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An Act for extending the Limits within which the Cardiff Gaslight and Coke Company may supply Gas, and for empowering the Company to raise additional Capital; and for other purposes. [20th June 1870.]

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WHEREAS the Cardiff Gaslight and Coke Company (in this Act called the Company) are incorporated and empowered for the purpose of manufacturing gas and of supplying gas in the town of Cardiff and parishes adjoining or near thereto, under the Cardiff Gaslight Act, 1854 (in this Act called the Company's Act of 1854): 17 & 18 Vict. c. xxxiii.

And whereas under the Company's Act of 1854 the amount of their authorised share capital is sixty thousand pounds and the amount of their loan capital is twenty thousand pounds:

And whereas the Company have raised and expended for the purposes of their undertaking all or nearly all their authorised share and loan capital:

And whereas it is expedient that the limits of the district within which the Company are authorised to supply gas be extended:

And whereas the demand for gas within that district is increasing:

And whereas it is expedient, with reference to the proposed extension of limits and to the increasing demand aforesaid, that the Company be authorised to raise additional share and loan capital:

And whereas it is expedient that the Company's Act of 1854 be amended, and that further powers be conferred on the Company:

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,

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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 Cardiff Gaslight and Coke Company's Act, 1870.

Provisions of general Acts herein named incorporated.

2. The following enactments (as far as the same respectively are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act; (namely,)

The Lands Clauses Consolidation Act, 1845, except as far as the same relates to the purchase of lands otherwise than by agreement, and the Lands Clauses Consolidation Acts Amendment Act, 1860:

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the matters following; (that is to say,) the distribution of the capital of the Company into shares, the transfer or transmission of shares, the payment of subscriptions and the means of enforcing the payment of calls, the forfeiture of shares for nonpayment of calls, the remedies of creditors of the Company against the shareholders, the borrowing of money by the Company on mortgage or bond, the conversion of the borrowed money into capital, and the consolidation of the shares into stock:

Parts I., II., and III. of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869 (respectively relating to cancellation and surrender of shares, to additional capital, and to debenture stock):

The Gasworks Clauses Act, 1847.

Interpretation of terms.

3. Terms to which meanings are assigned by the Acts incorporated wholly or in part with this Act, or by the Company's Act of 1854, or which have therein special meanings, have in this Act the same respective meanings; and in this Act and any Act incorporated wholly or in part with this Act, and in the Company's Act of 1854, the term "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which that term is used was an ordinary simple contract debt, and not a debt or demand created by statute; and the term "superior courts" shall include all courts of competent jurisdiction within the meaning of this Act.

Extension of limits.

4. The limits of the Company's Act of 1854 are hereby extended so as to comprise the parishes of Cogan, Whitchurch, Radyr, and Saint Fagan's, all in the county of Glamorgan, and the provisions of the Company's Act of 1854 and this Act shall extend and apply

to those parishes as if they had been by name comprised in section 28 of the Company's Act of 1854.

Purchase of lands.

5. The Company may from time to time for the purposes of their undertaking purchase by agreement lands within the limits of their Act of 1854 as extended by this Act, and may hold the same, but the Company shall not hold for the purposes of their undertaking more than six acres of land at any one time, in addition to the land held by them at the passing of this Act; and the Company shall not manufacture gas on any lands other than those at the passing of this Act used by them for that purpose, and described in the schedule to this Act; nor shall the Company, without the consent of the owner and occupier, erect works for storing gas on any lands other than those at the passing of this Act belonging to the Company, within three hundred yards of any dwelling-house existing at the time of the acquisition by the Company of such lands.

Power to agree for easements, &c.

6. The Company may take by agreement, and any person by the Lands Clauses Consolidation Act, 1845, or otherwise, enabled to sell lands, may grant to them any term, estate, easement, interest, right, or privilege in, over, affecting, or belonging to lands, at a yearly rent or otherwise; but in the case of a person not enabled otherwise than by the Lands Clauses Consolidation Act, 1845, to sell lands, then subject and according to the provisions relative to the taking of lands by agreement contained in that Act and the Lands Clauses Consolidation Acts Amendment Act, 1860, for which purpose any such term, estate, easement, interest, right, or privilege shall be deemed lands within the meaning of those Acts.

