ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

****

Cap. xii.

An Act for increasing the Capital and extending the Powers of the *Devonport* Gas and Coke Company, and for other Purposes. [9th *May* 1853.]

WHEREAS by an Act passed in the Ninth Year of the Reign of Her present Majesty, Chapter Sixty-four, intituled *An Act for better supplying with Gas the Borough of* Devonport, the *Devonport* Gas and Coke Company were incorporated, and were authorized to raise a Capital of Twenty thousand Pounds in Four thousand Shares of Five Pounds each: And whereas under that Act the Company have established Gasworks in *Devonport:* And whereas those Four thousand Shares are fully paid up: And whereas the Gasworks of the Company are inadequate for the Supply of Gas to the Borough of *Devonport*, and it is expedient that their Capital be increased, to enable them to extend their Works, and for the other Purposes of this Act: And whereas in order to avoid the Inconveniences arising from several Private Acts relating to the same Purposes being in force at the same Time, it is expedient that the recited Act be repealed, and that some of the Powers and Provisions thereof be amended and re-enacted or continued by this Act: And whereas such several Purposes cannot be

8 & 9 Vict. c. 64.

effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

I. That this Act may be cited for any Purpose as "The *Devonport* Gas and Coke Act, 1853."

Commencement of Act.

II. That this Act shall commence and have Effect on and from the Fourth *Wednesday* next after the passing thereof.

Limits of Act.

III. That the Limits within which this Act shall be put in force are the whole of the Municipal Borough of *Devonport*.

Incorporation of General Acts.

IV. That "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," are incorporated with this Act: Provided always, that the Company shall not purchase, take, or use any Lands otherwise than by Agreement.

Meaning of Expressions in General Acts.

V. That the Expression "the Undertaking" in "The Companies Clauses Consolidation Act, 1845," and in "The Gasworks Clauses Act, 1847," respectively means the Undertaking by this Act authorized; and the Expressions "the Undertakers" and "Quarter Sessions" in "The Gasworks Clauses Act, 1847," mean respectively the Company and the Court of Quarter Sessions for the Borough of *Devonport*.

Same Meanings to Words, &c. in General Acts and this Act.

VI. That the several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

And with respect to the Repeal of the recited Act, be it enacted as follows:

Repeal of recited Act.

VII. That from and after the Commencement of this Act, but subject to the Provisions thereof, the recited Act is by this Act repealed.

Company to remain incorporated.

VIII. That, notwithstanding the Repeal of the recited Act, the Company shall for the Purposes of this Act, and as from the passing of the recited Act, remain incorporated by the Name of "The *Devonport* Gas and Coke Company," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property, for the Purposes and within the Restrictions of this Act.

IX. That,

Company to remain entitled to Property.

IX. That, notwithstanding the Repeal of the recited Act, the Company shall remain and be seised and possessed of and entitled to all the Gasworks, Gasometers, Retorts, Apparatus, Works, and Conveniences, Lands, Buildings, Estates, Moneys, Property, Choses in Action, Effects, Claims, and Demands whatsoever, of or to which the Company are by virtue of the recited Act or otherwise howsoever, immediately before the Commencement of this Act, seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act had not passed.

Company to remain entitled to Rights under other Acts.

X. That, notwithstanding the Repeal of the recited Act, the several Clauses and Provisions whatever relating to the Company contained in any Act or Acts other than the recited Act, and which immediately before the Commencement of this Act are in force, apply, on and from the Commencement of this Act, to the Company, their Directors, Officers, and Servants, and shall remain and be in full Force accordingly; and they respectively may and shall accordingly, and for the Purposes of this Act, be entitled to, and have, exercise, and enjoy, under or by virtue of those Clauses and Provisions respectively, all such Rights, Interests, Powers, Authorities, and Privileges whatsoever, as if this Act had not passed, and as they respectively, under and by virtue of the same, might be entitled to, or might have, exercise, or enjoy.

Conveyances, &c. to remain in force.

XI. That, notwithstanding the Repeal of the recited Act, all Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things before the Commencement of this Act made, done, entered into, executed, or instituted, under or by virtue of the recited Act, or with reference to the Purposes thereof, shall be as good, valid, and effectual to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as if this Act had not passed, and may be proceeded on and enforced accordingly.

