CHAPTER cxxvi.

An Act for incorporating and conferring Powers on the City of Durham Gas Company. A.D. 1873. [7th July 1873.]

WHEREAS in the year 1846 certain persons formed themselves into a gas company under the name of the City of Durham Gas Company (herein-after referred to as the old company) for the purpose of supplying with gas the city of Durham and the neighbourhood thereof in the county of Durham, and generally for carrying on the business usually carried on by gas companies, and such company was duly registered under the Act for the registration, incorporation, and regulation of joint stock companies (7 & 8 Vict. c. 110.):

And whereas the present share capital of the old company consists of thirty thousand pounds, divided into three thousand shares of ten pounds each, of which the whole has been subscribed and paid up, and of one thousand five hundred pounds, in three hundred shares of ten pounds each, on which five pounds per share has been paid up, and the Company have not borrowed any money on mortgage:

And whereas the old company purchased the land described in the schedule to this Act, and erected gasworks thereon, and have from time to time improved and enlarged the same, and are now supplying gas within the district aforesaid:

And whereas it is expedient that the old company should be dissolved and re-incorporated with further and other powers:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

1. This Act may be cited as Durham Gas Act, 1873. Short title.

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Provisions of Acts herein named incorporated.

2. The Companies Clauses Consolidation Act, 1845;
Part I. (cancellation and surrender of shares), Part II. (additional capital), and Part III. (debenture stock), of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869;
The Lands Clauses Consolidation Acts, 1845, 1860, and 1869; and
The Gasworks Clauses Act, 1847;
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 old company as if the same had been authorised by this Act: Provided that the Company shall not be authorised to enter upon, purchase, or take any lands, except by agreement.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction:
The expression "the Company" means the Company incorporated by this Act:
The expressions "the works," "the gasworks," and "the undertaking" 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, effects, and undertaking of the Company, and every part thereof respectively:
The expressions "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand in respect of 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 city of Durham, such parts of the township of Framwellgate and Crossgate, and of the parish of Saint Giles, and of the township of Elvet in the parish of Saint Oswald, as are without as well as within the municipal limits of the said city, the parishes of Shincliffe and Witton Gilbert, and the township of Broom in the parish of Saint Oswald, the township of Brandon and Byshottles, and of Brancepeth in the parish of Brancepeth, the extra-parochial places of Whitwell House and Sherburn House, the townships of Sherburn and Pittington in the parish of Pittington, and the township of Esh in the parish of Lanchester, all of which said places are in the county of Durham.

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Incorporation of Company.

5. From and after the passing of this Act, the old 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 City of Durham Gas Company," and by that name shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Present property of old company vested in Company incorporated by this Act.

6. 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 old company, or any person in trust for them, or to which the old company were in anywise entitled, and all mains and pipes, plant, plugs, lamps, irons, 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 old company, and all moneys, securities, credits, choses in action, books, papers, plans, effects, and other property whatsoever which immediately before the passing of this Act belonged to the old company or to any trustee on their behalf, and the benefit of all contracts and engagements entered into by or on behalf of the old 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 old 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.

Deed of partnership of old company to be void, without prejudice to remedies for antecedent breaches thereof.

7. Subject to the provisions of this Act, the deed of partnership of the old 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 old 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 deed of partnership 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

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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 old company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

8. 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 old company or the members thereof as such shall be as valid as if the Company had not been incorporated, and the said deed of partnership 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 deed of partnership were not avoided by this Act and this Act were not passed, would be incident to or consequent on any and everything 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 old company and the members thereof as such, and the property of the old 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 Act to be binding.

9. Except as by this Act otherwise specially provided, all purchases, sales, conveyances, grants, assurances, deeds, securities, contracts, bonds, and agreements entered into or made before the passing of this Act, by, to, or with the old company or any trustees or persons acting on behalf of the old 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 old company or the trustees or persons acting on behalf of the old company, the Company had been a party thereto.

Actions, &c. not to abate.

10. 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 old company or any member thereof in relation to the affairs of the old company, or to which the old 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 old 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 old company and its members respectively.

Trustees of old company to be indemnified.

11. Every trustee or other person in whom or in whose name any lands, works, buildings, easements, rights, property, or effects belonging to the old 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 old 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.

Company to satisfy liabilities of old company.

12. 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 old company immediately before the passing of this Act were subject, and shall indemnify the shareholders, directors, officers, and servants of the old 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.

13. All gas rents and sums of money which immediately before the passing of this Act were due or accruing to the old 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.

14. All persons who immediately before the passing of this Act owed any money to the old 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 old company or for the payment of which the old 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.

15. Notwithstanding the avoidance of the said deed, all certificates (until cancelled under the powers of this Act), sales, transfers, and dispositions heretofore made or executed under it, for and with respect to any shares in the old company, shall remain in full force and continue and be available in all respects as if it had not been avoided.

