjoining parish of St. Peter the Apostle:

And whereas the demand for gas in the district supplied by the limited Company has increased and is increasing, and it is expedient that the works of the limited Company should be improved and their mains extended, and that additional capital should be provided for such improvement and extension:

And whereas it is expedient that the limited Company should be dissolved and re-incorporated with further powers:

A.D. 1875.

And whereas the objects aforesaid cannot be attained 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, as follows; (that is to say,)

Short title.

1. This Act may be cited as "The Broadstairs Gas Act, 1875."

Provisions of certain general Acts incorporated.

2. "The Companies Clauses Consolidation Act, 1845;" Parts I., II., and III. of "The Companies Clauses Act, 1863;" "The Companies Clauses Act, 1869;" "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement, with respect to entry upon lands by the promoters of the undertaking, and with respect to small portions of intersected lands; "The Gasworks Clauses Act, 1847," and "The Gasworks Clauses Act, 1871," are, subject to the provisions of this Act, incorporated with and form part of this Act, and "The Gasworks Clauses Act, 1871," shall apply to the existing undertaking of the limited Company as if the same had been authorised by this Act.

Interpretation of terms.

3. In construing the incorporated Acts respectively for the purposes of this Act, and in construing this Act, the words and expressions herein mentioned or referred to shall have the meanings herein assigned to them respectively, unless there be something in the subject or context repugnant or inconsistent with such construction; (that is to say,)

The expression "the limited Company" shall mean the Broadstairs Gaslight and Coke Company, Limited, as constituted and existing immediately before the passing of this Act:

The expressions "the Company," "the promoters of the undertaking," and "the undertakers" shall respectively mean the Company incorporated by this Act:

The expressions "the works," "the gasworks," and "the undertaking" shall respectively mean and include the gasworks and works connected therewith by this Act vested in or authorised to be made or maintained by the Company, and any improvement thereof which they may construct under the powers of this Act, and the lands, buildings, estate, right, title, property, privileges, and effects of the Company:

The expression the "gas limits" shall mean the limits of this Act for the supply of gas:

Other expressions and words to which in the incorporated Acts

meanings are assigned shall respectively have the same meanings in this Act:

The expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or in any Act wholly or partially incorporated herewith, shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Limits of Act.

4. The limits of this Act shall be the parish of St. Peter the Apostle, in the Isle of Thanet, in the county of Kent, including the town of Broadstairs.

Incorporation of Company.

5. From and after the passing of this Act the limited Company shall be dissolved, and the several persons and corporations who immediately before the passing of this Act were members of that Company, and all other persons and corporations who have subscribed to or who shall hereafter become proprietors in the undertaking of the Company, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a Company for the purpose herein-after mentioned, and shall be incorporated by the name of "The Broadstairs Gas Company," and by that name shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take on lease, and hold and dispose of lands and other property for the purposes of this Act.

General purposes of the Company.

6. The Company shall be established for the purpose of manufacturing gas and of supplying gas within the limits of this Act, and they may convert, manufacture, sell, and dispose of coke, coal, tar, pitch, asphaltum, and ammoniacal liquor, oil, and all other products, refuse, or residuum arising, remaining, produced by, or obtained from the manufacture of gas, or the materials used therein, and may manufacture and sell such articles as can be produced from or by means of the several matters and things aforesaid, and may also manufacture, and sell, let, or deal in, gas fittings, tubes, meters, pipes, and all other articles and things in any way connected with gasworks, or with the supply of gas, to the consumers thereof, in such manner as the Company may think proper, and generally carry on the business usually carried on by gas companies, or which is or may become incident thereto.

Present property of limited Company vested in Company incorporated by this Act.