Actions not to abate.

XII. That, notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the Company before the Commencement of this Act shall not abate or be discontinued or be prejudicially affected by this Act, but on the contrary shall continue and take effect both in favour of and against the Company, in like Manner in all respects as the same would have continued and taken effect if this Act had not passed; and all Offences against the Provisions of the recited Act committed before the Commencement of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if this Act had not passed.

XIII. That,

Gas Rates due at Commencement of Act to be recoverable by the Company.

XIII. That, notwithstanding the Repeal of the recited Act, all Gas Rates and Rents which immediately before the Commencement of this Act are due and payable or accruing to the Company shall be payable to and may be collected and recovered by the Company in like Manner as the Gas Rates and Rents under this Act.

Debts due to and by the Company to be paid to and by them.

XIV. That, notwithstanding the Repeal of the recited Act, all Persons who immediately before the Commencement of this Act owe any Sum of Money to the Company, or to any Person on their Behalf, shall pay the same, with all the Interest (if any) due and payable or accruing for the same, to the Company; and all Debts and Moneys which immediately before the Commencement of this Act are due or owing by or recoverable from the Company, or for the Payment of which the Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Company.

Resolutions, &c. to remain in force.

XV. That, notwithstanding the Repeal of the recited Act, all Resolutions, Orders, Notices, and Proceedings of the Company and the Directors thereof, made and taken before the Commencement of this Act, and all Books, Accounts, Documents, and Writings whatsoever of or relating to the Company, shall for the Purposes of this Act continue of full Force and Effect as if this Act had not passed.

Books to be Evidence.

XVI. That, notwithstanding the Repeal of the recited Act, all Books, Certificates, Writings, and Documents by that Act directed or authorized to be kept or made, and which if this Act had not been passed would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

Directors to remain in Office.

XVII. That, notwithstanding the Repeal of the recited Act, but subject to the Powers and Provisions of this Act, the several Persons who on the Commencement of this Act are the Directors of the Company shall remain in Office, and shall retire from Office in the Rotation fixed by this Act.

Officers to continue.

XVIII. That, notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under the Authority of that Act shall hold and enjoy his Office and Employment with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment; and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties in all respects whatsoever, as if he had been appointed under this Act.

And with respect to the Capital and Mortgage Debt and Annuities of the Company, be it enacted as follows:

Capital.

XIX. That on and from the Commencement of this Act the Capital of the Company shall be Fifty thousand Pounds, divided into Ten thousand Shares of Five Pounds each.

4,000 Shares to be appropriated to existing Shareholders;

XX. That Four thousand of those Shares shall be deemed fully paid-up Shares, and shall be appropriated to the Corporations and Persons who on the Commencement of this Act are the Shareholders of the Company, and those Four thousand Shares are by this Act vested in the Shareholders respectively, after the Rate of One such Share for every One now existing Share in the Capital of the Company held by them respectively.

and to be subject to the same Trusts as now existing Shares.

XXI. That those Four thousand Shares shall be so vested in those Shareholders respectively upon the same Trusts and subject to the same Powers, Provisions, Declarations, Agreements, Charges, and Incumbrances, upon or to which their respective Shares in the Capital of the Company are immediately before the Commencement of this Act held or subject, and so as to give effect to and not revoke any Will or other Instrument disposing of or affecting any such Share.

Provisions as to the remaining 6,000 Shares.

XXII. That the Company may from Time to Time, with the Approbation of Three Fifths at least of the Votes of the Shareholders present in Person or by Proxy at a General Meeting held for that Purpose, authorize the Issue of the Six thousand remaining Shares, or any of them, either of One Class and with like Privileges, or of several Classes and with different Privileges, and respectively with any fixed, fluctuating, contingent, guaranteed, preferential, perpetual, terminable, or other Dividend or Interest, not exceeding Six Pounds *per Centum*, as the Company from Time to Time think fit, and may from Time to Time fix as they think fit the Amount and Times of Payment of the Calls on the new Shares.

