ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. v.

An Act for more effectually supplying with Gas the Borough of *Leicester* and the Neighbourhood thereof in the County of *Leicester*.

[3d *April* 1860.]

WHEREAS an Act was passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, Chapter Three, (Local and Personal,) intituled *An Act for lighting with Gas the Borough of* Leicester *in the County of* Leicester, *and the Liberties, Precincts, and Suburbs thereof*, whereby the *Leicester* Gaslight and Coke Company were incorporated, and were authorized to erect Gasworks, and to purchase Lands, and to lay down Pipes, and to supply Gas in the Town of *Leicester* and the Suburbs thereof, and were empowered to raise by Shares, under certain Regulations, the Sum of Twenty-four thousand Pounds: And whereas by an Act passed in the Session of Parliament held in the First and Second Years of the Reign of Her present Majesty Queen *Victoria*, Chapter Fifty-two, (Local and Personal,) intituled *An Act to amend an Act of King* George *the Fourth for lighting with Gas the Borough of* Leicester *in the County of* Leicester, *and the Liberties, Precincts, and Suburbs thereof*, the *Leicester* Gaslight and Coke Company were empowered to raise by way of Mortgage or Loan the Sum of Seven thousand Pounds, and by Shares the further

1 & 2 G. 4. c. iii.

1 & 2 Vict. c. lii.

Sum of Seventeen thousand two hundred and sixty-two Pounds Ten Shillings, in addition to the Sum of Twenty-one thousand seven hundred and thirty-seven Pounds Ten Shillings, which had then been raised under the Provisions of the first-recited Act, making the total Amount authorized to be raised by Shares Thirty-nine thousand Pounds: And whereas the Company proceeded to carry the Powers of the said Acts into execution, and established Works, and have for many Years supplied the Inhabitants of the Borough of *Leicester* and the Neighbourhood thereof with Gas, and the Company raised and expended for the Purposes of the recited Acts the whole of the said Sums of Seven thousand Pounds and Thirty-nine thousand Pounds (that is to say, the Sum of Seven thousand Pounds raised by Loan on Bonds, and the said Sum of Thirty-nine thousand Pounds by the Issue of Shares): And whereas in the recited Acts there is no Limitation upon the Amount of Dividend to be divided amongst the Shareholders, and the average annual Dividend since the Establishment of the Company has been Seven Pounds and Five Shillings *per Centum*, or thereabouts: And whereas the Population of the Borough of *Leicester* hath of late greatly increased, and many Dwelling Houses, Manufactories, and other Works and Buildings have been erected therein and in its Vicinity, and in order to meet the additional Demand for Gas occasioned thereby the Company have extended their Works, and expended on such Extension, up to the Thirtieth Day of *June* One thousand eight hundred and fifty-nine, over and above the said Sum of Thirty-nine thousand Pounds and the said Sum of Seven thousand Pounds which they were so authorized to raise or borrow, a further Sum of One thousand seven hundred and ninety-six Pounds Twelve Shillings raised by Premiums on Shares, which, instead of being distributed amongst the Shareholders, were sold by the Company, a further Sum of Twenty-one thousand one hundred and eighteen Pounds Four Shillings and Eightpence, which was raised out of the Profits of the Undertaking, and a further Sum of Nine thousand five hundred and twenty-three Pounds Sixteen Shillings and Elevenpence, or thereabouts, which is now due as a floating Debt on the Credit of the Undertaking, including the Sum of Two thousand nine hundred and eighty-five Pounds, or thereabouts, due for Lands which the Company have contracted to purchase: And whereas it is reasonable that the Sum of Eleven thousand seven hundred Pounds, Part of the Sum expended out of Profits in Extension and Improvements as aforesaid, should be deemed paid-up Capital, and should henceforth form Part of the Capital Stock of the Company incorporated by this Act: And whereas, for the Purpose of affording an increased Supply of Gas within the Borough of *Leicester* and in the Neighbourhood thereof, and for the Purpose of providing the Means of discharging the said Debt, it is expedient that the Provisions of the said Acts should be amended, and that the Company incorporated by this Act should be authorized to raise further Moneys by Shares, and also by Mortgage or Bond, and that the

Powers herein-after contained should be conferred on the Company: And whereas it will be more convenient if the said recited Acts of the First and Second Years of the Reign of His Majesty King *George* the Fourth, Chapter Three, and of the First and Second Years of Her present Majesty, Chapter Fifty-two, herein-after referred to as the recited Acts, were repealed, and if other Powers and Provisions were granted in lieu thereof; but the several Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Recited Acts repealed.

