CHAPTER xxviii.

An Act for incorporating and conferring Powers on the Great Wigston Gas Light and Coke Company Limited. A.D. 1889.

[24th June 1889.]

WHEREAS in the year one thousand eight hundred and fifty-seven certain persons formed themselves into a gas company under the name of "the Great Wigston Gas Light and Coke "Company Limited" (herein-after referred to as "the limited "company") for the purpose of supplying with gas the village of Great Wigston in the county of Leicester and generally for carrying on the business usually carried on by gas companies and such company was duly registered under the Joint Stock Companies Acts 1856–1857 and the Companies Acts 1862–1886:

And whereas the present share capital of the limited company consists of fourteen thousand pounds divided into two thousand seven hundred and sixty shares of five pounds each and two hundred shares of one pound each all of which have been subscribed and paid up:

And whereas the limited company purchased the three pieces of 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 said village and other places in the parish of Great Wigston:

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

And whereas it is expedient that the limited company should be dissolved and reincorporated with further 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

A.D. 1889.

the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. This Act may be cited as the Great Wigston Gas Act 1889.

Incorporation of Acts.

2. The Companies Clauses Consolidation Act 1845 the Gasworks Clauses Act 1847 Part I (Cancellation and Surrender of Shares) and Part II (Additional Capital) of the Companies Clauses Act 1863 are subject to the provisions of this Act incorporated with and form part of this Act and the Gasworks Clauses Act 1871 shall apply to the existing undertaking of the limited company as if the same had been authorised by this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction:

The expression "the Company" shall mean the Company incorporated by this Act:

The expressions "the works" "the gasworks" and "the undertaking" shall respectively mean and include the gasworks and works connected therewith by this Act vested in and authorised to be maintained by the Company and any improvement thereof and additions thereto 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 expression "superior courts" or "court of competent "jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand in respect of which the expression is used were a simple contract debt and not a debt or demand created by statute.

Limits of Act.

4. The limits of this Act shall be the parish of Great Wigston otherwise Wigston Magna in the county of Leicester.

Incorporation of Company.

5. From and after the passing of this Act the limited company shall be dissolved and the several persons and corporations who immediately before the passing of this Act were members of that company and all other persons and corporations who have subscribed to or who shall hereafter become proprietors in the undertaking of the Company and their executors administrators successors and assigns respectively shall be and they are hereby united into a company for the purposes herein-after mentioned and shall be incorporated by the name of "the Great Wigston 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.

General purposes of the Company.

6. The Company shall be established for the purpose of manufacturing gas and for supplying gas within the limits of this Act for public and private purposes of light heat or motive power and for cooking food and for any other purposes for which gas is suitable and for the purpose of utilising and distributing materials used in and about the manufacture of gas as aforesaid and of residual products arising from such manufacture and for converting such products into other materials and for dealing with selling and disposing of gas lime coke tar asphaltum chemicals and other residual and manufactured products and other matters and things and for manufacturing purchasing or hiring and supplying gas meters pipes stoves engines fittings and other apparatus and for carrying on the business usually carried on by gas companies or which is or may become incidental thereto.

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

7. Subject to the provisions of this Act all the lands gasworks erections buildings rights and easements which immediately before the passing of this Act were vested in the limited company or any person in trust for them or to which the limited 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 limited company and all moneys securities credits effects and other property whatsoever which immediately before the passing of this Act belonged to the limited company or to any trustee on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the limited company and immediately before the passing of this Act in force shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the limited company or any trustee on their behalf and may according to the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed dealt with and disposed of by the Company as they think fit.

Memorandum and articles of association to be void without prejudice to

8. Subject to the provisions of this Act the memorandum and articles of association of the limited company shall as to any prospective operation thereof be wholly void and the Company and the shareholders shall be exempted from all the provisions restrictions and requirements of any Act which applied to the

A.D. 1889.

remedies for antecedent breaches thereof.

limited company and the members thereof as such but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum or articles of association incurred before the passing of this Act but such liability or obligation in respect of any such breach shall continue and save as in this Act otherwise provided may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the limited company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

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

Contracts prior to Act to be binding.