7. Subject to the provisions of this Act, all the lands, gasworks, erections, buildings, rights, and easements which immediately before the passing of this Act were vested in the limited Company, or in any person in trust for them, or to which that Company was in anywise entitled, and all mains and pipes, plant, plugs, lamps, irons,

A.D. 1875.

retorts, gauges, meters, lamp posts, syphons, apparatus, stock, effects, matters, and things which have been by them purchased, provided, laid down, erected, or placed in any place or house within the limits of this Act, or which immediately before the passing of this Act were the property of the limited Company, and all moneys, securities, credits, effects, and other property whatsoever which immediately before the passing of this Act belonged to the limited Company or to any trustee on their behalf, and the benefit of all contracts and engagements entered into by or on behalf of the limited Company and immediately before the passing of this Act in force, shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the limited Company or any trustee on their behalf, and may, according to the provisions of this Act, be held and enjoyed, sued for and recovered, maintained, altered, discontinued, removed, dealt with, and disposed of by the Company as they think fit.

Memorandum and articles of association of the limited Company to be void, without prejudice to remedies for antecedent breaches thereof.

8. Subject to the provisions of this Act, the memorandum and articles of association of the limited Company shall, as to any prospective operation thereof, be wholly void, and the Company and the shareholders shall be exempted from all the provisions, restrictions, and requirements of any Act which applied to the limited Company and the members thereof as such; but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum and articles of association incurred before the passing of this Act, but such liability or obligation in respect of any such breach shall continue, and, save as in this Act otherwise provided, may be enforced by or on behalf of the Company, as nearly as may be, in like manner as the same might have been enforced by or on behalf of the limited Company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

9. Except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the limited Company, or the members thereof as such, shall be as valid as if the Company had not been incorporated, and the said memorandum and articles of association had not been avoided by this Act, and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which if the Company were not incorporated, and the said memorandum and articles of association were not avoided by this Act, and this Act were not passed, would be incident to or consequent on any and every thing so done

or suffered; and with respect to all such rights, liabilities, claims, and demands the Company and its shareholders and property shall to all intents and purposes represent the limited Company, and the members thereof as such, and the property of the limited Company, as the case may be, and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to the passing of this Act to be binding.

10. Except as is by this Act otherwise specially provided, all purchases, sales, conveyances, grants, assurances, deeds, contracts, bonds, and agreements entered into or made before the passing of this Act by, to, or with the limited Company, or any trustees or persons acting on behalf of the limited Company, or by, to, or with any other person to whose rights and liabilities they have succeeded, and now in force, shall be as binding and of as full force and effect in every respect against or in favour of the Company, and may be enforced as fully and effectually, as if, instead of the limited Company or the trustees or persons acting on behalf of the limited Company, the Company had been a party thereto.

Actions, &c. not to abate.

11. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which was pending by or against the limited Company, or any member thereof in relation to the affairs of the limited Company, or to which the limited Company, or any member thereof in relation to such affairs, were parties immediately before the passing of this Act, but such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company, as the case may be, in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by or in favour of or against the limited Company, or any member thereof, if this Act had not been passed, the Company and the shareholders therein being, in reference to the matters aforesaid, in all respects substituted for the limited Company and its members respectively.

Trustees of Limited Company to be indemnified.

12. Every trustee or other person in whom or in whose name any lands, works, buildings, easements, rights, property, or effects belonging to the limited Company were vested immediately before the passing of this Act, and who (being authorised so to do) entered into any bond, covenant, contract, or engagement in respect of the same or otherwise on behalf of the limited Company, shall be indemnified out of the funds and property of the Company against all liability (including costs, charges, and expenses) which he may sustain or incur or be put unto by reason of his having entered into such bond, covenant, contract, or engagement.

A.D. 1875.

Company to satisfy liabilities of limited Company.

13. From and after the passing of this Act, and except as is by this Act otherwise expressly provided, the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the limited Company immediately before the passing of this Act were subject, and shall indemnify the members, directors, officers, and servants of the limited Company, and their respective representatives, from all such obligations and liabilities, and from all expenses and costs in that behalf.

Recovery of gas rents, &c.

14. All gas rates, rents, and sums of money which immediately before the passing of this Act were due or accruing to the limited Company shall be payable to, and may be collected and recovered by, the Company in like manner as if they had become payable for the like matters supplied or done under this Act.

