ANNO DECIMO NONO

VICTORIÆ REGINÆ.

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Cap. vi.

An Act for incorporating the *Lancaster* Gaslight Company, and extending their Powers, and for authorizing additional Works, and the raising of further Moneys; and for other Purposes.

[29th *April* 1856.]

Deed of Settlement, dated 20th January 1826.

WHEREAS by a Deed of Copartnership dated the Twentieth Day of *January* One thousand eight hundred and twenty-six, "The *Lancaster* Gaslight Company" was established for the Purpose of making inflammable Gas, and constructing Works and Apparatus for procuring the same, and laying Pipes for the Purpose of lighting the public Streets, Manufactories, Shops, and other Places within the Borough and Town of *Lancaster*, and the adjacent Places; and by a supplemental Deed, dated the Eighteenth Day of *June* One thousand eight hundred and fifty, the Objects and Proceedings of the Company were further defined and regulated: And whereas the Share Capital of the Company, under those Deeds, is Seventeen thousand seven hundred and sixty-six Pounds, divided into Four hundred and seventy Shares of Thirty-one Pounds Ten Shillings each, and Four hundred and seventy Shares of Six Pounds

Supplemental Deed, dated 18th June 1850.

Six Shillings each, all fully paid up: And whereas the Company have not raised any Moneys on Mortgage or Bond: And whereas the Company have erected Gasworks and Buildings at or near *Saint George's Quay* in *Lancaster*, and a Gasometer and Buildings in *Edward Street* and *Moor Lane* in *Lancaster*, and have laid down Mains and Pipes in and under the Streets of the Borough and Town of *Lancaster*, and now supply the Inhabitants with Gas for public and private Purposes: And whereas it is expedient that the Company be incorporated, and that they be authorized to raise further Moneys by Shares and by borrowing, and to construct additional Works, and that the Limits within which their Powers shall be exercised be declared and defined by this Act: And whereas it is expedient that Provision be made for enabling the Mayor, Aldermen, and Burgesses of the Borough of *Lancaster*, or the Local Board of Health of that Borough, to purchase the Undertaking of the Company, or Part thereof: And whereas the Objects of this Act cannot be attained 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,)

Short Title.

I. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Lancaster* Gas Company's Act, 1856."

8 & 9 Vict. cc. 16. & 18., and 10 & 11 Vict. c. 15. incorporated.

II. The several Acts of Parliament following; that is to say, "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," (except the Clauses of that Act "with respect to the Purchase and taking of Lands otherwise than by Agreement"), and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act; and in construing those Acts respectively in connexion with this Act, the Expression "the Special Act" shall mean this Act, the Expressions "the Company" and "the Undertakers" respectively shall mean the Company by this Act incorporated, and the Expressions "the Undertaking" and "the Gasworks" shall include all the Works of the Company executed and to be executed.

Same Meaning to Words in this Act as in the incorporated Acts.

III. The several Words and Expressions to which Meanings are respectively assigned by the Acts incorporated herewith, or any of them, have in this Act the same respective Meanings; and the Expression "the original Company" in this Act means the *Lancaster* Gaslight Company constituted under the recited Deeds of Settlement, and the Expression "the Company" in this Act means the Company hereby incorporated, and the Word "Borough" means the Borough of

of *Lancaster*, and the Expression "the Corporation" means the Mayor, Aldermen, and Burgesses of the Borough of *Lancaster*, and the Expression "the Local Board" means the Local Board of Health of the Borough of *Lancaster*, and the Word "Purchasers" means the Corporation or Local Board (as the Case may be) purchasing the Undertaking of the Company as herein-after provided, and the Word "Undertaking" means all the Property and Powers of the Company of whatever Nature, unless there be something in the Subject or Context repugnant to such respective Constructions.

Limits of Act.

IV. The Limits of this Act shall comprise and include the Borough and Town of *Lancaster* and the Township and Extra-parochial and other Places of *Lancaster*, the Castle of *Lancaster*, *Scotforth*, *Bulk*, *Skerton*, *Morecambe*, *Poulton-le-Sands*, *Bare*, and *Torrisholme*, all in the Parish of *Lancaster* and County of *Lancaster*.

Incorporation of Company.

V. The present Members of or Shareholders in the original Company, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively, are hereby incorporated into a Company for the Purposes herein-after mentioned, under the Name of "The *Lancaster* Gas Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall and may sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, subject to the Restrictions and Provisions herein and in the incorporated Acts contained.

Land to be held by the Company.

VI. Provided always, That it shall not be lawful for the Company to purchase or hold for the Purposes of the Undertaking at any One Time more than Ten Acres of Land.

