ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

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Cap. xlii.

An Act for incorporating the *Deptford* Gaslight and Coke Company. [28th *May* 1852.]

Deed of Settlement, dated 15th Nov. 1838

WHEREAS by a Deed of Settlement, dated the Fifteenth Day of *November* One thousand eight hundred and thirty-eight, several Persons established themselves together into a Company, under the Name and Title of " The *Deptford, Rotherhithe, and Bermondsey* Gaslight and Coke Company," for the Purpose, among other things, of manufacturing and producing inflammable Air or Gas, and to supply therewith any Railways, Roads, Streets, Houses, Buildings, and Places in or near *Deptford* in the Counties of *Kent* and *Surrey*, and *Rotherhithe* and *Bermondsey* in the said County of *Surrey*, and have already contributed for such Purpose the Sum of Eighteen thousand nine hundred and twenty-nine Pounds on Shares: And whereas the Directors of the said Company, by virtue and in exercise of the Powers in that Behalf given to them by their Deed of Settlement, have borrowed a Sum of Five thousand eight hundred Pounds upon Bonds of the said Company, and also a Sum of Four thousand Pounds upon the Security by way of Mortgage of the Works of the said Company: And whereas the said several Persons so associated as aforesaid have accordingly been for some Years past and are now

engaged in supplying that Part of the Parish of *Saint Paul Deptford* which lies in the County of *Kent*, and the Parish of *Saint Nicholas Deptford* in the said County, and such Supply has been attended with great Benefit to the Inhabitants thereof: And whereas it has been considered expedient to confine the Supply of the said Gas to that Part of the said Parish of *Saint Paul Deptford* which lies in the County of *Kent*, and to the Parish of *Saint Nicholas Deptford*, and to alter the Title of the said Company to that of "The *Deptford* Gaslight and Coke Company:" And whereas the said Persons so associated as aforesaid are desirous of being incorporated, and of having further Powers granted to them for the Purpose of more efficiently carrying on the said Company, but the same cannot be effected without the Aid and 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,

Provisions of 8 & 9 Vict. c. 16. & 18. and 10 & 11 Vict. c. 15. incorporated with this Act.

I. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be incorporated with this Act.

Lands not to be taken without Consent.

II. That nothing in the said Lands Clauses Consolidation Act or in this Act contained shall authorize the Company hereby incorporated to purchase, take, or use any Lands, unless with the Consent of and by Agreement with the Owners and Occupiers thereof.

Short Title.

III. That this Act may be cited for all Purposes as "The *Deptford* Gas Company's Act, 1852."

Limits of Act.

IV. That the Limits of this Act shall include that Part of the Parish of *Saint Paul Deptford* which lies in the County of *Kent*, and the Parish of *Saint Nicholas Deptford* in the same County.

Incorporation of the Company.

V. That the Company hereby incorporated, and their Successors, shall, from and after the passing of this Act, be united into and form a Corporation Aggregate, to all Intents, for effecting the Purposes herein mentioned, by the Name of "The *Deptford* Gaslight and Coke Company," and by that Name shall be and continue to be a Body Corporate, with perpetual Succession and a Common Seal, and shall sue and be sued in their Corporate Capacity, and in no other Manner whatsoever, and shall have Power from Time to Time to purchase or take on Lease or hold Lands, Tenements, Hereditaments, and Premises, within and subject to the Restrictions herein contained, for the Purposes of the said Company or Undertaking.

VI. That

Existing Members to continue liable to Debts incurred before the passing of this Act.

VI. That the several Persons constituting the Company at the Time of the passing of this Act shall severally and respectively continue and remain liable to all Debts and Demands incurred before the passing of this Act, in such Manner and to such Extent as they would have been liable if this Act had not been passed.

Capital.

VII. That the Capital of the Company, including the existing Capital thereof, shall be Fifty thousand Pounds.

Shares.

VIII. That the Number of Shares into which the said Capital shall be divided shall be Five thousand, and the Amount of each Share shall be Ten Pounds.

As to Payment of Money borrowed, and Power to reborrow.

IX. That so soon as the Capital of the Company shall be raised to Twenty thousand Pounds, One Moiety at least of all Capital to be then and after raised by the Issue of Shares shall be applied from Time to Time in or towards the Reduction of the said existing Debt of Nine thousand eight hundred Pounds until such Debt shall be paid off and extinguished, and all Power of reborrowing to the Extent of the Sums so from Time to Time paid off shall absolutely cease and determine; but that until such Debt shall be paid off and extinguished by the Means aforesaid it shall be lawful for the said Company, at any Time or Times hereafter, to borrow on Mortgage or Bonds, or partly by each of the said Modes, any Sum or Sums of Money not exceeding in the whole the Amount for the Time being due in respect of the said Debt.