I. The recited Acts are hereby repealed, and "The *Leicester* Gas-light and Coke Company" (herein-after called "The Dissolved Company") is hereby dissolved.

Short Title.

II. This Act may be cited for any Purpose as "*Leicester* Gas Act, 1860."

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

III. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," are incorporated with and form Part of this Act: Provided always, that the Incorporation with this Act of "The Lands Clauses Consolidation Act, 1845," shall not authorize the Company to purchase or take any Lands otherwise than by Agreement.

Interpretation of Terms.

IV. In construing this Act, and in construing "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," in connexion with this Act, the following Words and Expressions shall have the Meaning hereby assigned to them, unless there be something in the Subject or Context repugnant to or inconsistent with such Construction; (that is to say,)

The Expression "the Special Act" shall mean this Act; the Expressions "the Works," or "the Gasworks," 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 Expression "the Promoters of the Undertaking," or "the Undertakers," shall mean the Company incorporated by this Act:

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

The Word "Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Leicester*:

The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Limits of Act.

V. The Limits of this Act shall comprise and include the whole of the Municipal and Parliamentary Borough of *Leicester*, and also the following Parishes, Townships, Chapelries, or Places beyond such Limits; (that is to say,) *Knighton*, *Oadby*, *Evington*, *Humberstone*, *Belgrave*, *Birstall*, *Leicester Abbey*, the *Freakes' Ground*, *New Found Pool*, *New Parks*, and *Aylestone*, all in the County of *Leicester*.

Re-establishment of Leicester Gas Company.

VI. The several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in the dissolved Company, and all other Persons and Corporations who have subscribed or who 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 Purpose of making and supplying Gas within the Limits of this Act, and for the other Purposes in this Act contained, and for making and using Gasworks, with proper Works and Conveniences connected therewith, according to the Provisions in this Act and the said incorporated Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "the *Leicester* Gas Company," and by that Name shall be a Body Corporate, with perpetual Succession, and may sue and be sued, and shall have a Common Seal, with Powers to purchase and hold and sell Lands and other Property for the Purposes of the said Undertaking.

Lands and Effects of dissolved Company vested in Company hereby incorporated.

VII. Notwithstanding the Repeal of the recited Acts, and the Change of the Name of the Company, all the Works, Pipes, Tanks, Retorts, Gasometers, Meters, and other Apparatus, and all the Lands, Tenements, and Hereditaments, and all Rights, Claims, Easements, and Privileges, and all Moneys, Goods, Chattels, Effects, Bonds, Bills of Exchange, and Promissory Notes, Choses in Action, Deeds, Books, Writings, Maps, Plans, and Personal Estate, of or to which the dissolved Company or any Person or Persons in trust for them were by virtue of the repealed Acts or otherwise howsoever immediately before the passing of this Act seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, shall be and remain vested in the Company hereby incorporated, to the same Extent and for the same Estate and Interest as the same were immediately before the passing of this Act vested in the dissolved Company, or any Person or Persons in trust for them.

Debts due to and by the Company to be paid to and by them.

VIII. Notwithstanding the Repeal of the recited Acts, all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the dissolved Company shall pay the same, together

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 of this Act were due and owing by the dissolved Company shall be paid, with all Interest (if any) due and to accrue due thereon, by the Company hereby incorporated; and all Gas Rates and Rents and other Sum and Sums of Money which immediately before the passing of this Act were due and payable or then accruing due, under or by virtue of the recited Acts or either of them, to the dissolved Company, shall be and become 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, Leases, Contracts, Mortgages, Bonds, Covenants, Liabilities, Securities, Arrangements, and Agreements made or entered into before the passing of this Act, to, with, in favour of, or by or for the dissolved Company, shall be and remain as valid and effectual in favour of or against and with 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, executed, and incurred the same, or had been named or referred to therein instead of the dissolved Company.

Continuance of Liabilities of Company under repealed Acts.