Objects and Purposes of the Company.

VII. The Company shall be established for the Purpose of making and supplying Gas within the Limits of this Act, and for making and maintaining Gasworks for that Purpose, with all proper Works and Conveniences connected therewith, according to the Provisions herein and in the Acts incorporated herewith contained; and also for selling and disposing of Coke, and of every Product, Refuse, or Residuum arising or to be obtained from the Materials used in the Manufacture of Gas, and for carrying on the Business usually carried on by Gas Companies, so far and in such Manner as the Company may think proper; and the Company may also manufacture and sell or deal in Gas Fittings, 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.

VIII. All

Property of original Company vested in Company incorporated by this Act.

VIII. All Lands, Works, Erections, Buildings, Rights, and Easements, which immediately before the passing of this Act were vested in the original Company or any Person on their Behalf, or to which the original Company were entitled either at Law or in Equity, and all Mains and Pipes, Plugs, Lamps, Irons, Gasometers, Retorts, Meters, Apparatus, Matters, and Things which have been by them purchased or provided, laid down, erected, or placed in any Place or House within the Limits of this Act, and which immediately before the passing of this Act were the Property of or belonging to the original Company, and all Moneys, Securities, Credits, Effects, Choses in Action, and other Property whatsoever vested in the original Company, or in any Trustees on their Behalf, 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 original Company, or in any Trustees on their Behalf, and may be held, used, enjoyed, enforced, maintained, altered, discontinued, or removed by the Company as they think fit; subject, however, to the Payment by the Company of the same Chief or Ground Rents, and to the Observance and Performance of the same Covenants, Conditions, and Agreements as the original Company were or would have been liable to pay, observe, and perform if this Act had not been passed.

Deeds of Settlement to be void without prejudice to Remedies for antecedent Breaches thereof.

IX. Subject to the Provisions of this Act, the said Deeds of Settlement shall, as to any future or prospective Operations thereof, from and after the passing of this Act be wholly void and of none Effect; and the several Persons who shall have executed the said Deeds, or either of them, and their Heirs, Executors, and Administrators, shall, immediately from and after the passing of this Act, stand and be by virtue thereof released and discharged from any future Obligation to observe, perform, abide by, fulfil, or conform to the said Deeds of Settlement, or either of them, or the Covenants or Agreements therein respectively contained: Provided always, that nothing herein contained shall release or discharge any Person from any Liability or Obligation in respect of any Breach of the Provisions of those Deeds which may have been incurred prior to the passing of this Act, but such Liability or Obligation shall subsist and continue and may be enforced according to the Provisions of those Deeds.

Saving previous Rights and Liabilities.

X. Notwithstanding the Incorporation of the Company and the Avoidance of the said Deeds of Settlement by this Act, and 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 original Company, or the Shareholders therein in that Capacity, shall be as valid as if the Company had not been incorporated, and the said Deeds had not been avoided by this Act; and such Incorporation and

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 Deeds 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 shall to all Intents and Purposes represent the original Company and the Shareholders therein in their Capacity of Shareholders.

Contracts prior to Act to be binding.

XI. All Deeds, Contracts, Bonds, and Agreements entered into or made before the passing of this Act by or with the original Company, or any Trustees or any Persons acting on behalf of the original Company, and in force at the Time of the passing of this Act, shall be as binding and of as full Force and Effect in all respects against or in favour of the Company, and may be enforced as fully and effectually as if, instead of the original Company or the Trustees or Persons acting on behalf of the original Company, the Company had been a Party thereto; and all Bodies Politic or Corporate, and all Persons whomsoever, who, immediately before the passing of this Act, owed to the original Company any Rents or Remuneration for Gas or for Meters, any Calls upon Shares, or any other Sums of Money, shall be liable for the Payment thereof to the Company, and in case of Nonpayment thereof, or of any Part thereof, the Company may proceed for the Recovery thereof, and recover the same in such and the same Manner, and shall and may exercise the same Remedies in respect thereof, as if the same were due to the Company under the Provisions of this Act.

Actions, &c. not to abate.

XII. Nothing in this Act contained shall release, discharge, or suspend any Action, Suit, or other Proceeding at Law or in Equity which shall be pending by or against the original Company, or any Member thereof, in relation to the Affairs of the original Company, or to which the original Company, or any Member thereof, in relation to such Affairs shall be Parties, immediately before the passing of this Act, but any such Action, Suit, or other Proceeding may be maintained, prosecuted, or continued by, 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, in favour of, or against the original Company or any Members thereof, if this Act had not been passed; the Company being, in reference to the Matters aforesaid, in all respects substituted for the original Company or the Members thereof.