Holders of Shares having a Preference not to have a Vote unless by express Resolution of Shareholders.

XXIII. Provided always, That the Holder of any Shares of which the Company shall authorize the Issue, having a Preference or Priority over other Shares, shall not have a Right to vote at any General Meeting of the Company in respect of those Shares, unless it shall be otherwise resolved by a Majority of Three Fifths of the Shareholders present in Person or by Proxy at the General Meeting held for the Purpose of authorizing the Issue of those Shares.

Amount of new Shares.

XXIV. Provided always, That the Amount of every Share shall be Five Pounds, and all the Shares of the same Class shall be of the like Amount, and all the Shares of the same Class shall confer like Privileges and bear a like Dividend or Interest.

Calls.

XXV. Provided always, That the Amount of a Call shall not exceed One Pound a Share, and the Interval between successive Calls shall not be less than Two Months, and the aggregate Amount of all Calls on any One Share in One Year shall not exceed One Half of the Amount of such Share.

Power to cancel unissued new Shares.

XXVI. That if after the Company have authorized the Issue of any Shares the Directors deem it inexpedient to issue the whole of such Shares, they may cancel the unissued Shares; and the Company may from Time to Time thereafter authorize the Issue in lieu thereof of other Shares of an aggregate Amount, not exceeding that of the Shares so cancelled.

Unless otherwise determined by a Meeting, 4,000 new Shares to be offered to existing Shareholders.

XXVII. That, unless it be determined by a Resolution carried by Three Fifths at least of the Votes of the Shareholders present, personally or by Proxy, at a General Meeting held for that Purpose, that the Six thousand Shares shall be disposed of by the Directors as they think best, then, if at the Time of issuing any of those Six thousand Shares any of the Four thousand Shares substituted for the now existing Shares shall be at a Premium, Four thousand Shares of the Six thousand Shares shall be offered at Par to the then Shareholders, in proportion to One Share for every One then existing Share held by them respectively; and such Offer shall be made by Letter, under the Hand of the Chief Clerk of the Company, given to every Shareholder, or sent by Post, addressed to him according to his Address in the Share Register Book, or left for him at his usual or last known Place of Abode in *England*, and every such Offer made by Letter sent by Post shall be considered as made on the Day on which the Letter in due Course of Delivery ought to reach the Place to which it is addressed.

New Shares to vest in accepting Shareholders.

XXVIII. That the Shares so offered shall vest in and belong to the Shareholders who accept the same.

Disposal of new Shares to others.

XXIX. Provided always, That if any Shareholder fail for One Month after such Offer of Shares to accept the same, the Company may dispose of such Shares to any other Persons.

Power to enlarge Time for Acceptance of new Shares.

XXX. Provided always, That the Directors, if they think proper, but not otherwise, may permit any Shareholder who, from Absence abroad or other Cause satisfactory to the Directors, omits to signify within the Time limited by this Act his Acceptance of the Shares offered to him, to accept such Shares, notwithstanding such Time has elapsed.

As to Disposal of the 6,000 Shares.

XXXI. That, subject to the Provisions of this Act, the Directors may dispose of the Six thousand remaining Shares, in such Manner and Numbers, at such Times, and on such Terms and Conditions whatsoever, as they from Time to Time determine.

XXXII. Pro-

Votes of several Persons joint Owners of One Share.

XXXII. Provided always, That if several Persons be jointly entitled to a Share, then, if more than One of them be present at any General Meeting, the One so present whose Name stands first in the Register of Shareholders as One of the Holders of the Share, shall for the Purpose of voting at the Meeting be deemed the sole Holder thereof; or if only One of such joint Holders be present at any General Meeting, then the One so present shall for the Purpose of voting at the Meeting be deemed the sole Holder thereof; and on all Occasions the Vote of such first-named Shareholder, or as the Case may be of such solely present Shareholder, shall be allowed as the Vote in respect of such Share, without Proof of the Concurrence of the other Holders thereof, or notwithstanding their Dissent.

Less than 5*l.* of Capital Stock not to give a Vote.