Number and Qualification of Directors.

X. That (subject to the Provisions herein contained for reducing the Number of Directors) the Number of Directors shall be Four, of whom Three shall be a Quorum; and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking; but such Qualification may be increased to any Number not exceeding Fifty Shares at any Time after the passing of this Act, by a General Meeting of the Shareholders lawfully summoned to consider that Question.

Remuneration to Directors.

XI. That the Directors of the said Company shall not receive from the said Company for their Services as Directors more in any One Year than Three hundred Pounds for the Year.

Power to vary Number of Directors.

First Directors of the Company.

XII. That it shall be lawful for the Company to reduce the Number of Directors, provided that the reduced Number be not less than Three, of whom Two shall be a Quorum; and the Persons who shall have been duly appointed Directors at the Time of the passing of this Act shall remain such Directors of the said Company until removed by a General Meeting of the Shareholders.

XIII. That

General Meetings, when to be held.

XIII. That a General Meeting of the said Company shall be held on the First *Thursday* in the Month of *June* next after the passing of this Act, or on such Day within Twenty-one Days thereafter as the Directors shall appoint; and an Annual General Meeting of the said Company shall be held on the First *Thursday* in the Month of *June* in every subsequent Year, or on such Day within Twenty-one Days thereafter as the Board of Directors shall appoint; and such Annual Meetings shall be convened in the Manner in the "Companies Clauses Consolidation Act" mentioned.

Votes of Shareholders.

XIV. That at every General Meeting every Shareholder holding One Share and less than Ten in the Capital of the said Company shall be entitled to One Vote, and holding Ten Shares and less than Twenty shall be entitled to Two Votes, and for every additional Ten Shares shall be entitled to an additional Vote.

Number of Shareholders necessary to constitute a Meeting.

XV. That if Ten Shareholders at the least, holding in the aggregate Two hundred and fifty Shares or upwards in the Capital of the said Company, shall not assemble and proceed to Business at such General Meeting within One Hour after the Time fixed for holding any such Meeting, then such Meeting shall adjourn to a future Day.

Existing Contracts may be enforced after the passing of this Act.

XVI. That all Contracts, Covenants, or Engagements entered into by any Shareholder in the said Company, or any Subscriber to the Funds thereof, or any Customer or Consumer or other Person, with such Company, or with any Trustee, Director, or Person on behalf of such Company, at any Time before the passing of this Act, may be proceeded on by the Company hereby incorporated, and enforced in all respects as if they had been made or entered into with the Company after the passing of this Act.

Contracts prior to passing of this Act to be binding.

XVII. That all Deeds, Surrenders, Assignments, Securities, Bonds, Covenants, Contracts, and Agreements entered into or made before the passing of this Act by the said Company, relating to the Undertaking, or by the Directors, Trustees, or Committee, or by any Persons acting on their Behalf, and at the Time of the passing of this Act in force, shall be binding upon the Company hereby incorporated; and all Persons whatever who at the Time of the passing of this Act shall be Parties to any Surrender, Assignments, Securities, Bonds, Covenants, Contracts, or Agreements relating to the Undertaking, entered into or made with the said Company, or with or to any of the Members of the said Company, or with or to any Director, Trustee, or Committee, or with or to any Person or Persons acting on their Behalf, and in force at the Time of the passing of this Act, shall be answerable to the Company hereby incorporated for the full Performance thereof, as if such Surrenders, Assignments, Securities, Bonds, Covenants, Contracts,

or

or Agreements respectively had been made or entered into with the said Company in pursuance of this Act; and all Persons whosoever who at the Time of the passing of this Act shall stand indebted to the said Company, or to any Person or Persons acting on their Behalf, on account of the said Undertaking, shall be liable for the Payment thereof or of any Part thereof; and the said Company are hereby empowered to proceed for the Recovery thereof, and to recover the same, in such and the same Manner as they might if the said Debt or Liability had accrued to the said Company after the passing of this Act; and that the said Company shall have and possess the same Remedies in respect of all such Surrenders, Assignments, Securities, Bonds, Covenants, Contracts, or Agreements as are given to them by this Act in respect of the Bonds, Covenants, Contracts, or Agreements made and entered into with the said Company in pursuance of this Act.

Vesting the present Gasworks and other Property in the Company.