As to Recovery of Debts of original Company.

XIII. All Debts owing by the original Company immediately before the passing of this Act may be enforced against the Company in the same Manner as if such Debts had been incurred by the Company after the passing of this Act.

Judgments in respect of existing Liabilities may be enforced against individual Shareholders.

XIV. Provided always, That if any Judgment, Decree, or Order shall at any Time after the passing of this Act be obtained against the Company in respect of any Debt or Liability owing or incurred, or in respect of any Contract made or Tort committed by the original Company before the passing of this Act, and such Judgment, Decree, or Order shall not, after due Diligence for that Purpose shall have been used, be fully satisfied out of the Property and Effects of the Company, then and in every such Case such Judgment, Decree, or Order may be enforced, and Execution thereof issued against the Person, Property, and Effects of any Person who shall have been a Member of the original Company immediately before the passing of this Act, or at or after the Time at which the Contract shall have been made or Tort committed in respect of which such Debt or Liability shall have accrued or have been incurred, in the same Manner in all respects as if this Act had not been passed.

Shareholders against whom Execution issued in respect of existing Liabilities to be reimbursed.

XV. Provided also, That every Person against whom or against whose Property or Effects Execution upon any such Judgment, Decree, or Order as aforesaid shall have been issued shall be entitled to recover against the Company all Loss, Damages, Costs, and Charges which such Person may have incurred by reason of such Execution; and that, after due Diligence used to obtain Satisfaction thereof against the Property and Effects of the Company, such Person shall be entitled to Contribution for so much Loss, Damages, Costs, and Charges as shall remain unsatisfied from the several other Persons against whom Execution upon such Judgment, Decree, or Order obtained against the Company might also have been issued under the preceding Section, and that such Contribution may be recovered from such Persons as aforesaid in the same Manner as in ordinary Cases of Copartnership.

Trustees of the Company to be indemnified.

XVI. Every Trustee or other Person in whom or in whose Name any Lands, Works, Erections, Buildings, or Property belonging to the original Company were vested immediately before the passing of this Act, and who shall have entered into any Bond, Covenant, Contract, or Engagement in respect of or with reference to such Lands, Erections, Buildings, or Property, or who shall have entered into any other Contract on behalf of the original Company, shall be indemnified and saved harmless out of the Funds or Property of the Company from all Liability and against all Loss, Costs, Charges, and Expenses which he

he may sustain, incur, or be put unto by reason or in consequence of his having entered in any such Bond, Covenant, Contract, or Engagement.

Capital of the Company.

XVII. The Capital of the Company shall be Thirty thousand Pounds, of which the Sum of Seventeen thousand seven hundred and sixty-seven Pounds, the Capital of the original Company at the Time of the passing of this Act, shall, subject to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained respecting the Conversion of Shares into Stock, continue to be divided into such Number of Shares and of such Amount as the same was divided into at the Time of the passing of this Act; and the additional Capital of Twelve thousand two hundred and thirty-three Pounds shall be divided into such Number of Shares and of such Value respectively as the Company shall from Time to Time determine.

Proprietors of Shares in the original Company to retain the same Interest.

XVIII. Every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to One or more Share or Shares in the Capital of the original Company, shall in respect thereof be possessed of or entitled to a like Number of Shares, of the same nominal Value, in the Capital of the Company, and such Shares are respectively hereby vested in such Persons and Corporations accordingly.

Certificates of old Shares to be valid.

XIX. The Certificates of Shares which shall be existing and valid at the Time of the passing of this Act shall respectively be the Certificates of the Shares to which the Shareholders in the original Company are entitled under this Act in substitution of such old Shares; and it shall not be necessary for or required of the Company to issue fresh Certificates in respect of such Shares, except under the Provisions of "The Companies Clauses Consolidation Act, 1845," in Cases where such Certificates shall be worn out, damaged, lost, or destroyed.

New Shares to be subject to the same Trusts as the old.

XX. All Persons and Corporations in whom any Share or Shares in the Capital of the Company under this Act shall become vested under the Provisions aforesaid, shall stand and be possessed of every such Share, upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges and Encumbrances, as the Trusts, Powers, Provisions, Declarations, and Agreements, Charges, and Encumbrances, upon and to which the original Share or Shares was or were subject and liable at the Time of the passing of this Act, and so as to give effect to and not revoke or prejudicially affect any Deed, Will, or other Instrument disposing of or affecting such original Share or Shares respectively.

XXI. Whenever

Additional Shares to be offered in the first place to existing Shareholders.