XXXIII. That if the Company at any Time consolidate all or any Part of the then existing Shares in the Capital of the Company into One general Capital Stock, any Part of such Stock less than Five Pounds shall not confer on the Holder thereof any Right of Voting or any Qualification.

Power to borrow on Mortgage.

XXXIV. That the Company may also, if they think fit, for the general Purposes of their Undertaking, raise from Time to Time as Occasion requires, by borrowing on Mortgage of their Undertaking, or by granting Annuities as by this Act provided, any Sums not exceeding in the whole Fifteen thousand Pounds.

Company not to borrow until Capital be subscribed, and a Portion paid up.

XXXV. Provided always, That the Company shall not borrow any Money, or raise any Money by Annuities (except for the Purpose of paying off Money borrowed under the Authority of the recited Act), until the whole of the Capital of Fifty thousand Pounds shall have been subscribed, and Two Third Parts thereof shall have been paid up.

Application of new Shares in satisfaction of Mortgage Debt.

XXXVI. That the Company may from Time to Time, by Agreement with any Mortgagee of the Company, allot to him any Shares in the Company, in satisfaction of all or such Part as may be mutually agreed on of his Mortgage Debt; and upon every such Allotment the Shares so allotted shall be deemed fully paid up, and the Mortgages in respect whereof those Shares are so allotted shall thereupon be extinguished: Provided always, that the Company shall not allot to any Mortgagee any Shares of a nominal Amount exceeding the Amount of the Principal Money secured by his Mortgage in lieu whereof such Shares are so allotted to him.

Application of Money borrowed to pay off Debt.

XXXVII. Provided always, That if the Company at any Time, for enabling them to pay off any Money borrowed, raise any Sum exceeding Fifteen thousand Pounds, the whole of such Excess shall be applied forthwith and exclusively in paying off Money borrowed

XXXVIII. And

Accounts of such Application.

XXXVIII. And to the end that the whole of any Money raised by Shares for paying off Money borrowed be duly applied, the Company shall keep a separate and distinct Account of the Moneys from Time to Time so raised, and of the Application thereof; and such Money shall be applied solely in or towards the Discharge of Moneys borrowed; and on such Application the Powers of the Company for borrowing and reborrowing Money shall, to the Extent of the Amount so applied, absolutely cease.

Restriction on borrowing.

XXXIX. Provided always, That the Company shall not borrow any Money on Bond; and any Money borrowed under the Authority of the recited Act, and on the Commencement of this Act due by the Company, shall be deemed Part of the Money which they are by this Act authorized to borrow.

Arrears may be enforced by Appointment of a Receiver.

XL. That the Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and the Amount to authorize the Requisition for a Receiver shall be Five thousand Pounds.

Power to raise Money by Annuities.

XLI. That the Company, with the Approbation of Three Fifths at least of the Votes of the Shareholders present in Person or by Proxy at a General Meeting held for the Purpose, may raise by granting Annuities all or any Part of the Money which they are by this Act authorized to borrow; and such Annuities may be perpetual, or for any Term of Years absolute or determinable with a Life or Lives, or otherwise determinable, and fixed or fluctuating, redeemable or irredeemable, and either of One Class and with like Privileges, or of several Classes and with different Privileges, and with such respective Priorities or with such Equality, as the Company and the Persons taking the Annuities mutually agree.

For preventing improvident Grants of Annuities.

XLII. That, for preventing improvident Grants of Annuities, the Amount of every Annuity granted under this Act shall be regulated according to the Price of the Consolidated Three Pounds *per Centum* Annuities at the Time of granting the same, and at a Rate not exceeding by more than One Fifth the Rate applicable to such Annuity, as prescribed by the Acts of the 48th Year of *George* the Third, Chapter 142, and the 52nd Year of *George* the Third, Chapter 129.

Provisions of Companies Clauses Act as to Transfers, &c. to apply to Annuities.

XLIII. That the several Provisions respecting a Register of Mortgages, and with respect to the Transfer and Transmission of Shares, of "The Companies Clauses Consolidation Act, 1845," apply, *mutatis mutandis*, to the Annuities and to the Annuitants, and to the Registration, Transfer, and Transmission of the Annuities, and to the Freedom of the Company from Liability to see to the Execution of Trusts

Trusts affecting the Annuities, and to Receipts for the Annuities: Provided always, that the Books kept according to those Provisions shall be called respectively "The Register of Annuities" and "The Register of Transfers of Annuities."