As to payment of debts owing before passing of Act.

15. All persons who immediately before the passing of this Act owed any money to the limited Company, or to any person on their behalf, shall pay the same, with all interest (if any) due or accruing upon the same, to the Company; and all debts and moneys which immediately before the passing of this Act were due or recoverable from the limited Company, or for the payment of which the limited Company were, or but for this Act would be, liable, shall be paid, with all interest (if any) due or accruing upon the same, by or be recoverable from the Company.

Certificates, &c. to remain in force.

16. Notwithstanding the avoidance of the said memorandum and articles of association, all certificates (until cancelled under the powers of this Act), sales, transfers, and dispositions heretofore made or executed under them for and with respect to any shares in the limited Company shall remain in full force and continue and be available in all respects as if they had not been avoided.

Books, &c. continued evidence.

17. All documents, books, and writings which, if the said dissolution and avoidance had not taken place, would have been receivable in evidence, shall be admitted as evidence in all courts of law and equity, and elsewhere, notwithstanding such dissolution and avoidance.

Officers to continue until removed.

18. All officers and servants of the limited Company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereto annexed, until they resign the same or be removed therefrom by the Company, and 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 conditions, obligations, pains and penalties, and to the like powers

of removal, and to the like rules, restrictions, and regulations in all respects whatsoever, as if they had been appointed under this Act.

Present registers of members to be continued.

19. The books kept by the limited Company for entering the names and designations of the members thereof, with the numbers of their shares, and the proper distinguishing number of such shares, shall and may continue to be kept for the same purpose by the Company, and shall, until some other register of shareholders shall be provided by the Company, be taken and considered as the register of shareholders required to be kept by "The Companies Clauses Consolidation Act, 1845."

Capital.

20. The capital of the Company shall be twelve thousand pounds, whereof six thousand pounds is in this Act called the original capital, and six thousand pounds is in this Act called additional capital, and shall be raised in manner herein-after mentioned, and the original capital shall be divided into shares and half shares of ten pounds each, which shares and half shares are in this Act called "the old shares;" and the Company may convert into stock the whole or any part of their original or additional capital when fully paid up.

Vesting of old shares in present shareholders.

21. The old shares shall be vested in the several persons who immediately before the passing of this Act were the registered members of the limited Company, each proprietor to be entitled to one new share of ten pounds for every two shares of five pounds each held in the capital of the limited Company, and each proprietor of a single share of five pounds in the capital of the limited Company shall be entitled to one half share, and every share or half share so vested shall be subject to the same liability for calls, and subject and liable to the same trusts, powers, provisions, declarations, agreements, charges, liens, and incumbrances, as immediately before the passing of this Act affected the share for which the same is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

Power to create half shares for certain purposes.

22. The Company may and shall, at the first ordinary meeting of the proprietors of the Company held after the passing of this Act, create such number of shares (to be called half shares) of five pounds each in the capital of the Company as shall be equal to the number of single shares in the capital or joint stock of the existing Company which shall at the time of the passing of this Act be held separately, and of the odd shares which will remain after deducting from the number of odd shares held by any proprietor or proprietors of the capital of the existing Company the number of shares exactly represented by shares of ten pounds each in the

A.D. 1875.

capital of the Company, and upon the creation of such half shares one of such half shares shall belong, and be appropriated to, and be vested in the proprietor or proprietors respectively of each such share held singly, and each such odd share as aforesaid, or his or their then legal representative or representatives: Provided always, that every two such half shares shall be deemed to represent and be in lieu of one of the shares of ten pounds each, of which the capital of the Company is by this Act declared to consist, and all such half shares shall form part of the twelve thousand pounds of the capital of the Company by this Act created: Provided also, that if at any time after the creation of such half shares two of such half shares shall become vested in the same person or persons, or corporation, such two half shares shall immediately thereupon become ipso facto consolidated into one share of ten pounds, and shall for ever thereafter be dealt with accordingly.