IX. Notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered under the recited Acts shall be as valid as if the recited Acts were not repealed, and the Repeal thereof 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 recited Acts were not repealed and this Act were not passed, would be incident to or consequent on any or every thing so done or suffered; and with respect to all such Rights, Liabilities, Claims, and Demands, the Company by this Act incorporated shall to all Intents and Purposes, except as expressly altered by this Act, represent the Company by the first-recited Act incorporated: Provided always, that the Generality of the preceding Provision shall not be restricted by any of the other Clauses or Provisions of this Act.

Company to be entitled to Powers, &c. under other Acts.

X. Notwithstanding the Repeal of the recited Acts, and the Change of the Name of the Company, the several Clauses and Provisions whatsoever in favour of or relating to or affecting the dissolved Company, or the Committee, Officers, or Servants of the Company, contained in any other Act or Acts besides the repealed Acts, and which were immediately before the passing of this Act in force, shall continue in force as if the recited Acts had not been repealed, and the Name of the Company had not

not been changed; and the Company incorporated by this Act, and their Directors, Officers, and Servants, may and shall accordingly, and for the Purposes of this Act, be entitled to have, exercise, enjoy, and be subject to, under and by virtue of those Clauses and Provisions respectively, all such Rights, Interests, Powers, Authorities, and Privileges, Duties and Liabilities whatsoever, as the dissolved Company, and their Committee, Officers, and Servants, under and by virtue of those Clauses and Provisions, might be entitled to, have, exercise, enjoy, or be subject to if the recited Acts were not repealed, and the Name of the Company had not been changed; and, so far as such Clauses and Provisions respectively before the passing of this Act applied to the Committee of Management, they shall hereafter apply to the Directors of the Company.

Actions, &c. not to abate.

XI. Notwithstanding the Repeal of the recited Acts, and the Change of the Name of the Company, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the dissolved Company before the passing of this Act shall not abate or be discontinued or be prejudicially affected by this Act, but, on the contrary, shall continue and take effect both in favour of and against the Company incorporated by this Act, in like Manner in all respects as the same would have continued and taken effect if this Act had not passed, in favour of or against the dissolved Company, and all Offences against the Provisions of the repealed Acts committed before the passing of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if those Acts had not been repealed.

Officers to continue in the Employment of the Company.

XII. Notwithstanding the Repeal of the recited Acts, the several Officers and Servants of the Company who are employed by them at the Time of the passing of this Act shall retain their respective Offices and Places, and the Salaries and Emoluments attached thereto, until they shall be removed from such Office and Employment by the Company or the Directors thereof, and such Officers and Servants shall have the same Powers and Authorities, and shall be liable to the same Penalties, Obligations, Restrictions, and Regulations, as if they had been appointed by virtue of this Act.

Books to be Evidence.

XIII. Notwithstanding the Repeal of the recited Acts, all Books, Certificates, Writings, and Documents by such Acts or either of them directed or authorized to be kept or made, and which, if this Act were not passed, would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

Existing Lease of Undertaking not to be affected.

XIV. The Undertaking of the dissolved Company having been for many Years past held in Lease by *Henry Martin Robinson* and *Charles Burt Robinson*, or one of them, and being at the present Time held by the

the said *Henry Martin Robinson*, under a Lease between the dissolved Company and him, dated the Thirteenth Day of *April* One thousand eight hundred and fifty-seven, for a Term of Years which will expire on the Twenty-fourth Day of *June* One thousand eight hundred and sixty-two, and the Lessee having expended considerable Sums of Money on the Faith of such Lease: Therefore the Repeal of the recited Acts shall not prejudice or affect the Lease between the Company and the said *Henry Martin Robinson*, but the same shall continue and have Effect during the Remainder or until the sooner Determination of the Term thereof, as fully and effectually as if this Act had not passed; and the Lessee during the Continuance of the Lease may exercise and enjoy and shall be subject to all the Rights, Powers, and Liabilities thereby conferred and imposed or intended to be conferred and imposed on him, as if the recited Acts had not been repealed.

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

XV. All Certificates, Sales, Transfers, and Dispositions executed before the passing of this Act of any Share or Shares in the Joint Stock of the dissolved Company shall remain in full Force and Virtue, and shall be and continue available in all respects whatsoever, in the same Manner as if the same respectively were or had been made, entered into, or executed under or by virtue of the Powers or Authorities contained in this Act.

