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Cap. iv.

An Act to enable the *Leeds* new Gas Company to raise a further Sum of Money, to consolidate and amend the Acts relating to the Company, and for other Purposes. [12*th May* 1854.]

WHEREAS by an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for better lighting with Gas the Town and Neighbourhood of* Leeds *in the Borough of* Leeds, *in the West Riding of the County of* York (and herein-after referred to as the repealed Act), the *Leeds* new Gas Company were incorporated, and were authorized, for the Purposes of supplying with Gas the said Town and Neighbourhood of *Leeds*, to raise a Share Capital of Thirty thousand Pounds, and to borrow on Mortgage the Sum of Fifteen thousand Pounds, both of which Sums were raised and expended by the Company: And whereas, by an Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act for extending and amending some of the Powers and Provisions of the Act relating to the* Leeds *new Gas Company*, the Company were authorized to raise by Shares the further Sum of Fifty thousand Pounds: And whereas the

5 & 6 W.4. c. lxvi.

7 & 8 Vict. c. xxxviii.

Company have raised the whole of the said Sum of Fifty thousand Pounds, and have expended the same in extending the Works of the Company, and in paying off the said Sum of Fifteen thousand Pounds, raised by Mortgage under the said first-recited Act: And whereas, in order to enable the Company to meet the increased and increasing Demand for Gas within the Borough of *Leeds*, it is necessary that the Works of the Company should be enlarged and extended, and that the Capital of the Company should be increased: And whereas it is expedient that the existing Share Capital of the Company should be converted into Stock, and that the Powers and Provisions of the said recited Acts should be amended and extended: And whereas the Objects and Purposes aforesaid could be more conveniently provided for if the said Acts were repealed, and other Powers and Provisions granted in lieu thereof; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same:

Recited Acts repealed.

I. That the said recited Acts shall be and the same are hereby repealed.

Provisions of 8 & 9 Vict. cc. 16 & 18. and 10 & 11 Vict. c. 15. extended to this Act.

II. That "The Companies Clauses Consolidation Act, 1845," (except such of the Provisions thereof as relate to the Conversion of borrowed Money into Capital,) "The Lands Clauses Consolidation Act, 1845," (except such of the Provisions thereof as relate to the Purchase of Lands otherwise than by Agreement,) and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act.

Interpretation of certain Expressions in the above-named Acts.

III. That in construing "The Companies Clauses Consolidation Act," "The Lands Clauses Consolidation Act," and "The Gasworks Clauses Act," as incorporated with this Act, the Expression "the Special Act" shall mean this Act, and the Expressions "the Works" or "the Undertaking" shall mean "the Gasworks and Works connected therewith" by this Act vested in the Company incorporated by this Act, or which they may be authorized to execute, the Expressions "the Promoters of the Undertaking" or "the Undertakers" shall mean the Company incorporated by this Act, and the Expression "the Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the said Company, as well as any Gasworks which they may construct under the Powers of this Act, unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

The Words "Company" and "Clerk."

IV. That in this Act and in the Acts incorporated herewith the Word "Company" shall mean the Company incorporated by this Act, and the Word "Clerk" shall include Secretary.

V. That

Limits of Act.

V. That the District comprised within the Limits of this Act shall be the Borough of *Leeds* in the West Riding of the County of *York*.

Re-incorporation of Company.

VI. That the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in the Company incorporated by the repealed Act, and all other Persons and Corporations who have subscribed or shall hereafter subscribe to the Undertaking of the Company, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purposes herein-after mentioned, and shall be incorporated by the Name of "The *Leeds* New Gas Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and may sue and be sued, plead and be impleaded, at Law and in Equity, and shall have Power to purchase, take on Lease, or rent and hold and sell Lands for the Purposes of the said Undertaking.

Purposes of Company.

VII. That the Company shall be established for the Purpose of supplying and lighting with Gas, produced from Coal or other Material, the several Streets, and also the several Churches, Chapels, Shops, Taverns, private Houses, Manufactories, Warehouses, and other Buildings within the Limits of this Act, and also for the dealing in Coke, Coal, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Oil, and other Matters, the Products of the Coal or other Materials which may be employed in the Manufacture of such Gas, and also for manufacturing and selling or dealing 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.

Estates and Liabilities of the former Company vested in and binding on the Company hereby established.