Power to manufacture residuals, &c.

7. Subject to the provisions of this Act and of any Act incorporated wholly or in part therewith, the Company may, at their gasworks existing at the passing of this Act, manufacture coke, coal tar, pitch, ammoniacal liquor, chemicals, oil, and other residual products obtained in the manufacture of gas, or from the materials used therein, and may manufacture thereat such articles as can be produced from or by means of the matters aforesaid, and may from time to time sell and dispose of the things so manufactured, and may manufacture, purchase, sell, and deal in gas fittings, tubes, meters, pipes, pillars, lamp posts, burners, and other articles and things connected with gasworks or with the supply of gas for public or private consumption, and generally may carry on any operation or business for the time being usually carried on by gas companies, or in any manner for the time being incident to the business of a gas company: Provided always, that nothing in this Act shall exonerate the Company from any indictment, action, or

Company not to be exempt from

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other proceeding for nuisance in the event of any nuisance being caused by them.

indictment for nuisance.

Power to hold licenses under letters patent.

8. The Company may take, hold, and use any license or authority (not being exclusive) under any letters patent for the use of any invention relative to the manufacture or distribution of gas or the utilisation of residual products obtained in the manufacture of gas.

Lowering of price of gas.

9. Section 37 of the Company's Act of 1854 (limiting the price of gas) shall, on and after the first day of January one thousand eight hundred and seventy-one, be read and have effect as if the words "four shillings" were therein substituted for the words "five shillings," and as if the words "four shillings and sixpence" were therein substituted for the words "six shillings:" Provided always, that the maximum charge for gas supplied in Grange Town within a radius of a thousand yards from the chimney stack of the retort-house of the Company's works shall not exceed four shillings per thousand cubic feet.

Supply of gas to public lamps.

10. The Company shall and they are hereby required, from time to time and at such times as they may be called on so to do by any local board or lighting authority within the limits of the Company's Act of 1854 as extended by this Act, to supply gas to all the public lamps or burners within a distance of fifty yards from any of the mains of the Company that may be required for lighting any street or place within the limits of the Company's Act of 1854 as extended by this Act, for such price, upon such terms, and during such hours as shall be settled by agreement between the Company and the local authority.

Price of gas supplied to public lamps.

11. Provided always, that the price per thousand cubic feet shall not exceed the lowest price for the time being charged by the Company to any private consumer in the parish, district, or place in which such public lamps shall be situate; and provided also, that in case any dispute shall arise between the Company and any such local board or lighting authority on any of such matters, the same shall be settled by arbitration under the provisions contained in "The Companies Clauses Consolidation Act, 1845," with respect to settlement of disputes by arbitration.

Mode of consuming gas supplied to the public lamps.

12. The gas supplied to the public lamps shall be consumed either by meter or otherwise at the option of the local board or lighting authority and fixed by the Company at the expense of such local board or lighting authority, and in case of its being consumed by meter the meter shall be provided by the local board or lighting authority and fixed by the Company at the expense of the said local board or lighting authority, but neither party shall, except

as herein-after provided, be entitled to require that a meter be affixed to more than one in every twelve lamps then supplied with gas under this Act; provided that the Company shall be at liberty, if they think fit, to have a meter affixed to any additional number of lamps, they providing such additional meters and paying to the local board the additional expense of providing and adjusting the lamps, lamp posts, and other things necessary for their reception and use: Provided always, that if the gas shall under the provisions of this Act be supplied to the public lamps by average meter indication, the Company shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps under the control of the local board or lighting authority with proper self-acting pressure regulators and burners to the satisfaction of the local board or lighting authority.

As to meters for public lamps.