Capital.

XVI. The Capital of the Company shall be Fifty thousand seven hundred Pounds, subject to Augmentation as herein-after mentioned.

Appropriation of Shares.

XVII. The Capital of Thirty-nine thousand Pounds raised by the Creation of Shares under the Provisions of the recited Acts having been divided into Three thousand nine hundred Shares of the nominal Value of Ten Pounds each, and the Company having expended upon their Works, out of Profits applicable to Dividends, the Sum of Money before mentioned, whereof Eleven thousand seven hundred Pounds, Part thereof, is to become paid-up Capital: Therefore every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to One or more Share or Shares of Ten Pounds each in the Capital of the Company hereby dissolved shall in respect of each such Share be possessed of or entitled to One or more Share or Shares of Thirteen Pounds each in lieu of Ten Pounds each in the Capital Stock of the Company incorporated by this Act, which shall be held to be fully paid up, and the said Shares are hereby vested in such Persons and Corporations accordingly.

Shares to be subject to the same Trusts, &c. as the old Shares.

XVIII. All Persons and Corporations in whom any Shares in the said Capital of Fifty thousand seven hundred Pounds shall be vested by this Act as aforesaid shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, Agreements,

ments, Charges, and Incumbrances upon or to which the Share or Shares in the Capital of the Company hereby dissolved in respect of which such Shares in the said Capital of Thirty-nine thousand Pounds shall be so vested was or were possessed and subject 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. The Company from Time to Time may, with the Consent of Three Fifths of the Votes of the Shareholders of the Company present, in Person or by Proxy, at an Extraordinary Meeting, raise by the Creation of Shares, of such an Amount as shall be determined on at such Meeting, any additional Capital not exceeding in the whole the Sum of Sixty-nine thousand three hundred Pounds, and with the like Consent may attach to the new Shares so to be from Time to Time created, or any of them, a Preference or Priority in Payment of Dividends over the ordinary Share Capital of the Company, not exceeding Six Pounds *per Centum per Annum* on the Amount for the Time being paid thereon, with such Conditions and Agreements, if any, with respect to the Redemption or Conversion of such Shares or any of them, or otherwise, as may be agreed upon at any such Meeting at which any such Shares shall be created: Provided always, that if any such Preference or Priority be attached to any Shares no other Dividend than the Dividend so fixed shall be paid on those Shares.

Registration of Shares.

XX. Any Shares to which a preferential Dividend shall be attached shall be distinguished and registered as "Preference Shares," and shall be marked as such, together with the Rate of the preferential Dividend payable thereon upon the Certificates issued by the Company to the respective Holders thereof.

Limiting Rate of Dividends.

XXI. The prescribed Rate of Profits under "The Gasworks Clauses Act, 1847," to be divided amongst the Shareholders, shall be as follows; that is to say,

As regards any Shares issued as Preference Shares, the Rate of preferential Dividend attached to such Shares, not exceeding Six Pounds *per Centum per Annum*;

As regards the Shares of Thirteen Pounds each, the Sum of Three Shillings *per* Share out of the first Profits of the Company applicable to Dividend on the ordinary Share Capital of the Company, as and by way of a Bonus in respect of the Expenditure out of Profits by this Act made paid-up Capital, and the further Sum of Twenty Shillings *per* Share in respect of each such Share of Thirteen Pounds;

And as regards the new Shares for raising the additional Capital of Sixty-nine thousand three hundred Pounds (or so much thereof as shall

shall not be raised by the Issue of Preference Shares), Seven Pounds Ten Shillings *per Centum per Annum* on the Amount from Time to Time paid up on those Shares.

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

XXII. Whenever any Shares are newly created for augmenting the Capital of the Company, pursuant to the Provisions of this Act, they shall be offered to the then Shareholders in Proportions as nearly as can be conveniently done to the Shares held by them respectively.

How Offer to be made.