VIII. That, from and immediately after the passing of this Act, all the Lands, Tenements, and Hereditaments belonging to the Company incorporated by the repealed Act at the Time of the passing of this Act, and whether vested in them or in any Trustees or Trustee for them, and all the Gasworks, Gasometers, Mains, Pipes, Apparatus, Matters, and Things which have been purchased or provided, laid down, erected, or placed in any Street within the Limits of this Act, or which at the Time of the passing of this Act shall be the Property of or belonging to the said Company, and all Moneys, and all Rights, Claims, Easements and Privileges, and all Goods, Chattels, Effects, Bonds, Deeds, Books, Writings, Maps, Plans, and Personal Estate belonging to the said Company or to any Trustees or Trustee on their Behalf for the Purposes of the Company, shall be and the same are hereby vested in the Company hereby incorporated, and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the Company incorporated by the repealed Act shall pay the same, together with all Interest (if any) due or to accrue due for the same to the Company hereby incorporated, and all Debts which immediately before the passing

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of this Act were due and owing by the Company incorporated by the repealed Act, shall be paid, with all Interest (if any) due and to accrue due thereon, by the Company hereby incorporated, and all Rates or Rents which immediately before the passing of this Act were due and payable, or then accruing due under or by virtue of the repealed Acts or either of them, to the Company incorporated by the repealed Act, shall be due and payable to the Company hereby incorporated, and shall and may be collected and recovered by the same Ways and Means, and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as the Rates and Rents by this Act made payable to the Company hereby incorporated; and all Conveyances, Contracts, Mortgages, Bonds, Covenants, Liabilities, Securities, Arrangements, Agreements, and other Matters and Things made or entered into before the passing of this Act to, with, in favour of, or by, or for, or against, or in reference to the Company incorporated by the repealed Act, shall from and after the passing of this Act be and remain as valid and effectual in favour of, or against, or in reference to the Company hereby incorporated, and may be proceeded on, enforced and satisfied in the same Manner, to all Intents and Purposes, as if the Company hereby incorporated had been a Party to and executed and incurred the same, or had been named or referred to therein, instead of the Company incorporated by the repealed Act, and the Company hereby incorporated shall be liable for all Matters and Things for which the Company incorporated by the repealed Act were liable at the Time of the passing of this Act, and to the same Extent and in the same Manner in all respects as the Company incorporated by the repealed Act were then subject or liable.

Powers reserved by other Acts in favour of the Company and not since repealed may be enforced, notwithstanding Repeal of recited Acts.

IX. That all Powers, Provisions, Matters, and Things reserved, contained, or granted in or by any Act of Parliament (other than the said recited and repealed Acts) to or for the Benefit of the *Leeds* new Gas Company, and not since repealed, shall, notwithstanding the Repeal of the said Acts relating to the said Company, be of the like Force, Operation, and Effect as if the said recited Acts had not been repealed, and shall attach to and be exercised and enforced by the Company incorporated by this Act, in as full and effectual a Manner, to all Intents and Purposes whatsoever, as if the same had, in and by such other Act of Parliament as aforesaid, been expressly reserved, contained, or granted to or in favour of the Company incorporated by this Act.

Rates and Rents now payable to continue till altered.

X. That the Dividends, Rates, Rents, or Charges authorized, made, or imposed under or by virtue of the repealed Acts, and which, at the Time of the passing of this Act, shall be due and payable or accruing due and payable, or if this Act had not passed would have been due and payable, or would have accrued due and payable, shall be payable under this Act, and shall continue to be so payable until the same shall be

be altered or reduced under the Authority of this Act, and may be collected and recovered by such Means and under such Restrictions and Regulations as any Dividends, Rates, Rents, or Charges to be received or demanded, in pursuance of this Act, may be collected or recovered.

Transfers of Shares, &c. to remain in force.

XI. That all Sales, Transfers, and Dispositions executed before the passing of this Act, of any Share in the Joint Stock of the Company, incorporated by the repealed Act, shall remain in full Force, and be available in the same Manner as if the same had been made under the Powers contained in this Act.

Actions, &c. not to abate, and Penalties to be recoverable.