Half shares to be numbered.

23. Such half shares shall be numbered in arithmetical progression, beginning with number one, and every such share shall be distinguished by its appropriate number, and after the consolidation of any half shares into shares of ten pounds each the last-mentioned shares shall be numbered in arithmetical progression next after the then existing shares of ten pounds each, and shall thenceforth be distinguished by their appropriate numbers.

As to the word "share" in incorporated Acts.

24. In construing in connexion with this Act the clauses and provisions of "The Companies Clauses Consolidation Act, 1845," and of "The Companies Clauses Act, 1863," incorporated with this Act, the word "share" shall include "half share."

Shares and half shares in Company to be subject to same trusts as shares in existing Company.

25. Every share and half share by this Act appropriated as aforesaid shall be subject and liable to the same trusts, powers, provisoes, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of this Act affected the then share or shares in the existing Company for which the appropriated share or half share is substituted, and so as to give effect to and not to revoke any testamentary disposition of or affecting such existing share or shares.

Company shall call in and cancel existing share certificates, and issue new certificates in lieu thereof.

26. The Company shall call in and cancel the existing certificates of shares in the limited Company, and issue in lieu thereof certificates in the form and under the conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship under this Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act, or shall have proved

to the reasonable satisfaction of the Company the loss or destruction thereof.

Profits of the Company limited.

27. The Company shall not in any one year make out of their profits any larger dividend on the additional share capital to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Additional capital.

28. The Company may, subject to the provisions of Part II. of "The Companies Clauses Act, 1863," raise any additional capital not exceeding in the whole six thousand pounds by the issue at their option of new ordinary shares or stock, or new preference shares or stock, or wholly or partially by any one or more of those modes respectively.

As to amount of new shares.

29. Any new shares, whether ordinary or preference, issued under this Act shall be of a nominal amount, not less than ten pounds.

Shares not to be issued till one fifth paid up.

30. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Calls.

31. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Receipt in case of persons not sui juris.

32. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Dividends on different classes of stock or shares to be paid rateably.

33. In case in any half year the net revenues of the Company applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary stock or shares in the capital of the Company, a rateable deduction shall be made in the dividend of each class.

Power to borrow in respect of original capital.

34. The Company may at any time and from time to time after the passing of this Act borrow on mortgage in respect of the original capital of six thousand pounds any sum not exceeding in the whole one thousand pounds.

A.D. 1875.

Power to borrow in respect of additional capital.

35. In addition to the sum of one thousand pounds which the Company are authorised to borrow by the last preceding section, they may from time to time borrow on mortgage in respect of the additional capital of six thousand pounds by this Act authorised to be raised by shares or stock any sums not exceeding in the whole one thousand pounds, but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted, and one half of such additional capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies) that shares for the whole of such additional capital have been issued and accepted, and that one half of such additional capital has been paid up, and that not less than one fifth part of the amount of each separate share in such additional capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, if the said additional capital is raised by shares, that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

36. All mortgages granted by the limited Company before the passing of this Act, and subsisting at the passing hereof, shall during the continuance of such mortgages have priority over any mortgages or debenture stock granted by virtue of this Act.

For appointment of a receiver.

37. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two hundred pounds in the whole.

As to conversion of borrowed money into capital.

38. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage, or any part thereof, by the creation of shares or stock instead of borrowing, or to convert into capital the amount borrowed under the provisions of this Act,

unless in either case all dividends upon the shares or stock, whether ordinary or preferential, are limited to a rate not exceeding five pounds per centum per annum.

Priority of mortgages over other debts.

39. All money raised or to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company, and the property from time to time of the Company, over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act: Provided always, that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company, which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock.

Power to create debenture stock.

40. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Company shall rank pari passu with the interest of all mortgages granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

41. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

General meetings.

42. The first ordinary meeting of the Company shall be held within twelve months after the passing of this Act, and the future ordinary meetings of the Company shall be held yearly in the month of March in every year, or in such other month as the Company, by the resolution of an extraordinary general meeting, shall from time to time determine.