XVIII. That all the Main Pipes and Works which have been already purchased or provided and laid down or placed in any Street within the Limits of this Act by the said Company, and belonging to them at the Time of the passing of this Act, and all the Gasworks, and all Pipes, Posts, Lamp Irons, Lamps, Meters, Lands, Tenements, Erections, Buildings, Matters and Things, Monies, Stocks, Funds, and Securities, the Property of or belonging to the said Company, or to any Trustee or Trustees on their Behalf, and all Leases vested in them at the Time of the passing of this Act, shall be and the same are hereby vested in the Company incorporated by virtue of this Act.

Power to Company to continue Gawsorks, &c.

XIX. That it shall be lawful for the said Company, subject to the Restrictions contained in this and so much of the said Acts as are incorporated herewith, from Time to Time to continue, maintain, alter, or discontinue such Pipes, and to continue such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses and Buildings, upon the Land now held or hereby or by the aforesaid Acts authorized to be held or purchased by the said Company, and to do all other such necessary Acts and Things as they shall think proper for supplying the Inhabitants, and all public and private Buildings, and all public and private Lamps, within the Limits of this Act, with Gas, and also to manufacture or purchase and to contract for Gas and for the Supply thereof, and to sell Gas, and to sell, dispose of, or manufacture the Coke and other residuary Products arising from the Materials used in the Manufacture of Gas, in such Manner as the said Company may think proper.

Power to levy Rates or Rents, and

XX. That it shall be lawful for the said Company to demand, levy, and receive Rates, Rents, and Tolls for the Supply of Gas; but it shall

limiting Price of Gas.

shall not at any Time be lawful for the said Company to demand and receive from any Person or Corporation who shall use or burn Gas manufactured or purchased and supplied by the said Company, either for public or private Use, and used by Meter, any Sum exceeding the Rate of Seven Shillings *per* One thousand Cubic Feet of Gas.

Notice to be given to the Metropolitan Commissioners of Sewers of Interference with Sewers.

XXI. That nothing in this Act contained shall extend or be deemed or construed to extend to enable the said Company to execute any Work or do any Act which may interfere with or affect any Sewer, Drain, Watercourse, Weir, Dam, Bank, Pipe, Conduit, Sink, Sluice, Penstock, or Work within the Jurisdiction or subject to the Survey, Order, or Control of the Metropolitan Commissioners of Sewers or their Successors, now made or existing, or hereafter to be made or to exist, without the Consent in Writing of the said Commissioners or their Successors first had and obtained, or to prevent the said Commissioners and their Successors from executing and carrying out any Works ordered or hereafter to be ordered by them or either of them, as freely, fully, and effectually as if this Act had not been passed; and where any Work to be done under the Powers of this Act shall or may pass under, over, or near to, or in such a Direction or Manner as to interfere with, any such Sewer, Drain, Watercourse, Weir, Dam, Bank, Pipe, Conduit, Sink, Sluice, Penstock, or Work, the said Company shall not commence such Work until they shall have given to the Metropolitan Commissioners of Sewers or their Successors Ten Days previous Notice in Writing of their Intention to execute such Work, accompanied by a Plan and Section showing the Course, Depth, Inclination, and other necessary Particulars thereof, and until the said Commissioners or their Successors shall have signified their Approval of the same, unless the said Commissioners do not signify their Approval, Disapproval, or other Directions within Ten Days after Service of the said Notice, Plan, and Section upon the Secretary of the said Commissioners or their principal Clerk for the Time being; and the said Company shall comply with and conform to the Orders, Directions, and Regulations of the said Commissioners and their Successors in the Execution of the said Works; and where, by reason of the Execution of any Works or the doing of any Acts by the said Company, it shall become necessary to alter, divert, reconstruct, or otherwise interfere with any Works of or under or subject to the said Commissioners or their Successors, the said Company shall execute at their own Cost and Expense all such Works as shall become necessary thereby, subject to the Control, Superintendence, and Direction of the said Commissioners and their Successors, and shall save harmless and keep indemnified the said Commissioners and their Successors against any Expenses consequent upon any such Alteration, Diversion, Reconstruction, or Interference; and all new, altered, or substituted Works shall be as fully and effectually under the Control of the said Commissioners

sioners and their Successors as any other Works under their Control; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Commissioners or their Successors, but that all such Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Expenses of Act.

XXII. That the Costs and Expenses incurred in obtaining this Act, and all Expenses incurred preparatory or relating thereto, and to the carrying out and promoting the Objects of the said Company, shall be paid by the Directors out of the First Money which shall be received by them or by the said Company under the Authority of this Act.

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