XXI. Whenever any Shares are newly created for augmenting the Capital of the Company they shall be offered to the then Shareholders in proportion, as nearly as can be conveniently done, to the Number of Shares held by them respectively.

How Offer to be made and Shares to vest in Persons accepting Offer and paying Calls.

XXII. Such Offer shall be made by Letter, under the Hand of the Secretary of the Company, given to or sent by Post to each Shareholder, or left at his usual or last known Place of Abode, or addressed to his last Address appearing in the Shareholders Address Book by "The Company's Clauses Consolidation Act, 1845," required to be kept, of which Letter having been so given or sent the Certificate of such Secretary or Clerk shall be conclusive Evidence; and such newly created Shares shall vest in and belong to the Shareholders who shall accept the same and pay to the Company the Price at which the same were allotted to them, at such Times and in such Manner and by such Instalments as shall be fixed by the Directors of the Company.

As to Disposal of Shares not taken by Proprietors.

XXIII. If any Proprietor fail for One Month after such Offer of newly created Shares to accept the same, or to pay any of the Instalments called for in respect thereof, the Directors may dispose of such Shares to any Party willing to become the Purchaser thereof, for such Sum as the Directors can obtain for the same, or otherwise as they think proper.

Power to enlarge Time for accepting new Shares.

XXIV. Provided always, That the Directors (if they think proper, but not otherwise) may permit any Shareholder who, from Absence abroad or other Cause satisfactory to the Directors, shall omit to signify within such One Month his Acceptance of the new Shares offered to him, to accept them notwithstanding that Time may have elapsed.

Calls.

XXV. There shall be an Interval of not less than Two Months between any Two successive Calls, and the aggregate Amount of Calls on any Share in any One Year shall not exceed Three Fourths of the Amount of such Share.

As to closing Transfer Books.

XXVI. The Directors may close the Register of Transfers before the Day fixed for the Payment of any Dividend, in like Manner as they may close such Register before an Ordinary Meeting.

Power to borrow on Mortgage or Bond.

XXVII. It shall be lawful for the Company to borrow on Mortgage or Bond the Sum of Four thousand Pounds, and when and so soon as the additional Capital of Twelve thousand two hundred and thirty-three Pounds shall have been subscribed for, and One Half thereof

thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond an additional Sum of Three thousand Pounds.

Application of Money.

XXVIII. All Money raised under the Powers of this Act by Shares or by borrowing shall be applied only to the Purposes of the Undertaking by this Act authorized.

First and other Meetings.

XXIX. The First General Meeting of the Company shall be held within Three Months after the passing of this Act, and a General Meeting shall be held in the Month of *August* in every Year, and it shall not be obligatory upon the Company to hold more than One Ordinary Meeting in any Year: Provided always, that the Directors from Time to Time may appoint another Day for holding the Ordinary Meeting.

Scale of voting.

XXX. Each Shareholder shall have One Vote for every Sum of Thirty-one Pounds Ten Shillings in the Capital of the Company held by him up to One hundred and eighty-nine Pounds, and an additional Vote for every additional Sum of Ninety-four Pounds Ten Shillings in such Capital held by him

Number of Shareholders to call Extraordinary Meetings.

XXXI. The Number of Shareholders on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be Ten, holding in the aggregate not less than One Tenth of the Capital of the Company.

Number and Qualification of Directors.

XXXII. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors shall be Six, and the Qualification of a Director shall be the Possession of Five Shares at least in the Undertaking.

Power to vary the Number of Directors.

XXXIII. It shall be lawful for the Company from Time to Time to reduce the Number of Directors; but the whole Number of Directors after any such Reduction shall not be less than Four.

First Directors.

XXXIV. The Persons who at the Time of the passing of this Act are the Committee of Management of the original Company shall be the First Directors of the Company.

Quorum of Directors.

XXXV. A Quorum of a Meeting of Directors shall be Three.

Remuneration of the Directors and Auditors.

XXXVI. The Remuneration of the Directors and Auditors shall from Time to Time be fixed by a General Meeting of the Company, and shall be paid out of the Moneys from Time to Time received by the Company under this Act.

Officers to continue.

XXXVII. Every Secretary, Clerk, Treasurer, and Officer appointed by the original Company, and in Office at the Time of the passing of this Act, shall hold and enjoy his Office and Employment, with the Salary or other Remuneration thereunto annexed, and be deemed an Officer of the Company, until he be removed from such Office; and shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties in all respects whatsoever as if he were appointed under this Act.

Company may maintain existing Gasworks, and erect others.