XII. That no Action, Suit, Prosecution, or other Proceeding whatsoever, commenced, or liable to be commenced, either by or against the Company incorporated by the repealed Act previous to the passing of this Act, shall abate or be discontinued, or be prejudicially affected by this Act, but on the contrary the same shall continue to take effect, either in favour of or against the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in relation to the Company incorporated by the repealed Act if this Act had not been passed, and all Penalties incurred by any Offence against the Provisions of the repealed Acts, or either of them, previously to the passing of this Act, may be sued for, and all Offences which may have been committed before the passing of this Act against the Provisions of the said repealed Acts may be prosecuted, in such or the like Manner, to all Intents and Purposes, as the same might have been sued for and prosecuted respectively if this Act had not been passed, the Company hereby incorporated being, in reference to the Matters aforesaid, in all respects substituted in the Place of the Company incorporated by the repealed Act.

Books, &c. Evidence under former Acts to continue Evidence.

XIII. That all Books and other Documents whatsoever by the repealed Acts authorized or directed to be kept and thereby made Evidence shall still be admitted as Evidence in all Courts whatsoever.

Officers to continue till removed.

XIV. That all Clerks, Officers, and Persons appointed by virtue of or acting under the Authority of the repealed Acts and not acting contrary to the Provisions of this Act shall hold their respective Offices and Employments, together with the Salaries and Emoluments thereunto annexed, until they shall be removed therefrom by the Company or the Directors, and all such Clerks, Officers, and Persons shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if they had been appointed by virtue of this Act.

Present Register of Shareholders to continue to be kept.

XV. That the Book kept by the Company incorporated by the repealed Act for entering the Names and Designations of the Subscribers to the Undertaking, with the Numbers of their Shares, and the proper Number by which such Shares shall be distinguished, shall and may continue to be kept for the same Purpose by the Company hereby incorporated, and shall, until some other Register of Shareholders shall be provided by the Company, be taken and considered as the "Register of Shareholders" required to be kept by "The Companies Clauses Consolidation Act, 1845."

Existing Share Capital to be converted into Stock.

XVI. And whereas the Share Capital of the Company at present consists of Thirty thousand Pounds divided into One thousand five hundred Shares of Twenty Pounds each, and of Fifteen thousand Pounds divided into One thousand five hundred Shares of Ten Pounds each, making together the Sum of Forty-five thousand Pounds, upon which Profits at the Rate of Ten Pounds *per Centum per Annum* may be divided, and of Twelve thousand Pounds divided into One thousand five hundred Shares of Eight Pounds each, of Six thousand Pounds divided into One thousand five hundred Shares of Four Pounds each, and of Seventeen thousand Pounds divided into Three thousand four hundred Shares of Five Pounds each, making together the Sum of Thirty-five thousand Pounds, upon which Three several Classes of Shares Profits at the Rate of Six Pounds *per Centum per Annum* may be divided: Be it enacted, That after the passing of this Act the said Share Capital of Forty-five thousand Pounds shall be converted into the Sum of Forty-five thousand Pounds Consolidated Stock, and shall be called "The Original Stock" of the Company, and the said Share Capital of Thirty-five thousand Pounds shall be converted into the Sum of Thirty-five thousand Pounds Consolidated Stock, and shall be called "The New Stock" of the Company, and the several Holders of the said Original Stock and New Stock respectively shall, subject to the Provision of this Act limiting the Amount of Dividends to be paid on each Stock, be entitled to participate in the Dividends and Profits of the Company, according to the Amount of their respective Shares or Interests in such Stocks, and the said Sums of Forty-five thousand Pounds and Thirty-five thousand Pounds, making together the Sum of Eighty thousand Pounds, shall be the Capital of the Company, subject, nevertheless, to Augmentation as herein-after mentioned.

Existing Shareholders to be entitled to a corresponding Amount of Stock created by this Act.

XVII. That after the passing of this Act every Person and Corporation who, immediately before the passing of this Act, was possessed of or entitled to One or more paid-up Share or Shares of Twenty Pounds or Ten Pounds each in the existing Share Capital of the Company shall, for each such Share of Twenty Pounds or Ten Pounds, be possessed of or entitled to a like Amount of "The Original Stock" created by this Act without making any Payment in respect thereof, and in like Manner every Person

Person and Corporation who, immediately before the passing of this Act, was possessed of or entitled to One or more paid-up Share or Shares of Eight Pounds, Four Pounds, or Five Pounds each in the existing Share Capital of the Company, shall for each such Share of Eight Pounds, Four Pounds, or Five Pounds, be possessed of or entitled to a like Amount of "The New Stock" created by this Act without making any Payment in respect thereof, and such Sums of Original Stock and New Stock respectively shall be and the same are hereby vested in such Persons and Corporations accordingly, who shall be entitled to the same Powers of Transfer and other Powers over the same as if such Stock had been created under the Powers of the Companies Clauses Consolidation Act incorporated herewith, and all Provisions in such last-mentioned Act relating to Stock shall apply to the Stock created by this Act.

