ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. vi.

An Act for incorporating and extending the Powers of the *Hastings and Saint Leonards* Gas Company. [12th *May* 1854.]

Deed of Settlement, dated 1st Jan. 1832.

WHEREAS by a Deed of Settlement bearing Date the First Day of *January* One thousand eight hundred and thirty-two several Persons were formed into a Company, since registered, pursuant to the Fifty-eighth Section of the Act Seventh and Eighth of *Victoria*, Chapter One hundred and ten, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, by the Name of "*The Hastings and Saint Leonards Gas-light and Coke Company*," for the Purpose, amongst other things, of manufacturing inflammable Air or Gas, and of lighting therewith the Streets, Shops, Houses, and other Places in the Towns of *Hastings* and *Saint Leonards*, and the Parishes of the *Holy Trinity* and *Saint Mary Magdalen* within the Liberty of the said Town and Port of *Hastings*, and Parts adjacent thereto, all in the County of *Sussex;* and such Persons have, pursuant to the Terms and Powers of the said Deed of Settlement, contributed, in Shares of Fifty Pounds each, for the Purposes of the said Company, the Sum of Sixteen thousand five hundred Pounds: And whereas the Directors of the said Company, by virtue and in exercise of the Powers given to them by their said Deed of Settlement, and by the Authority of a General Meeting of Proprietors, have borrowed on their Promissory Note

7 & 8 Vict. c. 110.

Note a further Sum of One thousand Pounds: And whereas the said Company have been for some Years past and are now engaged in supplying the several Parishes of *All Saints*, *Saint Clement*, *Saint Mary in the Castle*, *Saint Mary Magdalen*, *Holy Trinity*, *Saint Andrew*, *Saint Michael*, *Saint Leonard*, in or partly within the said Towns of *Hastings* and *Saint Leonards*, or one of them, with Gas, and such Supply has been attended with great Benefit to the Inhabitants thereof: And whereas since the Date of the said Deed of Settlement the Number of Dwelling Houses and other Buildings in the said Towns of *Hastings* and *Saint Leonards* and the Parts adjacent thereto have very greatly increased, and in order to meet the additional Demand for Gas occasioned by such Increase the said Company have extended their Works and increased their Stock in Trade, and have expended in such Extension and Increase over and above the said Sums of Sixteen thousand five hundred Pounds and One thousand Pounds the Sum of Eight thousand two hundred and fifty Pounds and upwards, out of the Profits of the Undertaking, and it is expedient that the said Sum of Eight thousand two hundred and fifty Pounds should be deemed a Debt from the Company to the Shareholders of the *Hastings and Saint Leonards* Gaslight and Coke Company at the Time of the passing of this Act: And whereas the Population and Dwelling Houses and other Buildings of the said Towns of *Hastings* and *Saint Leonards* and of the adjacent Parts thereof are rapidly increasing, and it may be expedient to extend the Supply of Gas to the Parishes of *Hollington*, *Ore*, *Fairlight*, *Saint Mary Bulverhithe*, and *Bexhill*, or to such Parts thereof as are adjacent to the said Towns or either of them: And whereas the said Company are desirous of being reconstituted by the Name of "The *Hastings and Saint Leonards* Gas Company," and of having Powers to increase their Capital, and further Powers granted to them for the Purpose of more efficiently carrying on their Undertaking; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

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

I. "The Companies Clauses Consolidation Act, 1845," "The "Lands Clauses Consolidation Act, 1845," (except the Sections thereof with respect to the Purchase of Lands otherwise than by Agreement,) and "The Gasworks Clauses Act, 1847," are hereby incorporated with this Act.

Short Title.

II. This Act may be cited for all Purposes as "The *Hastings and Saint Leonards* Gas Act, 1854."

III. The

Limits of Act.

III. The Limits of this Act shall include the several Parishes of *All Saints*, *Saint Clement*, *Saint Mary in the Castle*, *Saint Mary Magdalen*, *Holy Trinity*, *Saint Andrew*, *Saint Michael*, and *Saint Leonard*, in or partly within the said Towns of *Hastings* and *Saint Leonards*, or One of them, and also the Parishes of *Hollington*, *Ore*, *Fairlight*, *Saint Mary Bulverhithe*, and *Bexhill*, in the County of *Sussex*,

Incorporation of Company.