XXXVIII. Subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to maintain and from Time to Time renew and repair the Gasometer and Apparatus connected therewith, erected by the original Company in *Edward Street* and *Moor Lane* in *Lancaster*, and to complete, maintain, and alter the Gasworks erected and provided by the original Company at or near *Saint George's Quay* in *Lancaster*, and from Time to Time to construct such additional Gasworks, Gasometers, Retorts, Drains, Sewers, Machinery, and others Works and Apparatus, and such Houses, Buildings, and Approaches upon the Lands described in the Schedule to this Act, as they may think proper, and may do all other Acts necessary for the Purpose of supplying Gas within the Limits of this Act, and they may make and supply Gas accordingly, and may sell and dispose of the Coke and other Residuum arising from the Materials used in the Manufacture of Gas in such Manner as they may think proper: Provided always, that the Company shall not enter upon, take, or use any of the Lands comprised in the Schedule to this Act not already the Property of the Company, without the Consent of the Owners, Lessees, and Occupiers thereof respectively.

Company may lay down Pipes for lighting Buildings.

XXXIX. Subject to the Provisions in this Act and the incorporated Acts contained, the Company may lay any Pipe, Branch, or other Apparatus from any Main or Branch Pipe into, through, or against any Building for the Purpose of lighting the same, with the Consent of the Owner and Occupier of such Building, and may with the like Consent provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply, and may from Time to Time repair, replace, alter, or discontinue and remove such Pipe, Branch, or Apparatus.

Company may require Consumers to use Meters.

XL. Every Consumer of the Gas supplied by the Company shall, upon being required by the Company by Notice in Writing so to do, consume the Gas so supplied by Meter, to be provided by the Company

pany at the Expense of the Consumer, or (at the Option of the Consumer) to be provided by the Consumer and to be approved by the Company.

Penalty for injuring Meters.

XLI. Every Person who shall wilfully, fraudulently, or by culpable Negligence injure or suffer to be injured any Meter or Fittings belonging to the Company, or shall alter the Index to any Meter, shall forfeit to the Company a Sum not exceeding the Sum of Five Pounds; and the Company may in addition thereto recover the Amount of any Damages by them sustained; and the Company may also take off or discontinue the Supply of Gas to or for the Use of the Person so offending, notwithstanding any Contract which may have been previously entered into.

Undisputed Rates or Rents may be recovered by Distress.

XLII. All Gas Rates or Rents, or Remuneration for Gas, due to the Company, and all Damages, Costs, and Expenses by this Act or any Act incorporated herewith directed to be paid, and all Costs of furnishing and fixing any Gas Meters or Pipes, and the Amount of which shall not be disputed, may be levied by Distress; and any Justice, on Application, may issue his Warrant accordingly.

Costs of Proceedings may be included in Warrant of Distress.

XLIII. Any Justice who shall issue any Warrant of Distress for the Recovery of any Money payable under this Act, or any Act incorporated herewith, may order that the Costs of the Proceedings for the Recovery of such Money shall be paid by the Person liable to pay such Sum of Money, and such Costs may be ascertained by such Justice, and may be included in the Warrant of Distress for the Recovery of such Money.

Several Names and Sums in One Warrant.

XLIV. Any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Act, and may be stated either in the Body of the Warrant or Notice or in a Schedule thereto.

Liability to Gas Rate no to disqualify Justices.

XLV. No Justice shall be disqualified for acting in the Execution of this Act by reason of his being liable to the Payment of any Rate or other Charge under this Act.

Sums due to Company may be recovered by Action.

XLVI. The Company may recover any Sum of Momey which shall be due to them from any Person for Gas Rates or Gas Rents, or for the furnishing or fixing of any Gas Meter or Pipe, or for Damages, Costs, or Expenses, by Action or Proceeding in any Court of competent Jurisdiction for the Trial of an Action of Debt of the like Amount.

XLVII. From

Price of Gas for private Purposes.

XLVII. From and after the First Day of *October* next, it shall not at any Time be lawful for the Company to charge a higher Price for Gas than the following:

First.—As to the Supply of Gas within the Borough:

On an annual Consumption not exceeding One hundred and fifty thousand Cubic Feet, Five Shillings and Sixpence *per* Thousand Cubic Feet;

Above One hundred and fifty thousand Cubic Feet, and not exceeding Two hundred and fifty thousand Cubic Feet, Five Shillings and Threepence *per* Thousand Cubic Feet;

Above Two hundred and fifty thousand Cubic Feet, and not exceeding Three hundred and fifty thousand Cubic Feet, Five Shillings *per* Thousand Cubic Feet;

Above Three hundred and fifty thousand Cubic Feet, and not exceeding Four hundred and fifty thousand Cubic Feet, Four Shillings and Tenpence *per* Thousand Cubic Feet;

Above Four hundred and fifty thousand Cubic Feet, and not exceeding One million Cubic Feet, Four Shillings and Sixpence *per* Thousand Cubic Feet;

Above One million Cubic Feet, Four Shillings *per* Thousand Cubic Feet.