Original and New Stock to be subject to the same Trusts as existing Shares.

XVIII. That all Corporations and Persons in whom any of the Original or New Stock of the Company shall be vested as aforesaid shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, and Agreements, Charges, and Incumbrances upon or to which the Share or Shares in the existing Capital of the Company in respect of which such Original or New Stock was so vested was or were subject and liable immediately before the passing of this Act, and so as to give effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such Share or Shares.

Power to raise additional Capital by Creation of new Shares.

XIX. That it shall be lawful for the Company, from Time to Time, by Order of any Meeting thereof, to raise, by the Creation of new Shares, in addition to the said Capital of Eighty thousand Pounds, any Sum or Sums of Money not exceeding in the whole the Sum of Fifty thousand Pounds.

If old Stock at a Premium, new Shares to be offered to original Proprietors.

XX. That if, at the Time of any Augmentation of Capital taking place by the Creation of new Shares, the then existing Original and New Stock be at a Premium, or of greater actual Value than the nominal Value thereof, then the Sum to be raised shall be divided into Shares of such Amount as will conveniently allow the same to be apportioned among the then Proprietors of Original and New Stock, in proportion to the existing Stock held by them respectively, and such new Shares shall be offered to the then Proprietors in the Proportion aforesaid, and the Offer shall be made by Letter, under the Hand of the Clerk of the Company, given to or sent by Post, addressed to each Proprietor, according to his Address in the Register Book of Shareholders, or left at his usual or last known Place of Abode.

Shares to vest in Parties accepting, otherwise to

XXI. That the said new Shares shall vest in and belong to the Proprietors, who shall accept the same and pay the Value thereof to the

be disposed of by Company.

the Company, at the Time and by the Instalments which shall be fixed by the Directors, and if any Proprietor fail, for One Month after such Offer of new Shares, to accept the same and pay the Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares in such Manner as they shall deem most for the Advantage of the Company.

Proprietors permitted to take new Shares after Time specified, in case of their Absence abroad, &c.

XXII. That it shall be lawful for the Directors, in case they shall think proper so to do, but not otherwise, to permit any Proprietor who, from Absence abroad or from any other Cause satisfactory to the Directors, may have omitted or neglected (within the Time limited by this Act) to signify his Acceptance of the new Share or Shares which may have been offered to him, or to which he may be entitled by virtue of this Act, to accept such Share or Shares, and to pay for each such Share the Sum at which the same shall have been allotted to him, notwithstanding the Time for such Acceptance or for the Payment of such Sum may have expired.

As to Issue of new Shares if existing Stock not at a Premium.

XXIII. That if at the Time of any such Augmentation of Capital taking place the existing Stock be not at a Premium, then the new Shares may be of such Amount, and may be issued in such Manner and in such Terms as the Company shall think fit.

Power to attach Preference to new Shares.

XXIV. And whereas there are no existing Shares in the Capital of the Company entitling the Proprietors to any Preference or Priority of Interest or Dividend: Be it enacted, That it shall be lawful for the Company from Time to Time, with the Consent of Three Fourths of the Votes of the Proprietors present, personally or by Proxy, at a General Meeting or Meetings specially convened for the Purpose, to attach to the new Shares to be created under the Authority of this Act, or any of them, such Preference or Priority in the Payment of Interest or Dividend not exceeding Five Pounds *per Centum per Annum* on the Amount for the Time being paid in respect of such Shares, and such other Privileges as may be agreed upon at such Meeting or Meetings.

As to Dividends on new Shares.