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

Actions &c. not to abate.

11. Nothing in this Act contained shall release discharge or suspend any action suit or other proceeding at law or in equity which was pending by or against the limited company or any member thereof in relation to the affairs of the limited company or to which

the limited company or any member thereof in relation to such affairs were parties immediately before the passing of this Act but such action suit or other proceeding may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against the limited company or any member thereof if this Act had not been passed the Company and the shareholders therein being in reference to the matters aforesaid in all respects substituted for the limited company and its members respectively.

Trustees of limited company to be indemnified.

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

Company to satisfy liabilities of limited company.

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

Recovery of gas rents &c.

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

As to payment of debts owing before passing of Act.

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

A.D. 1889.

Certificates &c. to remain in force.

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

Books &c. continued evidence.

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

Officers to continue until removal.

18. All officers and servants of the limited company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments together with the salaries and emoluments 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.

Present register of members to be continued.

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

Capital.

20. The capital of the Company shall be twenty-four thousand pounds whereof capital stock to the amount of fourteen thousand pounds is substituted for the shares in the limited company and is in this Act called "original stock" and ten thousand pounds is in this Act called "additional capital" and shall be raised in manner herein-after mentioned and the Company may convert into stock the whole or any part of the additional capital when fully paid up.

Vesting of original stock in present shareholders.

21. The original stock is by this Act appropriated to and vested in the several persons who immediately before the passing of this Act were the registered shareholders of the limited company in substitution for the existing shares of the limited company and such stock shall be distributed between such persons in proportion to the number and nominal value of shares to which such persons were then entitled and such stock shall be subject and liable to the same trusts powers provisions declarations and agreements charges liens and incumbrances as immediately before the passing of this

Act affected the shares for which the same is substituted and so as to give effect to and not revoke any deed or other instrument or any testamentary disposition of or affecting the same and every such deed or other instrument or testamentary disposition shall take effect with reference to the whole or a proportionate part as the case may be of the substituted stock.

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

22. The Company shall call in and cancel the existing certificates of shares in the limited company and issue in lieu thereof certificates for original stock 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.

Power to Company to raise additional capital.

23. The Company may from time to time raise additional capital not exceeding in the whole ten thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares and stock or wholly or partially by one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share or stock vest in the person or corporation accepting the same unless and until the full nominal amount of such share or stock (if such share or stock shall be issued at or above par) together with any premium obtained upon the sale thereof shall have been paid in respect thereof: Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of additional capital than shall be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of ten thousand pounds: Provided also that the Company shall not create and issue within the year following the passing of this Act any greater nominal amount of additional capital than shall be sufficient to produce in manner aforesaid three thousand pounds or within any subsequent year two thousand pounds.

If authorised capital for any year not raised amount may be made up.

24. If in any year or years the Company have not created and issued capital to the full amount herein-before prescribed in relation to such year or years they may in any subsequent year create and issue in addition to the amount prescribed for such year such a nominal amount of capital as shall be sufficient together with the amount then raised to produce in manner aforesaid three thousand pounds in respect of the year following the passing of this Act and two thousand pounds in respect of every subsequent year then expired.

A.D. 1889.

Except as otherwise provided new shares or stock to be subject to the same incidents as other shares or stock.

25. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital. The capital in new shares or stock created under the powers of this Act shall form part of the capital of the Company.

Profits of the Company limited.

26. Except as by this Act provided the profits of the Company to be divided among the shareholders in any year shall not exceed the following rates (which are in this Act referred to as "the standard rates of dividend") (that is to say):—

On the original stock the rate of ten pounds in respect of every one hundred pounds of such stock and on the additional capital to be raised under the powers of this Act the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital and the rate of six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

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

27. In case in any half-year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the prescribed maximum rate on each class of ordinary stock or shares in the capital of the Company a proportionate reduction shall be made in the dividend of each class.

New shares or stock to be offered by auction or tender.