XXIII. Such Offer shall be made by Letter under the Hand of the Clerk of the Company, given to or sent by Post to such 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 said "Companies Clauses Consolidation Act, 1845," required to be kept, of which Letter having been so given or sent the Certificate of such Clerk shall be conclusive Evidence; and such newly created Shares shall vest in and belong to the Shareholders who shall accept the same respectively, 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: Provided always, that no such Offer need be made to the Proprietors of any Preference Shares, unless the Company shall be bound to make such Offer, pursuant to the Terms or Conditions under which Preference Shares shall have been created.

As to Disposal of Shares not taken by Proprietors.

XXIV. If any Shareholder 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 Person willing to become the Purchaser thereof for such Sum as the Directors can obtain for the same, or otherwise as they think proper.

Calls.

XXV. If the Company creates any Shares under the Provisions of this Act, Forty Pounds *per Centum* on the nominal Amount of such Shares shall be the greatest Amount of the First Call which may be made in respect thereof, and Twenty Pounds *per Centum* on the Amount of such Shares shall be the greatest Amount of any subsequent Call which may be made in respect thereof, and so in like Manner with respect to every subsequent Creation of Shares which may be made by the Company; and in all Cases there shall be an Interval of not less than Three Months between Two successive Calls; and the aggregate Amount of all Calls on any One Share in One Year shall not exceed Four Fifths of the Amount of such Share.

Receipts for disqualified Persons.

XXVI. The Receipt of the Guardian or Committee respectively of any Shareholder or Stockholder, being a Minor, Idiot, Lunatic, or Person *non compos mentis*, shall be a sufficient Discharge to the Company for any Money payable to such Shareholder or Stockholder.

Power to borrow on Mortgage or Bond.

XXVII. The Company may at any Time after the passing of this Act, by the Authority of a General Meeting, borrow on Mortgage or Bond any Sums not exceeding Twelve thousand Pounds, inclusive of the Amount borrowed on Bond as aforesaid by the Company hereby dissolved.

Additional borrowing Powers.

XXVIII. After Thirty thousand Pounds, Part of the additional Capital of Sixty-nine thousand three hundred Pounds, shall have been subscribed for, and One Half thereof shall have been paid up, the Company may from Time to Time borrow on Mortgage or Bond any further Sum or Sums of Money not exceeding in the whole Eight thousand Pounds; and when the Remainder of such additional Capital shall have been subscribed for, and One Half thereof shall have been paid up, the Company may in like Manner borrow any further Sums of Money not exceeding in the whole Ten thousand Pounds.

Former Mortgages and Bonds to have Priority.

XXIX. All Mortgages or Bonds granted by the Company before the passing of this Act shall during the Continuance thereof have Priority over all Mortgages and Bonds to be created by virtue of this Act.

Power to re-borrow.

XXX. If the Company pay off any Money owing by them, they may again borrow the Amount so paid off, and so from Time to Time as often as Occasion shall require.

Application of Money.

XXXI. All Money to be raised under the Provisions of this Act, whether by means of Shares or by Exercise of the Powers of borrowing, shall be applied in the first place in paying the Costs, Charges, and Expenses of obtaining and passing this Act and incident thereto, and then in discharging the said floating Debt, and afterwards in carrying into effect the Purposes of the Undertaking by this Act authorized.

Number and Qualification of Directors.

XXXII. The Number of the Directors of the Company, until reduced under the Provision herein-after contained, shall be Nine; and the Qualification of a Director shall be the Possession by him in his own Right of Shares in the Company to the Amount of Five hundred Pounds of paid-up Capital.

Power to reduce the Number of Directors.

XXXIII. The Company may from Time to Time, by Vote of any General Meeting, reduce the Number of Directors, provided the reduced Number be not less than Six.

First Directors.

XXXIV. The Persons who immediately before the passing of this Act constituted the Committee of Management of the dissolved Company shall be the First Directors of the Company.

Election of future Directors.

XXXV. The Directors appointed by this Act shall continue in Office until the Ordinary Meeting of the Company to be held in the Month of *September*

September in the Year One thousand eight hundred and sixty, at which Meeting they shall retire from Office; and at such Meeting the Shareholders present, either personally or by Proxy, may continue in Office the Directors appointed by this Act, or any Number of them, and shall elect new Directors to supply the Place of those not continued in Office, and to make up the total Number of Nine; and in each succeeding Year One Third Part, as nearly as may be, of the Directors shall retire in manner provided by "The Companies Clauses Consolidation Act, 1845."