XXV. That, subject as herein-after mentioned, the Proprietors of the new Shares to be created under the Authority of this Act, and of the Stock into which the same may be consolidated (save and except such of the said Shares and Stock, if any, as shall have any special Preference or Priority in the Payment of Interest or Dividend attached thereto, pursuant to the Power for that Purpose in this Act contained) shall be entitled to such Dividends as shall be from Time to Time made by the Directors out of the Profits of the Undertaking, in proportion to the nominal Value of their Shares or Stock, as registered in the Books of the Company, and the Amount paid thereon at the Time such Dividends respectively shall be declared.

XXVI. Pro-

Amount of Profits to be divided amongst the Proprietors limited.

XXVI. Provided always, That the Profits of the Undertaking divisible among the Proprietors of the Company shall not exceed the following Sums *per Centum per Annum* in any One Year; (that is to say,) as regards the before-mentioned Sum of Forty-five thousand Pounds (Original Stock), not exceeding Ten Pounds *per Centum per Annum;* and as regards the before-mentioned Sum of Thirty-five thousand Pounds, New Stock, and also any new Shares to be created under the Authority of this Act, or the Stock into which the same may be consolidated, not being Shares or Stock to which any special Preference or Priority in the Payment of Interest or Dividend shall be attached, pursuant to the Power for that Purpose in this Act contained, not exceeding Six Pounds *per Centum per Annum.*

As to Votes of Proprietors.

XXVII. That the Proprietors of Stock or Shares in the Undertaking shall have Votes at the General and Special Meetings of the Company, in proportion to the registered Value of their Stock or Shares, in manner following; (that is to say,)

For and in respect of any Stock or Shares of a registered Value not amounting to Two hundred Pounds, One Vote;

For and in respect of Two hundred Pounds and less than Three hundred Pounds, Two Votes;

For and in respect of Three hundred Pounds and less than Four hundred Pounds, Three Votes;

For and in respect of Four hundred Pounds and less than Five hundred Pounds, Four Votes; and

For and in respect of Five hundred Pounds and upwards, Five Votes.

Calls.

XXVIII. That Twenty *per Centum* on the nominal Value of the Share shall be the greatest Amount of any One Call which the Directors may make on or in respect of the new Shares to be created by virtue of this Act, and Three Months at the least shall be the interval between successive Calls, and the aggregate Amount of Calls on any One Share in any One Year shall not exceed Four Fifths of the Amount of such Shares.

Power to borrow certain Monies on Mortgage or Bond.

XXIX. That it shall be lawful for the Company to borrow, on Mortgage of their Undertaking or on Bond, such Sums of Money as may from Time to Time be authorized to be borrowed by order of a General Meeting of the Company, so that there be not owing by the Company, on Mortgage or Bond, at any One Time, any greater Sum than One Third Part of the paid-up Capital of the Company for the Time being.

Mortgages, &c. to be stamped.

XXX. That every Mortgage, Bond, or Security for Money, and every Transfer of any Share, Stock, Mortgage, Bond, or other Security for Money to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be truly stated.

Power to sue for Arrears of Interest on Mortgages.

XXXI. And in order to provide for the Recovery of the Arrears of Interest due on any Mortgage to be made or entered into by the Company, be it enacted, That if such Interest, or any Part thereof, shall for Thirty Days after the same shall have become due, and Demand thereof shall have been made in Writing, remain unpaid, the Mortgagee may sue for the Interest so in arrear in any Court of competent Jurisdiction.

Arrears may be enforced by Appointment of a Receiver.

XXXII. And in order to provide for the Recovery of the Principal Money due on any Mortgage to be made or entered into by the Company, be it enacted, That if the Principal Money due upon any such Mortgage be not paid within Six Months after the same has become payable, and after Demand thereof in Writing, the Mortgagee may sue for the same, together with all Arrears of Interest, in any Court of competent Jurisdiction; or if his Debt for Principal Money amount to the Sum of Two thousand Pounds, he may alone, or if his Debt for Principal Money do not amount to the Sum of Two thousand Pounds, he may in conjunction with other Mortgagees whose Debts for Principal Moneys being so in arrear after Demand as aforesaid shall, together with his, amount to the Sum of Two thousand Pounds, enforce the Payment of such Principal Moneys and of all Arrears of Interest, by the Appointment of a Receiver in the Manner authorized by the Provisions of the Companies Clauses Consolidation Act incorporated herewith.

Application of Money.

XXXIII. That all Money to be raised under the Provisions of this Act, whether by means of Shares or by the Exercise of the Power of borrowing, shall be applied to the Purposes of the Undertaking by this Act authorized, and to no other Purpose.