IV. The *Hastings and Saint Leonards* Gaslight and Coke Company, registered under the Act of Seventh and Eighth of *Victoria*, Chapter One hundred and ten, is hereby dissolved, and the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in such Company, and who shall hereafter subscribe to the Undertaking, and their respective Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purpose of making and supplying Gas within the Limits of this Act, and for making Gasworks for that Purpose, with proper Works and Conveniences connected therewith, according to the Provisions of this Act and of the Acts therewith incorporated, and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Hastings and Saint Leonards* Gas Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall sue and be sued, and shall have a Common Seal, and Power to purchase and hold Lands for the Purposes of the Undertaking, subject to the Provisions of this Act, and not exceeding in the whole Eight Acres.

Works, Estates, &c. of dissolved Company vested in new Company.

V. All the Mains, Pipes, and Works purchased or provided and laid down or placed in any Street within the Limits of this Act by the *Hastings and Saint Leonards* Gaslight and Coke Company, or now belonging to the said Company, and all other the Works, Lands, Buildings, and Real Estate of such Company, or vested in any Trustee or Trustees on behalf of such Company, and all the Personal Estate, Effects, and other Property of such Company, of what Nature or Kind soever, and wherever fixed, situate, or being, and all Claims and Demands, Rights, Remedies, and Choses in Action of such Company, shall be and the same are hereby vested in the Company incorporated by this Act.

Conveyances, Leases, &c. to remain in force.

VI. All Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Debentures, Contracts, Agreements, Securities, Orders, Resolutions, Proceedings, and other Acts and Things before the passing of this Act made, done, entered into, executed, or instituted by, from, with, to, for, or on behalf of the *Hastings and Saint Leonards* Gaslight and Coke Company, shall be good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, or with reference to the Company

pany incorporated by this Act, in like Manner and to the same Extent as but for the passing of this Act they would have been good, valid, and effectual for, against, or with reference to the *Hastings and Saint Leonards* Gaslight and Coke Company, and may be enjoyed, proceeded on, and enforced accordingly.

Liabilities of dissolved Company to continue in Company hereby incorporated.

VII. The Company by this Act incorporated shall, with reference to every Act done or left undone, and with respect to every Liability, of what Nature or Kind soever, incurred by the *Hastings and Saint Leonards* Gaslight and Coke Company, prior to the passing of this Act, or which would have been incurred by them if they had not been dissolved by this Act, be considered as identical with that Company, in like Manner in all respects as if this Act had not been passed, and the Company incorporated by this Act were the said *Hastings and Saint Leonards* Gaslight and Coke Company.

Actions not to abate.

VIII. No Action, Suit, Prosecution, or other Proceeding commenced either by or against the *Hastings and Saint Leonards* Gaslight and Coke Company, before the passing of this Act, shall abate or be discontinued or prejudicially affected by or in consequence of the Dissolution of such Company, but, on the contrary, the same respectively shall continue and take effect in favour of or against (as the Case may be) the Company incorporated by this Act, in like Manner in all respects as they would have continued or taken effect in favour of or against the *Hastings and Saint Leonards* Gaslight and Coke Company if this Act had not been passed; and all Offences committed or Penalties incurred before the passing of this Act may be prosecuted, enforced, or sued for by or against the Company by this Act incorporated, in like Manner as but for the passing of this Act they might have been prosecuted, enforced, or sued for by or against the *Hastings and Saint Leonards* Gaslight and Coke Company.

Debts due to or by dissolved Company to be paid to or by the new Company.

IX. All Persons who immediately before the passing of this Act owed any Sum of Money to the *Hastings and Saint Leonards* Gaslight and Coke Company, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue for the same, to the Company incorporated by this Act, and all Debts and Monies which immediately before the passing of this Act were due or owing by or recoverable from the *Hastings and Saint Leonards* Gaslight and Coke Company, or for the Payment of which such Company was or but for the passing of this Act would have been liable, shall be paid, with all Interest (if any) due or to accrue thereon, by or be recoverable from the Company incorporated by this Act.

Rates or Rents.

X. All Rates, Rents, and Sums of Money which but for the passing of this Act would have become due and payable to the *Hastings*

Hastings and Saint Leonards Gaslight and Coke Company shall be paid to the Company incorporated by this Act, and shall be recoverable as Rates or Rents under this Act.

Continuing Liability of Shareholders of dissolved Company, and giving them a Remedy over against the new Company.