Directors to continue until others are appointed.

XXXVI. The Directors appointed or to be appointed under the Authority of this Act shall continue to be Directors until others are elected in their Stead.

Directors may be re-elected.

XXXVII. Any Director retiring from Office under the Provisions of this Act may immediately or at any future Time be re-elected a Director.

Remuneration of Directors and Auditors.

XXXVIII. 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 which shall from Time to Time be received by the Company under this Act.

Quorum.

XXXIX. The Quorum for a Meeting of Directors shall be Three.

Quorum for General Meeting.

XL. The Quorum for any General Meeting of the Company shall be Ten Shareholders holding Shares in the Company of the aggregate Amount of not less than Three thousand Pounds of paid-up Capital.

General Meetings.

XLI. The First Ordinary General Meeting of the Shareholders of the Company shall be held in the Month of *September* next after the passing of this Act, and their future Ordinary General Meetings shall be held in the Months of *March* and *September* in every succeeding Year.

Requisitions for Extraordinary Meetings.

XLII. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall not be less than Seven holding Shares in the Company of the aggregate Amount of Five thousand Pounds of paid-up Capital; and the Directors for the Time being may at any Time call an Extraordinary Meeting of the Company.

Directors may cancel existing Certificates.

XLIII. The Directors may call in and cancel the existing Certificates of Shares in the Company, and may issue Certificates of Ownership in the Form and under the Conditions prescribed by "The Companies Clauses Consolidation Act, 1845."

Power to purchase Lands.

XLIV. The Company may from Time to Time purchase any Quantity of Land by Agreement with the Owners thereof, or the Persons entitled to

to sell the same; provided that the Company shall not hold for the Purposes of the Undertaking at any One Time more than Nine Statute Acres.

Company empowered to continue and construct Gasworks.

XLV. The Company may, subject to the Restrictions in this Act and the incorporated "Gasworks Clauses Act, 1847," contained, from Time to Time continue, make, erect, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses, Buildings, and Approaches thereto, upon the Lands now held or by this Act authorized to be held and purchased by the Company, and the Company may from Time to Time improve, extend, and enlarge their now existing Gasworks and Apparatus, and may manufacture Gas, and do all other Acts as they shall think proper, necessary, and convenient for supplying the Inhabitants within the Limits of this Act with Gas, and for other Purposes of this Act, and may provide, supply, let to Hire, or sell Meters and Fittings, and may deal in Coke, Coal, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Oil, and other Matters employed in or resulting from the Manufacture of Inflammable Air or Gas, 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.

Restricting the Erection of future Works.

XLVI. Provided always, That nothing in this Act contained shall authorize the Company to erect any Works for the Manufacture of Gas elsewhere than on the Lands now held by them, and on which their Gasworks for making Gas are situate, or on Lands immediately adjoining thereto.

Company may make Contracts for lighting Streets, &c.

XLVII. The Company or their Directors may from Time to Time enter into or make any Contract or Agreement with any Bodies Corporate, Surveyors of the Highways, or other Person or Persons having the Control, Direction, or Management of any Road, Street, or Bridge within the Limits of this Act, for lighting with Gas or supplying the same with Lamp Pillars and Posts, Lamp Brackets, Lamps, and Glass, and for the Repair thereof respectively, and also from Time to Time may make and enter into any Contract or Agreement with any Body Corporate or Person for lighting or supplying with Gas any Church, Chapel, Shop, Inn, Tavern, Dwelling House, Mill, Manufactory, Warehouse, or other public or private Building, in such Manner, under such Conditions, and for Payment of such Gas Rate or Rent as shall be agreed upon between the Company and such Bodies Corporate, Surveyors, or other Persons respectively.

Power to lay Pipes for lighting Buildings.

XLVIII. The Company may, with the Consent of the Owner or his Agent, and of the Occupier of any Building, lay any Pipe, Branch, or

or other Apparatus from any Main or Branch Pipe into, through, or against such Building, for the Purpose of lighting it, and may, with the like Consent, provide and set up any Apparatus necessary for securing to any Building a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Consumers may be required to consume by Meter.