28. Notwithstanding anything in this Act contained the Company shall when any new shares or stock created under the powers of this Act are to be issued and before offering the same to the holder of any other shares or stock in the Company and whether the ordinary shares or stock of the Company are or is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof and notice of the amount of such reserved price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall

be allowed to any holder of shares or stock in the Company except that if any bidding or offer by tender of any holder or holders of shares or stock be the same in amount as any bid or offer made by any other person the bidding or offer of such holder or holders of shares or stock shall be accepted in preference.

Purchase money of capital sold by auction to be paid within three months.

29. It shall be one of the conditions of any sale of shares or stock under this Act that the whole nominal amount thereof together with any premium given by any purchaser at such sale shall be paid to the Company within three months after such sale.

Notice to be given as to sales &c. of shares or stock.

30. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the clerk of the rural sanitary authority of the Blaby union being the local authority of the district and to the Secretary of the Committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulated within the district of the said local authority.

Shares or stock not sold by auction or tender to be offered to stock and share holders.

31. When any shares or stock created under the powers of this Act have been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same for the purpose of sale by auction or tender to the holders of ordinary shares and stock of the Company and if not accepted may be disposed of by the Company in manner provided by the Companies Clauses Act 1863: Provided always that any shares or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of shares and stock created under the powers of this Act.

Application of premium arising on issue of shares or stock.

32. Any sum of money which shall arise from the issue of any such shares or stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend.

If profits exceed the amount limited excess may be invested

33. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay dividend on the ordinary capital at the standard rates and the dividend on the preference capital (if any) the excess beyond the sum necessary

A.D. 1889.

and form an insurance fund.

for that purpose may from time to time to the extent of one per centum per annum upon the paid-up capital of the Company be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth of the paid-up capital of the Company which sum shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Company from accidents strikes or other circumstances which in the opinion of a justice due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction shall happen: Provided that when and so often as the said fund shall reach one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the sum available for dividend: Provided also that resort may from time to time be had to the insurance fund to meet any extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth as aforesaid.

Application of excess of profits over standard rates of dividend.

34. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay dividend at the authorised rates on the ordinary stock and shares of the Company and the dividend on the preference capital (if any) the excess or such portion of it as is not carried to the insurance fund shall subject to the payment of the excess dividends (if any) be carried to the credit of the divisible profits of such undertaking for the next following year.

Power to create a reserve fund out of dividends in excess of the standard rates of dividend and application thereof.

35. Where in any year the dividend on the ordinary stock and share capital of the Company shall exceed the standard rates by reason of the price charged by the Company for gas in such year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and any reserve or other fund of the Company existing at the passing of this Act may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Company shall be insufficient to enable the Company in such

year to pay dividend at the standard rates and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund.

Power to borrow in respect of original capital.

36. The Company may at any time and from time to time after the passing of this Act borrow on mortgage of the undertaking in respect of the original stock of fourteen thousand pounds any sum not exceeding in the whole three thousand five hundred pounds.

Power to borrow in respect of additional capital.

37. In addition to the sum of three thousand five hundred pounds which the Company are authorised to borrow in respect of the original stock of fourteen thousand pounds they may from time to time borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-fourth part of the amount of the additional capital by this Act authorised to be raised and at the time actually issued by shares or stock but no part thereof shall be borrowed until the whole of the shares or stock at the time issued together with the premium (if any) realised on the sale thereof shall have been fully paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock and premium (if any) have been issued and fully paid up and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Appointment of receiver.

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

As to conversion of borrowed money into capital.

39. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage or any part thereof by the creation of shares or stock instead of borrowing or to convert into share capital any money borrowed under the provisions of this Act unless in either case all dividends upon the shares or stock whether ordinary or preferential are limited to a rate not exceeding five pounds per centum per annum.

Application of moneys.

40. All moneys raised under this Act whether by shares or stock or borrowing shall be applied only for the purposes of this Act to which capital is properly applicable.

A.D. 1889.

Priority of mortgages over other debts.

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

First ordinary meeting.

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

Quorum for meetings of Company.

43. 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 two thousand pounds of ordinary stock or shares of the Company.

Number of directors.

44. The number of directors shall be seven but the Company may from time to time reduce the number provided the number be not less than five.

Qualification of directors.