13. The average amount of the indications of all the meters attached to the public lamps under the control of the local board or lighting authority shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Arbitration between Company and lighting authorities as to meter lamps.

14. If either the Company or the local board or lighting authority shall dispute the accuracy of the registration of any meter, then such meter shall be tested in the manner provided by the Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in the sales of Gas," and if found to register erroneously within the meaning of the said Act it shall not be deemed to be one of the meters from which the average aforesaid shall be determined.

As to the gas supplied to public lamps.

15. The gas supplied to any such public lamp shall be permitted to pass unrestricted to and from such self-acting regulator for the whole of the period during which any such public lamp shall be lighted.

Local board may contract for lamps, &c.

16. The local board or any other lighting authority may contract with the Company for providing and keeping in repair the public lamps, lamp posts, burners, brackets, and irons, and for lighting and extinguishing the public lamps, or for any of those purposes, and the Company shall be entitled to receive for providing and maintaining such lamp posts, lamps, pipes, burners, and fittings such reasonable remuneration as may be mutually agreed upon.

Quality of Company's gas.

17. Unless prevented by unavoidable cause or accident, or during any necessary repairs, 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

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feet of gas per hour, a light equal in intensity to the light produced by fourteen sperm candles of six to the pound, burning one hundred and twenty grains per hour, and shall be so far free from sulphuretted hydrogen as not to discolour moistened test paper imbued with acetate or carbonate of lead when those tests are exposed for one minute to a current of gas issuing under a pressure of five tenths of an inch of water.

The Company to erect meters to test illuminating power of gas.

18. The Company shall within six months from the date of the passing of this Act cause to be erected and maintained in good working order at each place of manufacture of gas, or station from whence the same shall be supplied, an experimental meter with an argand fifteen-hole or other approved burner and a seven-inch chimney, capable of consuming five cubic feet of gas per hour, with other necessary apparatus for testing the illuminating power and purity of all the gas of the Company, and it shall also be lawful for the local board of health for the corporate district of Cardiff, at their own expense and for the sole use of the said local board, their officers and servants, and the persons from time to time appointed by the said local board to test gas as hereafter mentioned, to erect and maintain at the town hall, Cardiff, or other convenient place near or adjacent thereto, a like experimental meter and other necessary apparatus for the purpose of testing the illuminating power and purity of gas as aforesaid.

Power to test the illuminating power of the gas.

19. It shall be lawful for the Cardiff board of health and any local board of health within the limits of this Act to appoint a competent person, not being a member, officer, or servant of such local board, from time to time to make experiments as to the illuminating power and purity of the gas by means of any of the experimental meters and other apparatus before mentioned, and he may at any hour in the daytime, and not later than eight o'clock in afternoon, either with or without the concurrence or presence of the manager or any other officer of the Company (but such manager or officer may be present if he so require), make experiment of the illuminating power and purity of the gas as before mentioned, and whenever such experiment shall be made at the Company's works the Company and their officers shall afford all reasonable facilities for the making of such experiment; and if it shall be proved to the satisfaction of any two justices, not being shareholders of the Company nor members of such local board, after hearing the parties, that the illuminating power or purity of the gas supplied by the Company did not when so tested as aforesaid equal the illuminating power or purity by this Act prescribed, or that the Company or their officers refused to afford such reasonable facilities as afore-

said, or hindered or prevented the making such experiment, in any such case the Company shall forfeit such sum not exceeding twenty pounds as the justices shall determine: Provided that no proceeding for the recovery of penalties as aforesaid shall be taken against the Company unless such local board or the person appointed to test the gas shall have given to the Company three hours previous notice in writing of their or his intention of testing the gas otherwise than at the Company's works, by leaving the same at the office of the Company in Cardiff, or with the manager or other officer or servant of the Company upon the premises of the Company.

Cost of proceedings, &c. to be in the discretion of the justices.

20. In the event of any proceedings being taken as last aforesaid, the costs of such proceedings and also of and attending such experiments, and including the remuneration to be paid to the person making the same, shall be in the discretion of the justices, who shall determine the amount and by whom the same shall be paid.