Annuitants to have same Remedies as Mortgagees.

XLIV. That, except as by this Act otherwise provided, the Annuitants shall, with respect to their Rights and Remedies, be deemed Mortgagees of the Company, and the Provisions of this Act with respect to Mortgagees extend and apply to the Annuitants accordingly: Provided always, that the Amount of Arrears of Annuities to authorize a Requisition by Annuitants for a Receiver shall be One Fourth Part of the total Amount of the Annuities for the Time being subsisting.

Priority for existing Mortgages.

XLV. That all Mortgages or Bonds granted by the Company and in force on the Commencement of this Act shall, during the Continuance thereof, have Priority over all the Mortgages and Annuities granted under this Act.

And with respect to the internal Regulation of the Company, be it enacted as follows:

Ordinary Meetings.

XLVI. That the First Ordinary Meeting of the Shareholders of the Company shall be held, within the Limits of this Act, within Twelve Months after the passing thereof, and the subsequent Ordinary Meetings of the Company shall be held in the Month of *July* in every Year.

Number and Qualification of Directors.

XLVII. That the Number of the Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares.

Rotation of Directors.

XLVIII. That the Directors shall retire from Office in the following Rotation, to wit, One Third at the Ordinary Meeting in the Year One thousand eight hundred and fifty-four, One Third at the Ordinary Meeting in the Year One thousand eight hundred and fifty-five, and One Third at the Ordinary Meeting in the Year One thousand eight hundred and fifty-six; the Order in which they shall retire to be determined by Ballot amongst themselves before the Ordinary Meeting in the Year One thousand eight hundred and fifty-four.

Number of Directors may be reduced.

XLIX. That the Company may from Time to Time reduce the Number of Directors, so as the reduced Number be not less than Seven; and the reduced Number shall retire from Office as nearly as may be in the Rotation fixed by this Act, but in such Order as shall be determined by Ballot amongst themselves before the Ordinary Meeting next following the Reduction.

Commissioners under Local Acts may be Directors.

L. That a Person shall not be disqualified as a Director by being a Commissioner under any Act of Parliament for maintaining or improving any Streets within the Limits of this Act, or for any other public Purpose, and a Shareholder of the Company shall not be disqualified by reason of any Contract between the Company and such Commissioners, for acting as such Commissioner: Provided always, that a Commissioner who is a Director or Shareholder shall not act or vote at any Meeting of such Commissioners, or at any Committee appointed by such Commissioners, on any Question or with reference to any Matter in which such Director or Shareholder has a direct or indirect pecuniary Interest as a Shareholder.

Quorum for Meetings of Directors.

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

Number of Committees of Directors.

LII. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three or more than Seven, and the Quorum of any such Committee shall be Three Directors.

Receipts on behalf of incapacitated Persons.

LIII. That if any Money be payable to any Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his respective Guardian or Committee shall be a sufficient Discharge to the Company for the same.

And with respect to the Gasworks of and the Supply of Gas by the Company, be it enacted as follows:

Power to maintain Works and supply Gas, &c.

LIV. That the Company may from Time to Time maintain, make, alter, and discontinue their now existing Gasworks, and all such Retorts, Gasometers, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and such Houses, Buildings, and Approaches, and do all such Acts as they 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 Coke and all other Products and Residuum of any Articles employed in or resulting from the Manufacture of Gas, and may sell the Gas, and the Coke and other Products of the Manufacture of Gas, as they from Time to Time think fit.

Supply to public Lamps.

LV. That from and after the Expiration of any existing Contract for the Supply of Gas to any public Lamps within the Limits of this Act, and while the Company alone supply Gas within those Limits, they shall and are hereby required to afford such Supply from any Main within Twenty-five Yards of any such public Lamp, at a Price not exceeding the lowest Price for the Time being charged by them to any private Consumer: Provided always, that the Company shall not be bound to afford a Supply to any such public Lamp except under a Contract

Contract to supply for not less than Three Years all the public Lamps within the Limits of this Act.