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Books, &c. continued evidence.

16. All documents, books, and writings which if the said dissolution and avoidance had not been made 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.

17. All officers and servants of the old 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 thereunto annexed, until they shall resign the same or be removed therefrom by the Company, 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, and the Company may from time to time appoint, suspend, and remove such officers as they think necessary at such salaries and allowances and upon such terms and conditions as the Company think fit.

Present register of members to be continued.

18. The books kept by the old company for entering the names and designations of the members thereof, with the number of their shares, and the proper distinguishing numbers 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.

19. The capital of the Company shall be seventy-two thousand pounds, whereof the said sum of thirty thousand pounds is in this Act called the original capital, and the remaining forty-two thousand pounds (in which shall be included the said sum of one thousand five hundred pounds already raised) is in this Act called the additional capital, and shall, except as to the said sum of one thousand five hundred pounds, be raised in manner herein-after mentioned; and the original capital shall be divided into three thousand shares of ten pounds each, which 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.

20. The old shares shall be vested in the several persons who immediately before the passing of this Act were the registered members of the old company, share for share, and in substitution for the existing shares in the old company, and the said three hundred shares, part of the additional capital, shall be vested in the several persons who at the passing of this Act shall be the registered

holders of those shares respectively, and every 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 existing share in the old company for which the old or additional share, as the case may be. is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

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

21. The Company shall call in and cancel the existing certificates of shares in the old 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.

22. The Company shall not in respect of 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 five pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Power to raise additional capital.

23. In addition to the original capital herein-before authorised, the Company may from time to time raise by the creation and issue at their option of new ordinary or new preference shares or stock, or wholly or partially by one or more of those modes, such further sum or sums of money as they think fit, not exceeding in the whole forty-two thousand pounds, inclusive of the said sum of one thousand five hundred pounds, and the additional capital shall form and for all purposes be deemed part of the general capital of the Company.

As to amount of new shares.

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

New shares not to issue until one fifth paid up.

25. The Company shall not issue any new share, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth part of the amount of such share shall have been paid up in respect thereof.

Calls.

26. One fifth of the amount of a new share shall be the greatest amount of a call, and three months at least shall be the interval

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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 clause in case of persons not sui juris.

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

Power to borrow in respect of original capital.

28. 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 thirty thousand pounds any sums not exceeding in the whole seven thousand five hundred pounds.

Power to borrow in respect of additional capital.

29. In addition to the sum of seven thousand five hundred 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 forty-two thousand pounds by this Act authorised to be raised by shares or stock any sums not exceeding in the whole ten thousand five hundred pounds, and the Company may, as each sum of fourteen thousand pounds of such additional capital has been issued and accepted, and one half the amount of each sum has been paid up, borrow on mortgage in respect of each such sum of fourteen thousand pounds any sum or sums not exceeding in the whole three thousand five hundred pounds, but in no case shall any part of the said respective sums be borrowed until the Company shall 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 the whole of such capital in respect of which such borrowing powers are sought to be exercised has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share 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 persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, 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 shall be sufficient evidence thereof.

As to conversion of borrowed money into capital.

30. The Company shall not have power to convert borrowed money into capital other than preference or ordinary stock with a maximum dividend of five pounds per centum per annum.

Debenture stock.

31. The Company may create and issue debenture stock, but notwithstanding anything herein contained the interest of all deben-

ture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company.

Application of moneys.

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

First ordinary meeting.

33. The first ordinary meeting of the Company shall be held within three months after the passing of this Act.

Place for meeting.

34. All meetings of the Company shall be held at the Company's offices in the city of Durham.

Quorum for meetings of Company.

35. The quorum of all general meetings, whether ordinary or extraordinary, shall be seven shareholders, present in person or by proxy, holding not less in the aggregate than five hundred shares in the ordinary capital of the Company.

Votes.

36. At all meetings of the Company every shareholder shall be entitled to one vote in respect of every share, and in respect of every complete sum of ten pounds of stock held by him.

Number of directors.

37. The number of directors shall be nine, but the Company may from time to time reduce the number, provided that the number be not less than seven.

Qualification of directors.

38. The qualification of a director shall be the possession in his own right of not less than twenty-five shares.

Quorum.

39. The quorum of a meeting of directors shall be three.

First directors.

40. Henry John Marshall, Thomas Scawin, Samuel Rowlandson, John Burdon, Charles Macnally, William Hutchinson, James Sutton, John Westbrook Maltby, and John Brewster Chapman 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.

Election of directors.

41. 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 resigned, shall continue

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to be directors until others are elected in their stead in manner provided by the same Act.

Auditors need not hold shares.

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

Powers as to construction and maintenance of gasworks.