Quorum for General Meetings.

XXXIV. That the Quorum for every Meeting of the Company shall be Ten Proprietors, holding in the aggregate not less than Two thousand Pounds in the Capital of the Company.

Number and Qualification of Directors.

XXXV. That, subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors of the Company shall be Fifteen, and the Qualification of a Director shall be the Possession by him, in his own Right, of Two hundred Pounds of paid-up Capital of the Company.

Persons holding Shares in other Gas Companies in Leeds disqualified from acting as Directors.

XXXVI. That every Director of the Company who at the Time of his Appointment or Election shall be or who shall thereafter directly or indirectly become the Proprietor of any Shares or Stock in the Capital of any other Gas Company in the Borough of *Leeds*, shall be disqualified to be or to act as a Director of the Company hereby incorporated, and his Office shall thereupon become vacant, and another Proprietor, duly qualified, shall be elected a Director in his Stead.

XXXVII. That

Power to vary the Number of Directors.

XXXVII. That it shall be lawful for the Company, by Vote of any Meeting specially convened for the Purpose, from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Six.

First Directors.

XXXVIII. That the several Persons who, immediately before the passing of this Act, were the Committee of Directors of the Company incorporated by the repealed Act, shall be the First Directors of the Company hereby incorporated.

Company to supply Vacancies if all the Directors resign, &c.

XXXIX. That if all the Directors shall die or resign or become disqualified or incompetent to act as Directors, or cease to be Directors from any Cause whatsoever, it shall be lawful for the Company, at the first Ordinary or Extraordinary Meeting which shall be held after such Event as aforesaid shall have occurred or become known, to elect such Number of Proprietors duly qualified as shall for the Time being be necessary to supply the Place of the Body of Directors which shall have so ceased to exist, and the Proprietors so elected shall be the Directors, and shall continue in Office during the same Period, and be subject to the same Regulations as to retiring from Office, and otherwise in all respects as the Directors to supply whose Places they shall have been elected would have continued and been subject to in case such Directors had not so ceased to exist; nevertheless, every Director so resigning may be re-elected immediately or at any future Time.

Remuneration of Directors and Auditors.

XL. That 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 Rents, Rates, or Sums receivable under this Act.

Quorum for Meetings of Directors.

XLI. That a Quorum of a Meeting of the Directors shall be Five, and when reduced below Nine shall be Three.

Committees of Directors.

XLII. That the Number of Directors of which Committees appointed by the Directors shall consist, shall be not less than Three nor more than Six, and the Quorum of such Committees shall be left to the Discretion of the Directors.

Directors to apponit and remove Officers.

XLIII. That the Directors may from Time to Time appoint and employ a Treasurer, Secretary or Clerk, Manager, Collector, and all such other Officers and Servants as they shall think necessary and proper, and may from Time to Time remove any of such Officers, and appoint others in the Room of such as shall be so removed, or as may die, resign, or discontinue their Offices, and may, out of the Funds of the Company, pay such Salaries and Allowances to the said Officers, except the Secretary or Clerk, whose Remuneration is to be fixed by the Company, as the Directors shall think reasonable.

XLIV. Whereas

Power to purchase Lands.

XLIV. Whereas the Company incorporated by the repealed Act were authorized to purchase, by Agreement with the Owners of and other Persons interested in Lands, any Quantity of Land not exceeding Five Statute Acres, for the Purpose of their Undertaking: Be it enacted, That it shall be lawful for the Company to purchase, or take upon Lease, or rent any Quantity of Land, by Agreement with the Owners, Lessees, and Occupiers thereof, not exceeding in the whole, together with such other Lands as may be vested in them, Ten Statute Acres.

Company not to take or use Land without Consent.

XLV. That nothing in this or "The Lands Clauses Consolidation Act, 1845," contained, shall authorize the Company to take or use any Land, unless with the Consent of and by Agreement with the Owners, Lessees and Occupiers thereof.

Company empowered to construct Gasworks, &c.