Second.—As to the Supply of Gas within *Scotforth*, *Bulk*, and *Skerton*:

One Shilling *per* Thousand Cubic Feet over and above the Prices herein-before authorized within the Borough.

Third.—As to the Supply of Gas within *Morecambe*, *Poulton-le-Sands*, *Bare*, and *Torrisholme*:

One Shilling and Sixpence *per* Thousand Cubic Feet over and above the Prices herein-before authorized within the Borough.

Provided always, that the foregoing Restrictions as to the Price of Gas within the Borough shall not apply to the Corporation or to the Local Board in case of a Sale of the Works or Part thereof to them as herein-after provided.

Price of Gas for public Purposes.

XLVIII. After the Termination of any existing Contract for the Supply of Gas to any public Lamps within the Borough, it shall not be lawful for the Company to charge for such Supply, or for Gas supplied for any of the Purposes of the Corporation or of the Local Board, a higher Price *per* Thousand Cubic Feet than the Sum of Four Shillings; and the Quantity of Gas consumed shall, in case the Parties differ about the same, be ascertained in manner herein-after mentioned.

As to the Supply for public Purposes.

XLIX. The Company shall from Time to Time, when required by the Local Board so to do, supply Gas to all the public Lamps for the Time

Time being of the Borough in any Street or Place therein where the Mains of the Company are now laid down or to which they may hereafter be extended, and also for any of the Purposes of the Corporation or of the Local Board, but not for Sale: Provided always, that if at any Time after the Termination of any existing Contract for the Supply of the public Lamps any Difference shall arise as to the Quantity of Gas consumed by any Burner used in such public Lamps, or as to the Price to be charged for such Supply, it shall be lawful for the Local Board to require the same to be settled by Arbitration, in the Manner provided by "The Companies Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration.

Quality of Company's Gas.

L. All the Gas supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Ten Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour.

Company to erect a Meter to test Purity of Gas.

LI. The Company shall within Six Months after the passing of this Act cause to be erected in some convenient Part of their Works an Experimental Meter, furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas *per* Hour, with other necessary Apparatus for testing the illuminating Power of the Gas.

Power to Local Board to test the Purity of the Gas.

LII. It shall at any Time be lawful for the Local Board, by Order in Writing, to appoint some competent Person, not being a Member or Officer or Servant of such Board, to proceed to the Works of the Company; and the Person so appointed, on giving Six Hours previous Notice in Writing to the Company, may, at any reasonable Hour in the Daytime, on producing the said Order, enter on the Premises of the Company, and in the Presence of the Superintendent or other Officer of the Company make Experiment of the illuminating Power of the Gas, by means of the Experimental Meter and other Apparatus before mentioned, and the Company and their Officers shall afford all reasonable Facilities and Assistance to the making of such Experiment; and if it shall be proved to the Satisfaction of any Two Justices of the County of *Lancaster*, not being Directors or Shareholders of the Company, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company did not, when so tested as aforesaid, equal the illuminating Power by this Act prescribed, or that the Company or their Officers refused to afford such reasonable Facilities as aforesaid, or hindered or prevented the making of such Experiment, in any such Case the Company shall forfeit such Sum, not exceeding Twenty Pounds, as the said Justices shall determine.

Penalty in case of Default.

Cost of Experiment to be paid according to the Event.

LIII. The Costs of and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Costs of the Proceedings before the Justices, shall be ascertained by such Justices, and in the Event of any Penalty being imposed on the Company, shall be paid, together with such Penalty, by the Company; but in the Event of the Gas being found, when tested, to be of not less illuminating Power than is by this Act prescribed, such Costs shall be awarded to be paid by the Local Board to the Company, and shall be paid or levied accordingly.

Inspector of Meters may be appointed by Local Board.

LIV. It shall be lawful for the Local Board from Time to Time to appoint a fit Person to be Inspector of Meters, and to remove such Person, and from Time to Time to appoint another Person in his Place; and the Person so from Time to Time appointed shall be paid by the Local Board and the Company, in equal Shares, such Salary or Allowance, and shall be subject to such Rules and Regulations, as may from Time to Time be determined and fixed by the Company and the Local Board, and in the Event of their not agreeing, then by a Referee to be appointed by the Local Board and the Company; but if no such Appointment shall be made within One Month after Notice given by either of the Parties to the other of them for that Purpose, then such Appointment shall, on the Application of the Party giving such Notice, be made by the Prothonotary of the Court of Common Pleas at *Lancaster*; and it shall be lawful for such Inspector, and he is hereby authorized from Time to Time, at the Request of any Consumer of Gas within the Borough, to open and inspect any Meter in any Premises of the Applicant which may be supplied with Gas by the Company, and to test, as between the Company and the Consumer, all the Meters furnished or supplied by the Company.