45. The qualification of a director shall be the possession in his own right of stock or shares or stock and shares of the Company of the nominal value of not less than one hundred pounds.

Quorum.

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

First directors.

47. Alfred Allen Cooper, Thomas Ingram, John Cooper, George Shipp, Samuel Mather Orson Wright and Peter Kerslake Seddon shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the holders of stock and shares 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 they continue qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the holders of stock and shares 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 Consoli-

Election of directors.

dation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Scale of voting.

48. The proprietors of stock and shares forming part of the capital of the Company as declared by this Act or to be raised under the authority of this Act shall be entitled to vote according to the following scale (that is to say) :—

Every holder of stock or shares or of stock and shares forming part of the capital of the Company of the aggregate nominal amount of ten pounds and upwards shall have one vote for every ten pounds of such aggregate nominal amount up to one hundred pounds :

Every such holder of an aggregate nominal amount exceeding one hundred pounds shall in addition to the votes which they are entitled to under the previous paragraph be entitled to one further vote for every fifty pounds of such aggregate nominal amount in excess of the first one hundred pounds up to one thousand pounds :

Every such holder of an aggregate nominal amount exceeding one thousand pounds shall in addition to the votes which they are entitled to under the two previous paragraphs be entitled to one further vote for every one hundred pounds of such aggregate nominal amount in excess of one thousand pounds :

Holders of a less amount of stock than ten pounds shall not be entitled to vote.

Powers as to maintenance of gasworks &c.

49. Subject to the provisions of this Act the Company from time to time may maintain alter improve enlarge extend and renew or discontinue their existing gasworks upon the lands on which the same are erected or any part thereof and which are described in the schedule to this Act and they may also upon the same lands 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 stopcocks 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 coke tar pitch asphaltum sulphate of ammonia carbonate of ammonia ammoniacal oil and all other products or

A.D. 1889.

residuum of any materials employed in or resulting from the conversion of such products or 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.

For the protection of the London and North-Western Railway Company.

50. The following provisions for the protection of the London and North-Western Railway Company (herein-after called "the railway company") shall be in force and have effect and be binding upon the Company:—

In laying down and executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings of such railway company the same shall be done under the superintendence and to the reasonable satisfaction of the engineer of such railway company and only according to plans submitted to and in such manner as shall previously be reasonably approved by him and in all things by and at the expense of the Company who also shall restore and make good the roads over any such bridges level crossings and approaches which such railway company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of the traffic over such railways or at any station thereon: And if any injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works under or near to any bridge or level crossing the Company shall make compensation in respect thereof to such railway company the amount of such compensation together with full costs to be recoverable from the Company by all and the same means as any simple contract debt is recoverable.

Power to purchase lands by agreement.—Gas not to be manufac-

51. The Company may for the purposes of their undertaking purchase take and hold by agreement but not otherwise in addition to the lands described in the schedule to this Act any lands and hereditaments not exceeding in the whole three acres which the Company may from time to time require for the purposes of their

works and undertaking but no 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.

tured except on lands scheduled.

52. The Company shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which at any time after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class:

Restriction on displacing persons of the labouring class.

For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

53. 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 Acts with respect to lands and rent-charges 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 take easements &c. by agreement.

54. The Company may manufacture purchase or hire and may supply sell or let gas meters burners tubes and stoves or ranges for heating or cooking by means of gas and any other materials or fittings for the use of gas for domestic or other purposes and also engines and machines for domestic manufacturing industrial or any other purposes whatever to be worked by means of gas for the production of motive power and any materials or fittings to be used in connexion therewith.

Power to supply gas-fittings engines and other apparatus.

55. The Company may charge for any stoves engines machines fittings and other things supplied sold or let under the powers of this Act such price or yearly sum as may be agreed upon between the Company and the other party to any such agreement.

Charges for fittings &c.

56. The Company may from time to time enter into and carry into effect agreements with any sanitary authority local board or

Agreements with sanitary authorities and others.

A.D. 1889.

other local authority corporation company or person within the limits of this Act for or with respect to a supply of gas by the Company in bulk or otherwise to such sanitary authority local board local authority corporation company or person and any matters incidental thereto.