XLVI. That subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company, from Time to Time, to make, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and also such Houses and Buildings, and Approaches thereto, upon the Lands hereby authorized to be held or acquired by the Company, and to do all such other Acts as they shall think proper, consistently with the Provisions of this Act, for supplying Gas within the Limits of this Act, and for other Purposes authorized by this Act, and to sell, manufacture, and dispose of Coke and Residuum arising or to be obtained from the Materials used in the Manufacture of Gas, in such Manner as the Company may think fit: Provided always, that it shall not be lawful for the Company to erect, upon any Part of the additional Five Acres of Land by this Act authorized to be acquired, any Works for the Manufacture of Gas.

Not to erect Gasworks within 200 Yards of the Station of the Leeds Gaslight Company.

XLVII. Provided also, That nothing in this Act contained shall extend to authorize or enable the Company to erect, build, or establish any Works, or any other Matter or Thing for the Manufacture of Gas, within the Distance of Two hundred Yards from the Station belonging to the *Leeds* Gaslight Company, at the Time of the passing of the repealed Act, nor to continue the same without or against the Consent of the Directors of the said Company, on pain of forfeiting to such Company, for each and every Day such Works, Matter, or Thing shall be established and used for the Manufacture of Gas, the Sum of Twenty Shillings; and the said Sum, when recovered, shall be paid for the Use of the said *Leeds* Gaslight Company.

Company not to erect Gasworks within 200 Yards of the Leeds

XLVIII. That nothing in this Act contained shall extend to authorize or enable the Company to erect, build, or establish, on the North Side of the River *Aire*, any Works or any other Matter or Thing for the Manufacture of Gas, within the Distance of Two hundred Yards of any Part

of

of the *Leeds* Central Railway Station, on the North Side of the said River, without the Consent in Writing first obtained of the Companies who for the Time being may be the Owners of the said Central Station.

Central Railway Station on the River Aire without Consent.

XLIX. That the maximum Price at which Gas shall be sold by the Company to all Persons who shall burn the same by Meter, shall not exceed Five Shillings *per* One thousand Cubic Feet.

Limiting Charge for Supply of Gas by Meter.

L. That every private Consumer of Gas of the Company shall, upon Request in Writing by the Company, consume Gas by Meter, to be provided by the Company, unless such Consumer shall desire to provide such Meter at his own Cost, to be approved of by the Company.

Consumers of Gas may be required to consume Gas by Meter.

LI. That 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.

Penalty for injuring Meters.

LII. That all Pipes which shall be hereafter laid down by the Company within the Limits of this Act shall be of such Construction or shall be so marked as that the same may be easily distinguishable from the Pipes of any other Company or Person supplying Gas or Water within the same Limits.

Pipes hereafter laid down to be distinguished from others.

LIII. That if, in carrying into execution any of the Powers of this Act or of the Acts incorporated herewith, any Injury or Damage shall be done to any of the Mains, Pipes or Apparatus for the Supply of Gas within the Borough of *Leeds*, belonging to the *Leeds* Gaslight Company, either by removing or disturbing the Ground or Soil whereon such Mains, Pipes, or Apparatus are laid, or by the Compression and subsequent settling or lowering of the same at any Time afterwards, or by any other Means whatsoever, the Company hereby incorporated shall, at their own Expense, within Three Hours next after Notice thereof given to them by the *Leeds* Gaslight Company or their Surveyor, proceed to cause such Mains, Pipes, and Apparatus to be effectually repaired; and in default thereof it shall be lawful for the *Leeds* Gaslight Company to cause such Mains, Pipes, and Apparatus so injured, damaged, or removed, to be effectually repaired and made good, and the reasonable Costs and Expenses thereof, together with reasonable Compensation for the Gas lost, and for other incidental Damage, to be paid by the Company hereby incorporated; and if the *Leeds* Gaslight Company and the Company hereby incorporated cannot agree as to the Amount of

Damages done to Pipes of the Leeds Gaslight Company to be repaired by Company hereby incorporated.

Penalty.

Compensation to be paid for such Injury, Loss of Gas, and other incidental Damage, the same shall be ascertained and determined by some Justice, and be recovered by the *Leeds* Gaslight Company in the same Manner as under the "Gasworks Clauses Act, 1847," any Penalties may be recovered.

Company not to lay Pipes within a certain Distance of Pipes, &c. of Leeds Gaslight Company.