Providing for auditing the Accounts of the Company.

LV. In addition to the Audit of the Accounts by Auditors to be appointed by the Company under the Provisions of "The Companies Clauses Consolidation Act, 1845," the Local Board shall appoint in every Year a fit Person, and the Company shall appoint in every Year another fit Person (if such Appointments shall be required by either Party), which Two Persons shall together examine and audit the annual Accounts of the Company for the Year in which they shall have been so appointed, in the Manner and with the Powers provided by "The Companies Clauses Consolidation Act, 1845:" Provided, that it shall not be necessary that either of the last-mentioned Auditors shall be a Shareholder in the Undertaking; and if either of the Auditors shall refuse or neglect to make such Audit for the Space of One Month after his Appointment, the other of such Auditors shall proceed to examine and audit such Accounts with the Powers provided by "The Companies Clauses Consolidation Act, 1845," as before mentioned.

LVI. The

The Lancaster Gas Company's Act, 1856.

Section 21. of 15 & 16 Vict. c. lxvii. repealed.

LVI. The Section of "The *Lancaster* Waterworks and Gas Act, 1852," numbered Twenty-one, giving Power to the Local Board to contract with the Company for the Supply of Gas, is hereby repealed.

Penalties not to be cumulative.

LVII. Whereas by the Act (Local and Personal) Fifth of *George* the Fourth, Chapter Sixty-six, and by the Public Health Act, 1848, the Company are subject to the Payment of Penalties, Costs, and Charges for certain Offences and Omissions, for which the Company will also be liable to the same or other Penalties, Costs, and Charges under this Act, and it is just that the Company should not be punished twice for the same Offence: Therefore, if any Action, Suit, Information, or other legal Proceeding shall be brought, laid, or commenced against the Company under the said Local and Personal Act, or under the Public Health Act, or under this Act, for any Offence or Omission committed or omitted by the Company, such Action, Suit, Information, or other Proceeding shall be a Bar to all other Actions, Suits, Informations, or other Proceedings against the Company for or in respect of the same Offence or Omission under any other of such Acts.

Undertaking may be sold to the Corporation or Local Board.

LVIII. The Company may sell to the Corporation or to the Local Board, and the Corporation or the Local Board may purchase, the Undertaking of the Company, or any Part thereof, and for that Purpose the Company may execute a Conveyance, and enter into Contracts or Arrangements with the Corporation or the Local Board, and the Corporation or the Local Board may accept such Sale and enter into Contracts or Arrangements with the Company; and every such Conveyance, Contract, or Arrangement made between the Company and the Corporation, or between the Company and the Local Board, sealed with the respective Seals of the contracting Parties, shall be binding upon them.

Corporation or Local Board not to purchase certain Works.

LIX. Provided always, That it shall not be lawful for the Corporation or the Local Board to purchase the Works of the Company at *Morecambe*, *Poulton-le-Sands*, *Bare*, and *Torrisholme*, or any Part of such Works.

Purchasers to be subject to Obligations of the Company.

LX. Everything done or suffered by the Company before the Completion of the Purchase of the Undertaking of the Company by the Purchasers shall be as valid as if no such Purchase had been effected, and such Purchase 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 such Purchase had not been effected, would be incident to or consequent on any or everything so done or suffered; and with respect to all

Rights,

Rights, Liabilities, Claims, and Demands, the Purchasers shall to all Intents and Purposes represent the Company: Provided also, that the Company shall remain liable in respect of all such Rights, Liabilities, Claims, or Demands until the same shall be discharged or satisfied.

Power to borrow Money to complete Purchase.

LXI. The Purchasers may from Time to Time borrow at Interest on Mortgage of the Undertaking, or so much thereof as may be purchased by them, and on Mortgage or Assignment of all or any of the Rates authorized to be levied by them, any Sum or Sums of Money which may be necessary to complete such Purchase, and for executing the Powers and Authorities by this Act vested in them or any of them; and the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, shall be applicable to the Mortgages to be executed by the Purchasers, and (so far as the same are not varied by the Provisions of this Act) shall be incorporated with this Act, and shall be construed as if the Expression "The Mayor, Aldermen, and Burgesses of the Borough of *Lancaster*," or "The Local Board of Health for the Borough of *Lancaster*," as the Case may be, had been inserted therein instead of the Word "Commissioners:" Provided always, that this Act or anything herein contained shall not prejudice or affect the Priority or other Right of the Holder of any Mortgage or Assignment of such Rates executed by the Purchasers before the Mortgages hereby authorized.