Quorum of meetings.

43. The quorum to constitute a general meeting, whether ordinary or extraordinary, of the Company shall be seven shareholders, holding in the aggregate not less than three hundred pounds nominal value in the capital of the Company.

Extraordinary meeting convened by shareholders.

44. The number of shareholders who may require an extraordinary meeting to be convened shall not be less than seven, holding in the aggregate not less than three hundred pounds in the capital of the Company.

A.D. 1875.

Number of directors.

45. The number of directors (other than the first directors) shall be seven, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

46. The qualification of a director shall be the possession in his own right of not less than ten shares in the capital of the Company.

Quorum of meeting of directors.

47. The quorum of a meeting of directors shall be four, and if the number of directors be reduced to three the quorum shall be two.

Committee of directors.

48. The number of directors of which committees appointed by the directors shall consist shall not be less than three, and the quorum of a meeting of such committee shall be left to the discretion of the directors.

First directors.

49. James Barritt, Thomas May the younger, Henry John Strevens, George Edward Strevens, Thomas Russell Crampton, Richard Foat, and Benjamin Philpott shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present in person or by proxy shall, subject to the power herein-before contained for reducing the number of directors, elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845," and the several persons elected at any such meeting, being neither removed nor disqualified nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided in the same Act.

Auditors not required to hold shares.

50. The auditors need not hold shares in the Company.

Remuneration of directors and auditors.

51. The remuneration of the directors and auditors shall from time to time be fixed at one of the annual general meetings of the Company, and shall be paid out of the sums receivable under this Act.

Powers as to maintenance and renewal of gasworks, &c.

52. Subject to the provisions of this Act, the Company may from time to time maintain, alter, improve, and renew or discontinue their existing gasworks upon the lands on which the same are erected, or any part thereof, and which are described in the

schedule to this Act, and they may also erect, lay down, provide, and from time to time maintain, alter, improve, and renew, or discontinue upon the last-mentioned lands additional and other gasworks, retorts, gasholders, condensers, purifiers, drains, sewers, mains, pipes, meters, lamps, lamp-posts, burners, stopcocks, machinery, and other works, apparatus, and conveniences, and may do all such acts as they may think proper for making and storing gas, and for supplying gas within the limits of this Act, and may make, store, and supply gas accordingly, and may manufacture, sell, provide, supply, and deal in coal, coke, tar, pitch, asphaltum, ammoniacal liquor, and all other products, or residuum of any materials employed in or resulting from the manufacture of gas, and also meters, fittings, tubes, pipes, and other articles and things in any way connected with gasworks or with the supply of gas, as they may from time to time think fit.

Power to purchase lands by agreement; gas not to be manufactured except on lands scheduled.

53. The Company may for the purposes of their undertaking purchase, take, and hold (by agreement, but not otherwise), in addition to the lands described in the schedule to this Act, any lands and hereditaments not exceeding in the whole three acres, which the Company may from time to time require for the purposes of their works and undertaking, but no land shall be used by the Company for the purpose of manufacturing gas or residual products, except the lands described in the schedule to this Act.

Power to lay pipes against buildings.

54. The Company, with the consent of the owner and occupier of any building, may lay any pipe, branch, or any other necessary apparatus from any main or branch pipe into, through, or against such building for the purpose of lighting it; and may, with the like consent, provide and set up any apparatus necessary for securing to such building a proper and complete supply of gas, and for measuring and ascertaining the extent of such supply, and may from time to time, with the like consent, repair, replace, alter, discontinue, and remove any such pipe, branch, or apparatus.

Power to contract with public bodies.

55. The Company may from time to time enter into and carry into effect contracts with any sanitary or other local authority within the limits of this Act with respect to the supply of lamps, lamp-posts, gas, gas fittings, or meters by the Company, and the lighting, extinguishing, and keeping clean the public lamps from time to time required by such sanitary or local authority to be lighted, on such terms and conditions as they think fit, and otherwise as shall from time to time be agreed upon between such sanitary or local authority and the Company.