LIV. That all the Mains and Pipes to be laid by the Company hereby incorporated, for the Conveyance of Gas along or across any Street within the Borough of *Leeds*, shall be laid at the greatest convenient Distance from the Mains or Pipes belonging to the *Leeds* Gaslight Company, and whenever the Width of the Carriageway in such Street will allow thereof, at the Distance of Two Feet at the least from the nearest Part of any such Mains or Pipes, and under the Service Pipes of the *Leeds* Gaslight Company, where such Pipes are not more than Eighteen Inches deep already laid down or hereafter to be laid down; and in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the Pipes of the *Leeds* Gaslight Company, then and in every such Case the Gas Pipes of the Company hereby incorporated shall be laid over and above the Pipes of the *Leeds* Gaslight Company, so as to be at Right Angles therewith, and in such Cases the Gas Pipes so crossing shall be at least Five Feet in Length, so that no Joint of the Gas Pipes so to be laid by the Company hereby incorporated shall be nearer to any Part of the Mains or Pipes of the *Leeds* Gaslight Company than Two Feet at least, wherever the same is practicable, and if the Company shall make default in any of the Matters aforesaid, they shall be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing herein contained shall compel the Company hereby incorporated to place their Mains or Pipes nearer to any Water Pipe than the Distance by "The Gasworks Clauses Act, 1847," provided for the placing of Gas Pipes at a Distance from Water Pipes.

Recovery of Charges for Gas.

LV. That in case any Person who shall have been supplied with Gas by the Company, or who shall be liable to Payment in respect of a Supply of Gas under or by virtue of the Provisions of this Act, shall neglect or refuse to pay the Amount due in respect of such Supply for the Space of Fourteen Days after Demand thereof by the Company, their Agent, or Collector, it shall be lawful for any Justice to issue his Summons to such Person requiring him to appear at a Time and Place named therein, and then and there to show Cause why the Sum so demanded should not be paid; and if on the Appearance of such Person, or in default of Appearance after Proof of the Service of the Summons, either personally or at the last known Place of Abode or of Business of such Person, no sufficient Cause can be shown to the contrary, it shall be lawful for any Justice to issue his Warrant of Distress for the Seizure and Sale of the Goods and Chattels of such Person for the Recovery of the Amount which may be proved before such Justice to be due from such Person, together with

such Costs, including the Costs of cutting off the Gas if the same shall have been cut off by the Company, as to such Justice shall seem just and reasonable.

Saving Rights of Town Council of Leeds.

LVI. That nothing in this Act shall extend or be construed to extend to abridge, alter, prejudice, or take away any of the Rights, Privileges, Franchises, Powers, or Authorities of or belonging to or vested in the Town Council of the said Borough of *Leeds*, either by an Act passed in the Sixth Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for better lighting, cleansing, sewering, and improving the Borough of* Leeds *in the County of* York, or by any other Act.

Saving Rights of Leeds Gaslight Company.

LVII. That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Privileges, or Authorities now belonging to the *Leeds* Gaslight Company, granted by "The *Leeds* Gaslight Company's Act, 1853."

Saving the Rights of the Undertakers of Navigation of Rivers Aire and Calder.

LVIII. That nothing in this Act contained shall extend to abridge, alter, prejudice, or take away any of the Rights, Privileges, Powers, or Authorities of or belonging to or vested in the Undertakers of the Navigation of the Rivers *Aire* and *Calder*, in the County of *York*, and that it shall not be lawful for the Company to carry or lay any Main or Pipe into or through any Land or Ground which, or the Surface whereof, now is occupied or used by the said Undertakers as or for a Wharf, Dock, Quay, Lock Hill, private Towing-path, or inclosed Yard, without the Consent in Writing of the said Undertakers, or of their Clerk for the Time being, first had and obtained for that Purpose, anything in this Act contained to the contrary thereof in anywise notwithstanding: Provided always, that such last-mentioned Restrictions shall not extend or apply to any Main or Pipe laid by the Company previously to the passing of the secondly-recited Act, nor abridge, alter, prejudice, or take away any of the Rights, Privileges, Powers, or Authorities of or belonging to or vested in the Company in respect of such last-mentioned Main or Pipe.

Short Title.

LIX. That in citing this Act for any Purpose whatever, it shall be sufficient to use the Expression "The *Leeds* New Gas Company's Act, 1854."

Expenses of Act.

LX. That all the Costs, Charges, and Expenses of and attending the applying for, obtaining, and passing of this Act shall be paid by the Company.

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