Company to make map of mains.

21. The Company shall within one year after the passing of this Act cause a map to be made of the district in which their mains then lie, on a scale of not less than two feet to a mile, and shall cause to be marked thereon the lines of all their existing mains, and shall on or before the thirty-first day of December in every year correct such map and make such additions thereto as will show the lines of all their mains.

As to custody and inspection of map.

22. Every map so made by or for the Company, or a copy thereof, with the date of the last time when it was corrected expressed thereon, shall be kept by the Company at their principal office, and shall at any reasonable times be open to the inspection of any local board of health and their officers and consumers respectively, who may take copies or extracts from the same, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of any working day, and the secretary of the Company may charge and take, except from any such local board and their officers, the sum of one shilling for every inspection of such map, and the further sum of two shillings and sixpence for every extract from or copy taken of such map.

Penalty on Company on default.

23. If the Company wilfully fail to comply with any of the requirements of this Act with respect to the map, they shall for every such offence forfeit a sum not exceeding forty shillings.

Security for payment of gas rent.

24. Where any person requests or has a supply of gas from the Company, he shall, if and when required in writing by the Company, within seven days after being so required, give to the Company security for the payment by him of the gas rent for gas to be

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supplied to him, and if he fails so to do the Company may refuse to give, or may discontinue (as the case requires), a supply of gas to him, and the nature and amount of the security to be given shall, in default of agreement between him and the Company, be determined by a justice, and the security shall consist either in a deposit with the Company or the prepayment to the Company of a sum of money, or shall be of such other nature as the justice thinks reasonable, and the determination of the justice shall be final and binding; and if the security is a deposit with the Company of a sum of money, the Company shall pay interest thereon to the depositor at such rate and for such time as the justice directs; and the provisions of this section respecting the requirement of security by the Company shall operate from time to time as occasion requires, but nothing in this section shall authorise the Company to discontinue a supply of gas given by them before the passing of this Act in any case in which they would not have been entitled to discontinue such supply if this Act had not been passed.

Power to lay pipes against buildings.

25. The Company, with the consent of the owner or occupier of any building, may lay any pipe or other apparatus into, through, or against such building for the purpose of lighting it, and may with the like consent provide and set up on or against any such building any apparatus necessary for securing to such building a proper 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, or discontinue and remove any such pipe or apparatus.

Consumption by meter.

26. Every consumer of gas supplied by the Company, other than a lighting authority, shall, on being required by the Company so to do, consume such gas by meter.

Provision of meter by consumer.

27. Every consumer of gas supplied by the Company may, if he thinks fit, provide at his own expense his own meter, the same being duly stamped according to law.

Notice to Company of putting up meters.

28. Before any person connects or disconnects any meter through which any of the gas of the Company is intended to be or has been registered, he shall give not less than twenty-four hours notice in writing to the Company of his intention to do so, and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Repair of meters.

29. Every consumer of gas of the Company shall at all times, at his own expense, keep all meters belonging to him whereby any gas of the Company is registered in proper order for correctly registering such gas, in default whereof the Company may cease to

supply gas through such meters, and the Company shall at all reasonable times have access to and be at liberty to take off, remove, test, inspect, and replace any meter belonging to a consumer, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Company if the meter is found in proper order and proper and sufficient in all respects, but otherwise at the expense of the consumer. A.D. 1870.

Power to Company to let meters.

30. The Company may let for hire any meter for ascertaining the quantity of gas consumed or supplied, and any fittings thereto, for such remuneration in money, and on such terms with respect to repair of such meter and fittings and for securing the safety and return to the Company of such meter, as may be agreed on between the hirer and the Company, and such remuneration shall be recoverable in the same manner as the gas rents due to the Company, and such meters and fittings shall not be subject to distress for rent of the premises where the same are used or to be taken in execution under any process of a court of law or equity, or any proceedings in bankruptcy against the persons having possession thereof.

Power to remove meters and fittings.