Supply to private Buildings.

LVI. That, subject to the Provisions of this Act, and while the Company alone supply Gas within the Limits of this Act, they shall and are hereby required, at the Request of the Owner or Occupier of any private Building in any Street within the Limits of this Act in which any Main of the Company is or shall be laid, to afford a Supply of Gas for any such private Building: Provided always, that the Company shall not be bound to afford such Supply to any private Building at a Distance exceeding Thirty Feet from the Main, or to provide or lay down any Service Pipe or other Apparatus for any such Supply, except at the Expense of the Person requiring the Supply, or to afford such Supply by means of any Service Pipe or other Apparatus not approved by their Engineer.

Charge for Gas limited.

LVII. Provided always, That the highest Charge by the Company for Gas shall be at the Rate of Six Shillings for One thousand Cubic Feet.

Power to Company to break up Streets, &c., making Compensation for Damages.

LVIII. That, notwithstanding any Provision contained in the Act of Parliament passed in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, relating to the Maintenance and Improvement of the public Thoroughfares within the Limits of this Act, and notwithstanding any Contract or Agreement by the Commissioners or other Persons having Control of such Thoroughfares with any other Company or Persons, the Company may lay down, alter, repair, continue, or remove in or under any Street within the Limits of this Act any Pipes and other Works, and may erect or place on or in any such Street any Post, Pillar, Lamp-iron, or other Apparatus, and may alter the Position of and repair the same for the Purpose of supplying the Inhabitants or any public Establishments within the Limits of this Act with Gas, and also may make any Sewers or Drains for the Purpose of carrying off the Washings and Waste Liquids which may arise in the Prosecution of the Works by this Act authorized, and for such Purposes may break up or open the Pavement or Soil of any such Street, and any public Sewer or Drain therein, the Company doing as little Damage as may be in the Execution of such Powers, and making Compensation for every Damage caused thereby.

For preventing Interference with Pipes of other Companies.

LIX. Provided always, That the Company shall give Notice to any Company whose Pipes, whether for the Conveyance of Gas or of Water, may be disturbed or interfered with, by laying down, altering, or removing any Pipes under this Act, of the Intention of the Company to do such Work; and every such Notice shall be given Twenty-four Hours at the least before such Disturbance or Interference (except in Cases of Emergency, and then so soon after the Commencement of the

Operation

Operation as practicable), to the Superintendent or some other Officer of such other Company at their Place of Business, under a Penalty not exceeding Five Pounds for every Default; and the Company shall not disturb or interfere with any such Pipe unless it be absolutely necessary so to do for the Purpose of laying down, altering, or removing the Pipes by this Act authorized; and in every such Case the Pipes disturbed or interfered with shall be restored by the Company, with all reasonable Despatch, to the State and Position in which they were before the Disturbance or Interference; and the Company shall make good all Damage occasioned by them to any such Pipe, and full Compensation to the Company to whom it belongs, for all Loss, Injury, or Inconvenience sustained by them by reason of any such Disturbance of or Interference with their Pipe, the Amount of such Compensation in case of Difference to be settled by Two Justices, if the Amount claimed be less than Twenty Pounds, and if more, then to be recovered in any Court of competent Jurisdiction.

Power to purchase and take Land.

LX. That the Company may from Time to Time, by Agreement, purchase, take, or use, for the Purposes of this Act, any Quantity of Land not exceeding Fifteen Acres, including the Land taken under the said recited Act.

And with respect to sundry Matters, be it enacted as follows:

Recovery of Money by Distress.

LXI. That all Sums of Money due to the Company for the Supply of Gas, or for the Hire of Meters or Gas Fittings, and the Amount of which is less than Twenty Pounds, may be levied by Distress; and any Justice, on Application by the Company, shall issue his Warrant accordingly, and One such Warrant may include in the Body thereof, or in a Schedule thereto, several Names and several Sums.

Costs of Distress.

LXII. That any Justice who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of such Money shall be paid by the Person liable to pay such Money, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Expenses of Act.

LXIII. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be paid by the Company.

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