Limiting the price of gas.

56. The price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter shall not

A.D. 1875.

at any time exceed five shillings and sixpence per one thousand cubic feet.

Power to take licenses.

57. Subject to the provisions of this Act, the Company may (but only for the purposes of the Company within the limits of this Act, and not so as to acquire any exclusive right therein,) contract for, take, and use any leave, license, or authority to work, use, exercise, or put in practice any invention under any letters patent heretofore made or hereafter to be made, granting any right or privilege of working, using, or vending any invention in relation to the manufacture or distribution of gas, or the conversion, manufacture, or utilization of the products obtained from the manufacture of gas, or the materials used therein.

Pressure of gas.

58. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six tenths of an inch, and from sunset to midnight not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer; and any gas examiner appointed under "The Gasworks Clauses Act, 1871," may, subject to the terms of his appointment, from time to time test the pressure at which the gas is supplied, and may for that purpose open any street, road, passage, or place vested in or under the control of any local or road authority; and the provisions of "The Gasworks Clauses Act, 1871," with reference to testing of gas and to penalties shall, mutatis mutandis, apply to such testing of pressure, and two hours previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Quality of gas.

59. The prescribed number of candles shall be fourteen.

Testing place.

60. Within twelve months from the passing of this Act a testing place shall be provided at the works of the Company.

Burner.

61. The prescribed burner shall be any burner for the time being approved for this purpose by the Board of Trade, or if there be no such burner, then Sugg's London argand burner number one, with a six-inch by one-and-three-quarters-inch glass chimney, but if at any time the gas flame tails over the top of that glass a six-inch by two-inch chimney shall be used.

Company to pay interest on money deposited as security for gas meter, &c.

62. If any person is required by the Company to give to them security for the payment of the price or rent of a meter, the Company shall pay interest after the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Authentication of notices.

63. Any summons, warrant, demand, or notice, or other such document, to be issued or given for any of the purposes of this Act, may be in writing or print, or partly in writing or partly in print; and if the same require authentication by the Company, the signature thereof by the secretary to the Company shall be a sufficient authentication.

Notice to Company to discontinue supply.

64. A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing, and be left at the principal office for the time being of the Company.

Liability to gas rent not to disqualify justice, &c.

65. A justice or judge of any court shall not be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any gas rent, meter rent, rate, or charge under this Act.

Application of penalties.

66. Every penalty imposed by this Act shall (except where otherwise expressly provided, and except where the Company shall be the party by whom the penalty has to be paid,) be paid to the Company.

Penalties not cumulative.

67. Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

As to proceedings in bankruptcy on behalf of the Company.

68. In all proceedings against the estate of any bankrupt or under any sequestration, any person appointed for that purpose by the directors of the Company may represent the Company and act in their behalf in all respects as if the claim or demand of the Company against such estate were the claim or demand of such person and not of the Company.

Expenses of Act.

69. All costs, charges, and expenses of and preliminary and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

A.D 1875.

SCHEDULE referred to in the foregoing Act.

(1.) A piece of land at Broadstairs, containing in length on the south-west side thereof seventy-six feet six inches, and on the north-east side thereof sixty-eight feet seven inches, and in breadth on the north or north-west side thereof forty-five feet, and on the south-east side thereof forty-three feet six inches, abutting to the pier yard north-west and to a private road leading into Albion Street, south-east.

(2.) A piece of land also in Broadstairs, containing as well in front or on the south-west side thereof as in rear or on the north-east side thereof sixty feet, and as well on the north-west as on the south-east sides thereof twenty feet, and on the south-west side of the piece of land above described.

(3.) A piece of land also in Broadstairs, containing one hundred and forty-six feet on the north-east and south-west sides, fifty-six feet six inches on the south-east side, and fifty feet on the north-west side, and lying between the two pieces of land herein-before described.

LONDON: Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1874.