XI. Nothing in this Act contained shall be held or construed to exonerate or release any of the Shareholders of the *Hastings and Saint Leonards* Gaslight and Coke Company from Liability in respect of any Debt or Obligation of that Company; and if any such Debt or Obligation shall be recovered against any such Shareholder, the Amount thereof, together with the Costs and Expenses incurred by him in reference thereto, shall be repaid to him by the Company incorporated by this Act, and shall be recoverable against such Company by Action or Plaint in any Court of competent Jurisdiction.

Present Officers to continue until removed.

XII. The general Manager, Superintendent of Works, Clerk, and every other Officer and Servant appointed previous to the passing of this Act, shall hold and enjoy his Office and Employment, together with the Salary or Emoluments thereunto annexed, and be deemed an Officer or Servant of the Company incorporated by this Act, until he shall be removed from such Office or Employment, and such Officer or Servant shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Power of Removal, and the like Pains and Penalties, and to the like Rules and Regulations, in all respects whatsoever, as if he had been appointed under the Authority of this Act.

Power to Company to continue and carry on Works.

XIII. It shall be lawful for the Company, subject to the Provisions contained in this Act and the Acts incorporated herewith, from Time to Time to construct and maintain such Gasworks, Apparatus, and Buildings, with Approaches thereto respectively, upon the Lands belonging to them, or which they may acquire under the Provisions of this Act, and to do all such other Acts as they may consider necessary or proper for supplying the Inhabitants, and all public and private Buildings, and all public and private Lamps within the Limits of this Act, with Gas, and also to manufacture or purchase and to contract for Gas and for the Supply thereof, and to sell Gas, and to demand and take Rents and Charges for the Supply thereof, and to sell, dispose of, or manufacture the Coke and other residuary Products arising from the Materials used in the Manufacture of Gas, and also to make and sell or deal in Gasfittings, Tubes, Meters, Pipes, and all other Articles and Things in any way connected with Gasworks, or with the Supply of Gas to the Consumers thereof, in such Manner as the Company may think proper.

Restriction as to Manufacture of Gas in St. Leonards.

XIV. Provided always, That nothing in this Act contained shall empower the Company to manufacture Gas within the Township of *St. Leonards*, without the Consent of the Commissioners of the said Township given at a Special Meeting of the Commissioners convened for that Purpose.

Capital, and Appropriation of Part amongst Shareholders of the old Company.

XV. The Capital of the Company shall be Forty-one thousand two hundred and fifty Pounds, and shall be divided into One thousand six hundred and fifty Twenty-five Pound Shares, and Six hundred and sixty of such Shares shall be considered as Shares that have been fully paid up, and shall be divided amongst the Shareholders who immediately before the passing of this Act composed the *Hastings and Saint Leonards* Gaslight and Coke Company, in respect of the Fifty Pound Shares in the Capital of such Company held by them respectively, in the Proportion of Two twenty-five Pound Shares for every Fifty Pound Share so held by them, and shall respectively be subject to the same Trusts, Powers, Provisions, Declarations, and Agreements as the Fifty Pound Share or Shares for which they are respectively substituted was or were subject or liable to immediately before the passing of this Act, and such Twenty-five Pound Shares are hereby vested in such Shareholders accordingly, and so as to give effect to and not revoke any Testamentary Disposition affecting such Fifty Pound Shares.

Residue of Shares to be offered to present Shareholders.

XVI. The remaining Twenty-five Pound Shares shall, subject to the Provision herein-after contained, be offered to the Shareholders in the Company for the Time being holding at least Two Twenty-five Pound Shares, in proportion to the Number of Shares held by them respectively; and if any Shareholder fail for One Month after an Offer of such Shares to accept the same, and to pay the Value thereof, or the Instalments called for in respect thereof, it shall be lawful for the Directors to dispose of the Shares offered to him in such Manner as they shall deem most beneficial for the Company: Provided always, that the Company shall not be bound to issue a greater Number of such remaining Shares than shall be sufficient to give to every Shareholder One such remaining Share for every Two other Shares held by him in the Capital of the Company: Provided also, that, if the Directors think proper, but not otherwise, they may permit any Shareholder who from Absence abroad or other Cause satisfactory to them omits to signify within the Time limited as aforesaid his Acceptance of the Shares offered to him, to accept such Shares notwithstanding such Time has elapsed.

Company not bound to issue more Shares than required.

Time for Acceptance of Shares may be extended.

Calls.

XVII. The Amount of any Call shall not exceed Five Pounds per Share, and the Interval between any Two successive Calls shall not be less than Four Months

XVIII. It

Power to borrow Money on Mortgage or Bond.