Power to reborrow.

LXII. Whenever the Purchasers shall pay off any Money so borrowed, except by means of the Sinking Fund, they may from Time to Time reborrow that Amount.

Sinking Fund.

LXIII. The Purchasers, in order to pay off any Moneys borrowed by them under this Act, shall in every Year, until the same be fully paid off, appropriate and set apart as a Sinking Fund such Sum as, together with the Interest from Time to Time to accrue thereon, will in the Period of Thirty Years amount to a Sum sufficient to repay the Moneys borrowed; and shall from Time to Time cause such Sinking Fund and the Interest thereon to be invested in the Mode prescribed by "The Public Health Act, 1848," in reference to the Sinking Fund thereby directed to be raised for the Repayment of Moneys borrowed under that Act.

Upon Execution of a Conveyance, Undertaking of the Company to be vested in Purchasers.

LXIV. Upon the Execution by the Company of a Conveyance (duly stamped), the Undertaking of the Company, or so much thereof as shall be purchased, shall, subject to the Debts, Contracts, Obligations and Encumbrances of the Company in respect thereof, be vested in the Purchasers, and may be lawfully held, used, and exercised by and in their Name, in the same Manner and to the same Extent as the

the Company could otherwise have held, used, and exercised the same; and when and so soon as the Debts and Liabilities of the Company shall be discharged, and the Assets of the Company shall have been distributed, and their Affairs wound up, the Company shall be dissolved.

Application of Moneys from Gas-works when sold.

LXV. The Profits made by the Purchasers in respect of Gas supplied by them under the Powers of this Act shall be applicable in the first place to the Payment of the Interest of any Moneys borrowed by the Purchasers for the Purposes of this Act, and in the next place to the Payment of the Sum to be annually set apart as a Sinking Fund for the Repayment of such borrowed Moneys; and so much as may not be required for those Purposes shall be paid and applied, in case of a Purchase by the Corporation, to the Borough Fund, and in case of a Purchase by the Local Board, in aid of the general or special District Rates leviable by the Local Board.

Corporation may lend Money to Local Board for Purposes of Act.

LXVI. The Fourteenth Section of "The *Lancaster* Waterworks and Gas Amendment Act, 1855," authorizing the Corporation, with the Sanction of the Lords Commissioners of Her Majesty's Treasury, to lend Money to the Local Board, shall authorize the Loan of Money by the Corporation to the Local Board for the Purposes of this Act.

Saving Rights of Corporation of Lancaster and of Local Board of Health.

LXVII. Nothing herein contained shall prejudice, take away, lessen, or abridge any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Corporation, or shall prejudice, take away, lessen, or abridge the Rights, Privileges, Powers, or Authorities of the Local Board under the Act passed in the Fifth Year of King *George* the Fourth, Chapter Sixty-six, "The Public Health Act, 1848," "The *Lancaster* Waterworks and Gas Act, 1852," "The *Lancaster* Waterworks and Gas Amendment Act, 1855," or any or either of them, except so far as the same are inconsistent with the Provisions of this Act or any of them, or are expressly varied or altered by this Act.

Expenses of Act.

LXVIII. All Costs, Charges, and Expenses of applying for and passing this Act or incident thereto shall be paid by the Company.

The Lancaster Gas Company's Act, 1856.

The SCHEDULE referred to in the foregoing Act.

Description of Property.	Owner.	Lessee.	Occupier.
Certain Lands at Saint George's Quay in Lancaster, bounded on the North by that Quay and by the public Road leading from that Quay Westward; on the South by the Vicarage Fields in the Occupation of John Wilcock and William Gill, or One of them; on the East by Lands and Buildings belonging to and in the Occupation of James Williamson; and on the West by Long Marsh Lane.	The Lancaster Gaslight Company.	- - -	The Lancaster Gaslight Company.
Certain Lands in the Township of Poulton-le-Sands in the Parish of Lancaster, bounded on the Northerly Side by the North-western Railway and by Lands and Watercourse connected therewith in Part, and by Lands belonging to the Trustees of the late Roger Taylor, Esquire, in other Part; on the Southerly and Easterly Sides by other Lands belonging to the said Trustees of the said Roger Taylor; and on the Westerly Side by the said North-western Railway and Lands connected therewith.	North-western Railway Company.	- - -	Thomas Hodgson.

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