43. Subject to the provisions of this Act, and to section 5 of "The Gasworks Clauses Act, 1871," the Company may from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue their existing gasworks, and they may also erect, lay down, provide, and from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue additional and other gasworks, retorts, gasometers, receivers, drains, sewers, mains, pipes, meters, lamps, lamp-posts, burners, stop-cocks, machinery, and other works and 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 oil, 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 take easements, &c. by agreement.

44. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Act with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

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

45. 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 ten acres, which the Company may from time to time require for the purposes of their works and undertaking; but no lands 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.

46. 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.

Limiting the price of gas.

47. The price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed four shillings per one thousand cubic feet, if the same be supplied within, and five shillings if the same be supplied without the existing parliamentary borough.

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

48. 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.

Pressure of gas.

49. 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 of not less than seven tenths of an inch, and from sunset to midnight of not less than one 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: Provided that on each occasion of such testing, sufficient notice in writing shall be given to the Company of the time and place at which the same shall be conducted, to enable them to be represented.

Quality of gas.

50. The prescribed number of candles shall be fourteen.

Testing place.

51. Within three months from the passing of this Act a testing place shall be provided at the works or office of the Company.

Burner.

52. The prescribed burner shall be Sugg's London Argand burner, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, but if at any time the gas flame tail over the top of that glass a six-inch by two-inch chimney shall be used.

Shareholder may be a

53. No shareholder of the Company shall be disqualified from being or acting as a member of any sanitary authority or town

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member of sanitary authority, &c.

council, or as a commissioner under and by virtue of any Acts of Parliament passed or that may be passed for the better paving, cleansing, lighting, watching, or improving any parish or place within the limits of this Act, or in anywise connected therewith, or be liable to any penalty as such, notwithstanding the sanitary authority or town council of which he is a member, or the commissioners acting under and by virtue of such Acts, or any of them, may enter into any contract with the Company or the directors for the time being; provided that no such shareholder being a member of such sanitary authority or town council, or such commissioner, shall be entitled to vote in or concerning any such contract.

Contracts for supplying gas for public purposes.

54. The Company may from time to time enter into and carry into effect any contract or arrangement with any sanitary authority, or the trustees of any turnpike or other road, or any highway board constituted in pursuance of any Act relating to highways in England, or the surveyors of any highway, or any other corporation, bodies, or persons, for the supply of gas by the Company for public purposes within the limits of this Act for any period not exceeding under any one such contract or arrangement seven years, and may from time to time, by mutual consent, vary, suspend, or rescind any such contract or arrangement, or enter into or carry into effect other contracts or arrangements in lieu thereof or in addition thereto.

Money payable to the Company may be recovered in any court of competent jurisdiction.

55. Any money owing to the Company for a supply of gas or otherwise may be recovered by them, with costs, in any court having jurisdiction in cases of debts of the like amounts, and the remedy under this enactment shall be in addition to their other remedies for the recovery of such money.

Expenses of Act.

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

SCHEDULE referred to in the foregoing Act.

The lands now belonging or reputed to belong to the Company, and on which the gasworks of the Company have been erected, and which lands contain 3 A. 1 R. 38 P. or thereabouts, and are situate in the township of Framwellgate in Durham; one portion of the said land which contains 2 A. 0 R. 3 P. or thereabouts is bounded as follows:—On the north for the most part by lands belonging or reputed to belong to the devisees of John Allan, and elsewhere by land belonging or reputed to belong to the corporation of Durham; on the east by the road leading alongside the river Wear; on the south by land belonging or reputed to belong to the chapelwardens and overseers of the chapelry of Saint Margaret, Durham, or the trustees of a certain charity called "The Church Estate" in the parish of Saint Margaret, and now held on lease by the Company; and on the west partly by land and hereditaments belonging or reputed to belong to Thomas Comforth, Thomas Kinnear, and John Kinnear, and partly by the street of Framwellgate. The other portion of the said lands, containing about 1A. 1 R. 35 P., is bounded on the north partly by the beforementioned land held on lease and occupied by the Company, and elsewhere by land and hereditaments belonging or reputed to belong to Elizabeth Bunton; on the south by land and hereditaments belonging or reputed to belong to William Ramshaw and Samuel Beverley Jones and Mary Ann Jones; on the east by the road leading alongside the river Wear; and on the west by land and hereditaments belonging or reputed to belong to William Ramshaw, James Emmerson, John Clark, Thomas Kinnear, John Kinnear, and the street of Framwellgate. And the land formerly held on lease and occupied by and now belonging or reputed to belong to the Company, which said land is about 1R. 34 P. in extent, is situate in the said township of Framwellgate, and is bounded on the north by land now occupied by the Company's works; on the south by land belonging or reputed to belong to John Henry Le Keux, Elizabeth Bunton, and by land now occupied by the Company's works; on the east by the road leading alongside the river Wear to the said works; and on the west partly by land belonging or reputed to belong to the said Elizabeth Bunton, and partly by the street of Framwellgate.

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