31. The Company, after forty-eight hours notice in writing under the hand of the secretary or some other officer of the Company to the occupier, or if there is no occupier, then to the owner or lessee of any building or lands in which any pipe, meter, or fitting belonging to the Company is laid or fixed, and through or in which the supply of gas is from any cause other than the default of the Company discontinued, may enter such building or lands between the hours of nine in the morning and four in the afternoon, or at any other time with the authority in writing of a justice, for the purpose of removing, and may remove every such pipe, meter, and fitting, repairing all damages caused by such entry or removal, and every such notice shall be served by being delivered to the person for whom it is intended, or left at the usual or last known place of abode or business in England, or if such person or his usual place of abode or business in England is not known to the Company after proper inquiry, then by being affixed on some conspicuous part of such building or lands.

Fraudulently injuring meters, &c.

32. If any person wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any main or pipe, meter, fitting, or thing connected therewith belonging to the Company, or fraudulently alters the index to any meter, or fraudulently prevents any such index from duly registering the quantity of gas supplied, he shall (without prejudice to any other right or remedy for the protection of the Company or the punishment of the offender) for every such offence

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be liable to a penalty not exceeding five pounds, and the Company may in addition thereto recover the amount of any damages sustained by them, and the Company may also discontinue the supply of gas to the person so offending until the injury is remedied and the amount of the damages are paid, notwithstanding any contract previously existing, and the existence of artificial means for causing such alteration or prevention when such meter is under the custody or control of the consumer shall be primâ facie evidence that the same has been fraudulently caused by the consumer using such meter.

For preventing frauds and waste of gas.

33. If and whenever any person supplied with gas by the Company wilfully does or causes or suffers to be done anything in contravention of any of the provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for prevention of waste, misuse, or undue consumption of gas, the Company may cut off or stop any pipe by or through which gas is supplied to him, and may cease to supply him with gas as long as the cause of injury remains or is not remedied, and also may recover in any court of competent jurisdiction from every person so offending the amount of all damages sustained by them by reason thereof, and the remedies of the Company under this enactment shall be in addition to their other remedies in this behalf.

Register of meter to be primâ facie evidence.

34. The register of the meter shall be primâ facie evidence of the quantity of gas consumed by any customer of the Company in respect of which any gas rent is charged and sought to be recovered by the Company.

Incoming tenant not liable for arrears.

35. The Company shall not be entitled to require from the incoming tenant of any property the payment of arrears of gas rent or meter rent left unpaid by any former tenant, unless the incoming tenant has undertaken with such former tenant to pay or exonerate him from the payment of such arrears.

Notice of discontinuance.

36. A notice to the Company for the discontinuance of a supply of gas shall not be of any effect unless it is in writing and is left at the principal office of the Company.

Deposit in case of dispute.

37. Where a dispute arises between the Company and one of their customers respecting any payment to be made to the Company, if the customer deposits with the Company by way of security the amount claimed by them it shall not be lawful for the Company to discontinue a supply of gas to the customer by reason of the dispute, but nothing in this section shall authorise the Company where such a deposit is not made to discontinue a supply of gas to the customer

in any case in which they would not have been authorised to do so if this section had not been enacted.

Recovery of sums due.

38. If any person fails to pay any gas rent, meter rent, rate, damages, costs, expenses, or other sum due to or recoverable by the Company under this Act or any Act wholly or in part incorporated with this Act, or under their Act of 1854, after demand made thereof, the Company or the directors, or any person acting under their authority, may summon the person in default before a justice, and the justice may, on proof of service of the summons, order that the sum due or any part thereof be levied by distress and sale of the goods and chattels of the person in default, wherever such goods and chattels may be found, the surplus (if any) being rendered to the person in default after deduction of the necessary charges for such distress and sale, and the justice may issue his warrant accordingly, and the remedies of the Company under this section shall be in addition to their other remedies for recovery of any such rent, rate, damages, costs, expenses, or other sum.

Power to apply authorised capital.