XVIII. It shall be lawful for the Company from Time to Time to borrow on Mortgage or Bond any Sum or Sums of Money not exceeding in the whole the Sum of Thirteen thousand seven hundred and fifty Pounds, including the said Sum of One thousand Pounds now due and owing upon the Promissory Note of the said Directors, if not paid off under the Provisions herein-after contained, and also including the said Sum of Eight thousand two hundred and fifty Pounds due and owing to the Shareholders of the *Hastings and Saint Leonards* Gaslight and Coke Company as aforesaid; and the Company shall, within Three Months after the passing of this Act, grant Mortgages or Bonds for securing the last-mentioned Sum to the Parties entitled thereto respectively: Provided always, that of the Residue of the said Sum of Thirteen thousand seven hundred and fifty Pounds no more than Three thousand Pounds shall be borrowed on Mortgage or Bond until the whole of the said Capital of Forty-one thousand two hundred and fifty Pounds shall have been subscribed for, and One Half thereof shall have been paid up; and all Monies raised by the Company under this Act, either by Shares or Mortgage, shall be applied to the Purposes of this Act, and to no other Purpose whatsoever.

Existing Debt of 1,000*l.* to be paid off out of Money raised from Shares, or may be continued as a Debt.

XIX. The said existing Debt of One thousand Pounds of the Company shall be paid off out of the Money to be raised by means of Shares, or may be continued as a Debt of the Company, in such Manner, and with such Rights and Remedies for the Recovery thereof, as if the same were Part of the Money borrowed under the Provisions of this Act.

Number and Qualification of Directors

XX. The Number of Directors shall be Ten, of whom Three shall be a Quorum, and the Qualification of a Director shall be the Possession in his own Right of Eight Shares in the Undertaking; but such Qualification may be increased to any Number not exceeding Twelve Shares at any Time after the passing of this Act by a General Meeting of the Shareholders lawfully summoned to consider that Question: Provided always, that it shall be lawful for the Company, by Vote of any General Meeting, from Time to Time to reduce the Number of Directors so that the reduced Number be not less than Five.

First Directors.

XXI. The Persons who were Directors of the *Hastings and Saint Leonards* Gaslight and Coke Company immediately before the passing of this Act shall continue in Office and be Directors of the Company until the First Ordinary General Meeting of the Shareholders to be held after the passing of this Act.

XXII. The

General Meetings.

XXII. The Ordinary General Meeting of the Company shall be held on the Third *Tuesday* in the Month of *August* in every Year, or on such Day within Fifteen Days thereof, either before or after, as the Board of Directors shall appoint; and such annual Meetings shall be convened in the Manner in the "Companies Clauses Consolidation Act, 1845," mentioned.

Votes at General Meetings.

XXIII. At every General Meeting every Shareholder holding any Number of Shares not exceeding Four in the Capital of the Company shall be entitled to One Vote, and holding above Four Shares and not exceeding Eight Shares shall be entitled to Two Votes, and holding above Eight Shares and not exceeding Twelve Shares shall be entitled to Three Votes, and holding above Twelve Shares and not exceeding Sixteen Shares shall be entitled to Four Votes, and holding above Sixteen Shares shall be entitled to Five Votes, but no Shareholder shall for any greater Number of Shares be entitled to more than Five Votes.

Quorum at General Meetings.

XXIV. If Six Shareholders at the least, of whom Two shall be Directors for the Time being, shall not assemble and proceed to Business at such General Meeting within One Hour after the Time fixed for holding any such Meeting, then such Meeting shall adjourn to a future Day; and for the Purpose of Adjournment only every General Meeting shall be deemed sufficiently constituted if any Two Shareholders shall attend the same.

Limiting Price of Gas.

XXV. It shall not be lawful for the Company to charge within the Limits of this Act a higher Price for Gas than Five Shillings and Sixpence *per* Thousand Cubic Feet.

Power to light public Streets and other Places.

XXVI. From and after the Expiration of any existing Contract for the Supply of Gas for lighting the public Streets and other Places in the said Towns of *Hastings* and *Saint Leonards*, or either of them, the Company shall afford such Supply at a Price not exceeding the lowest Price charged by the Company to their private Consumers.

Expenses of Act.

XXVII. The Costs and Expenses incurred in obtaining this Act, and all Expenses incurred preparatory or relating thereto, shall be paid by the Company.

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