Regulating supply of gas and price for public lamps.

57. After the expiration of any contract for the time being existing for the supply of gas to any public lamps within the limits of this Act the Company shall unless otherwise agreed between the local authority and the Company afford such supply from any main or pipe belonging to the Company laid in a public thoroughfare situate within fifty yards of any such lamp at a price not exceeding the lowest price charged for the time being by the Company to any private consumer.

Company may acquire patent rights.

58. The Company may acquire hold and use patent rights or licenses not being exclusive for the use of inventions in relation to the manufacture of gas or in relation to the distribution or supply of gas and also in relation to the manufacture conversion or utilisation of residual products and materials arising in or resulting from the manufacture of gas.

Power to lay pipes against buildings.

59. 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 branch or apparatus.

Notice required from consumer of discontinuance of supply of gas.

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

Standard price of gas with sliding scale as to dividend.

61. The standard price to be charged by the Company for gas supplied by them shall be three shillings and sixpence per one thousand cubic feet: Provided that the Company may increase or reduce the price charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Company on the ordinary stock or shares as follows:—

In respect of any year during which the price charged by the Company shall have been one penny or more above the standard price the dividend payable by the Company shall in respect of

each penny by which the standard price shall have been increased be reduced below the standard rate of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds:

And in respect of any year during which the price charged by the Company shall have been one penny or more below the standard price the dividend payable by the Company may in respect of each penny by which the standard price shall have been reduced be increased above the standard rates by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds.

Discounts.

62. The Company may if they think fit allow discounts or rebates not exceeding in any case ten per centum to consumers of gas in consideration of prompt payment of gas-rents or of large consumption upon such scale and subject to such conditions and regulations as may be prescribed by special contract in writing between the Company and such consumer: Provided that such discounts or rebates shall be of equal amount under like circumstances to all consumers.

Pressure of gas.

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

Quality of gas.

64. The prescribed number of candles shall be fifteen.

Testing place.

65. Within twelve months from the passing of this Act a testing place shall be provided upon some part of the works or lands of the Company.

Burner.

66. The prescribed burner shall be the burner known as Sugg's London argand burner No. 1 consuming five cubic feet of gas per hour with a six-inch by one and three-quarter inch glass chimney

A.D. 1889.

measured outside and if at any time the gas flame rises above the top of the glass a six-inch by two-inch chimney measured outside shall be used.

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

67. Where any money is deposited by any person by way of security with the Company for the payment to them of any moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter the Company shall pay interest at the rate of four 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.

Expenses of Act.

68. The costs charges and expenses of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Company.

SCHEDULE referred to in the foregoing Act. A.D. 1889.

GAS LANDS.

BEING THE LANDS NOW VESTED IN THE LIMITED COMPANY AND FORMING THE SITE OF THEIR EXISTING WORKS.

(A) All that piece or parcel of land in the parish of Great Wigston in the county of Leicester containing by admeasurement one rood or thereabouts (be the same more or less) and being part of a close or ground enclosed sometime called Nether Groson's Close but now known as Leys Close bounded on the north and west by land belonging or reputed to belong to James George Pochin on the east by the lane or highway known as Gas Lane and on the south by the piece or parcel of land next herein-after described:

(B) All that piece or parcel of land in the said parish of Great Wigston containing by admeasurement eight hundred and eleven square yards or thereabouts (be the same more or less) being part of the said close formerly called Nether Groson's Close but now known as Leys Close bounded on the north by the piece or parcel of land above described on the east by the said lane or highway known as Gas Lane on the west by land belonging or reputed to belong to the said James George Pochin and on the south by a ditch or watercourse separating the same from the piece or parcel of land of the Gas Company next herein-after described:

(C) All that piece or parcel of land in the said parish of Great Wigston containing one acre or thereabouts (more or less) being part of a close of land called First Close late in the occupation of John Knight bounded on the north by the said ditch or watercourse on the east by Gas Lane on the south-east and south by lands belonging or reputed to belong to the trustee of the late Richard Kendall Bassett and others and on the west by other lands belonging or reputed to belong to the said James George Pochin.

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