39. The Company may apply for the purposes of this Act any money for the time being raised by them under their Act of 1854, and not required to be immediately applied for the purposes for which the same is authorised to be raised.

Power to raise additional capital.

40. In addition to the existing share capital of the Company they may from time to time by virtue of this Act raise such sums as they think requisite, not exceeding in the whole the sum of one hundred thousand pounds, by the creation and issue of new ordinary shares or new ordinary stock, or new preference shares or new preference stock.

New shares to be subject to same provisions as existing shares.

41. Except as by or under the authority of this Act or any Act incorporated wholly or in part with this Act is otherwise provided, the additional share capital to be created by the Company under this Act, and the shares therein and the holders of those shares respectively, shall be entitled and subject to the same powers, rights, privileges, and liabilities in all respects as if that new capital were part of the ordinary share capital of the Company existing at the passing of this Act and those shares were shares in that ordinary capital.

Shares not to issue until one fifth paid.

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

Power to borrow on mortgage.

43. The Company may from time to time by virtue of this Act borrow on mortgage any sum not exceeding in the whole twenty-

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five thousand pounds, but no part thereof shall be borrowed until one fifth part of the additional share capital authorised by this Act is subscribed for, issued, and accepted, and one half of that one fifth is paid up, and the Company have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the one fifth of such capital has been subscribed for, issued, and accepted, and that one half of that one fifth has been paid up, and that not less than one fifth part of the amount of each separate share or portion of stock in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide and is held by the subscribers or their assigns, and that such subscribers or their 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 shall be sufficient evidence thereof, and on that certificate being granted the Company may borrow one fifth part of the said sum of twenty-five thousand pounds, but no more, and so from time to time the Company may, subject to the like restriction, borrow by one fifth part at one time the said sum of twenty-five thousand pounds.

Existing mortgages to have priority.

44. All mortgages granted by the Company in pursuance of the powers of any Act before the passing of this Act, and subsisting at the time of the passing thereof, shall, during the respective continuance, have priority over any mortgages granted by virtue of this Act.

Arrears may be enforced by appointment of a receiver.

45. The mortgagees of the Company under their Act of 1854 or this Act may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver, and in order to authorise the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

Debenture stock.

46. The Company may create and issue debenture stock at any rate of interest not exceeding the rate of five pounds per centum per annum.

Application of money.

47. All money raised under this Act, either as additional share capital or by borrowing, shall be applied to the general purposes of the Company's undertaking, and not otherwise.

Limit of dividends on new capital.

48. The Company shall not in any year make out of their profits any larger dividend on the additional share capital raised under this Act than seven pounds in respect of every hundred

pounds actually paid of such capital on ordinary shares, or six pounds in respect of every hundred pounds actually paid of such capital on preference shares.

Quorum of meetings.

49. The prescribed quorum within section 72 of the Companies Clauses Consolidation Act, 1845, shall be seven shareholders present in person or by proxy, holding in the aggregate not less than five thousand pounds in the capital of the Company.

Receipts of guardians, &c.

50. Where any money is payable to a shareholder being an infant or a lunatic, the receipt of his guardian or of the committee of his estate (as the case may be) shall be a sufficient discharge to the Company for the same.

Proxies of corporations.

51. A proxy of a corporation, being a member of such corporation, need not be a shareholder in the Company.

Representation of the Company in bankruptcy.

52. In proceedings under any bankruptcy, deed of composition or arrangement, any person appointed in this behalf by the directors of the Company, by writing under the hand of the secretary of the Company, may represent the Company, and shall be competent to act for the Company, and his acts and omissions shall bind the Company in all respects as if the claim or demand of the Company in such proceedings were the claim or demand of such person and not of the Company.

Qualification of directors.

53. The qualification of a director shall be the possession in his own right of shares or stock to the amount of five hundred pounds in the undertaking, but nothing in this Act shall disqualify a director in office at the passing of this Act.

Disqualification of directors.

54. Nothing in the Company's Act of 1854 or this Act or any Act incorporated therewith shall disqualify or be deemed to have disqualified any person from being a director of the Company, or make or be deemed to have made the office of any director of the Company vacant by reason of his being interested or directly or indirectly concerned in any contract with the Company relating to the lease, sale, purchase, user, or temporary or other occupation of land for any purpose of the Company's undertaking, or in any loan of money, or security for the payment of money to the Company for any purpose of their undertaking, or in any contract for supply of gas by the Company to him or for his use, or in any contract for the hiring by the Company to him of any meter, but no such director shall vote on any question as to any such contract, loan, or security.

Contracts with corporations.

55. Any contract made by the Company with any board, corporation, or public body shall not disqualify any of the members of such board, corporation, or body for the office of director.

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Judges, &c. not disqualified.

56. A judge of any court or a justice shall not be disqualified from acting in the execution of the Company's Act of 1854 or this Act by reason of his being liable to any gas rent, meter hire, or other charge due to the Company.

Contents of summons, &c.

57. Any summons or warrant issued for any of the purposes of the Company's Act of 1854 or this Act may contain in the body thereof or in a schedule thereto several names and several sums.

Costs of distress.

58. Any justice who issues a warrant of distress for any of the purposes of the Company's Act of 1854 or this Act may order that the costs of recovery of the money to be levied be paid by the person liable to pay such money, and in that case such costs shall be ascertained by the justice and shall be included in the warrant of distress.

Penalties not cumulative.

59. Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose the Company's Act of 1854 and this Act and any Act incorporated wholly or in part therewith shall be deemed several Acts.

Saving of rights.

60. Provided always, that nothing in this Act contained shall alter, lessen, or abridge any power or authority given or granted to the mayor, aldermen, and burgesses of the borough of Cardiff in any of their corporate relations, or to any commissioners, trustees, or body politic or corporate under or by virtue of any Act of Parliament for the control and management of the streets of the said borough, or for supplying the same with water, nor have the effect of depriving the local board of health of any right, power, or authority which they may have or hereafter require for lighting the streets, ways, lanes, passages, roads, houses, premises, or places within the borough of Cardiff in any manner they shall think proper.

Saving the rights of the Marquis of Bute.

61. Provided always, that nothing in this Act contained shall extend or be deemed, construed, or taken to extend to take away, prejudice, alter, or interfere with any rights, powers, privileges, or advantages vested in the Most Honorable John Crichton Stuart Marquis of Bute, his heirs or assigns, by virtue of two several Acts, one passed in the first year of the reign of His late Majesty King William the Fourth, intituled "An Act for empowering the Marquis "of Bute to make and maintain a ship canal commencing near "the mouth of the River Taff in the county of Glamorgan, and "terminating near the town of Cardiff, with other works to com-"municate therewith," and the other passed in the fourth year of the reign of His said late Majesty, intituled "An Act to alter, amend,

" and enlarge the powers of an Act passed in the first year of the " reign of His present Majesty King William the Fourth, intituled " 'An Act for empowering the Marquis of Bute to make and " 'maintain a ship canal commencing near the mouth of the River " 'Taff in the county of Glamorgan, and terminating near the town " 'of Cardiff, with other works to communicate therewith,' " but all such rights, powers, privileges, and advantages shall remain as good, valid, and effectual as if this Act had not been passed. A.D. 1870.

Expenses of Act.

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

The SCHEDULE referred to in the foregoing Act.

Works. A piece of land situate in the parish of St. Mary in the town of Cardiff, containing one acre and two roods or thereabouts, bounded on the north by Adam Street, on the east by the Bute Dock Feeder, on the south by the South Wales Railway, and on the west by St. Mary's National Schools.

Works. A piece of land situate in the parish of Leckwith, containing in the whole four acres and two roods or thereabouts, bounded on the east and south sides by land the property of the Marquis of Bute, on the north-west side thereof by the Penarth Harbour Railway, and on the south-west side by a road leading to the Cardiff and Penarth Road.

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