XLIX. Every Consumer of Gas supplied by the Company shall, on being required by the Company in Writing so to do, consume such Gas by Meter; and all Meters hereafter provided, whether by the Company or Consumer, shall be subject to the Provisions of the Act for regulating Measures used in Sales of Gas; and until a Meter be examined and stamped under the Provisions of that Act it shall be and continue to be approved by the Company, and may from Time to Time be examined and tested by them; and any Meter may be provided, sold, or let to Hire by the Company, or, at the Option of the Consumer, be provided by him; but this Provision shall not extend to give any Power to the Company in respect of the Use of Meters for Gas supplied for public lighting, unless otherwise mutually agreed upon between the Company and the Persons having the Control of such public lighting.

Fraudulently injuring Meters, &c.

L. 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 fraudulently alter the Index to any Meter from duly registering the Quantity of Gas supplied, shall forfeit to the Company a Sum not exceeding Five Pounds, and the Company may, in addition thereto, recover the Amount of any Damages by them sustained, and the Company may also discontinue the Supply of Gas to the Person so offending, and that notwithstanding any Contract previously existing; and the Existence of artificial Means for causing such Alteration or Prevention when such Meter shall be under the Custody or Control of the Consumer shall be *primâ facie* Evidence that the same has been fraudulently, knowingly, and wilfully caused by the Consumer using such Meter.

Power to remove Pipes from Premises where Gas discontinued.

LI. The Company, after Twenty-four Hours Notice to the Occupier, or if unoccupied then to the Owner or his Agent, by delivering Notice thereof to such Owner or Agent, or leaving the same at the usual Place of Abode of such Owner or Agent, or if such Place of Abode be not known, then after affixing such Notice for Three Days previously on some conspicuous Part of any House, Building, or Premises in which any Pipe, Meter, Fittings, or other Works belonging to the Company are fixed, and which shall be unoccupied, or in which the Supply of Gas shall for any Cause be discontinued, may enter such House, Building, or Premises between the Hours of Nine in the Forenoon and Four in the Afternoon, and remove and carry away any Pipes, Meters, Fittings, or other Works belonging to the Company.

Limit of Price for Gas.

LII. The Price to be charged by the Company for Gas to be supplied by them within the Municipal Boundary of the Borough of *Leicester* to Persons who shall burn the same by Meter shall not exceed Four Shillings and Sixpence *per* One Thousand Cubic Feet.

Quality of Company's Gas.

LIII. 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 Twelve Sperm Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

Experimental Meter to be provided.

LIV. The Company shall within Twelve Months after the passing of this Act cause to be erected in some Part of their Works or of their principal Office in *Leicester* so situated as to afford a Test for all the Gas supplied by the Company 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 Town Council to test the illuminating Power of Gas.

LV. It shall at any Time be lawful for the Town Council of the Borough of *Leicester*, by Order in Writing under the Hand of the Mayor for the Time being, to appoint some competent Person, not being a Member of such Council, to proceed to the Works or Office of the Company, and on giving Six Hours previous Notice in Writing to the Company such Person may, at any reasonable Hour in the Daytime, on producing the Order, enter the Office of the Company, and, in the Presence of the Manager, Meter Inspector, 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, 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, unless reasonable Cause be shown to the Justices for the Deficiency in the illuminating Power, the Company shall forfeit such Sum not exceeding Twenty Pounds as the said Justices shall determine under the Circumstances of the Case.

Costs of Experiment to be paid

LVI. The Cost of and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Costs of

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, or in the event of no Penalty being imposed, then such Costs shall be awarded to be paid by the said Town Council to the Company, and shall be paid or levied accordingly. according to the event.

LVII. If the Company shall at any Time cause or suffer to be brought or flow into any Sewer or Drain belonging to the Local Board of Health of the Borough of *Leicester* any Washing or other Substance produced in making or supplying Gas, so that the same shall be offensive or injurious to the Health of the Persons employed in the Sewage Works of the said Local Board or of the Inhabitants of the said Borough, then the Company shall forfeit and pay for every such Offence the Sum of Fifty Pounds; and such Penalty or Sum shall be recoverable by the said Local Board, with full Costs of Suit, by Action of Debt in any of the Superior Courts of Law, within Six Months after the Commission of such Offence; and in addition to the said Penalty of Fifty Pounds the said Company shall forfeit and pay to the said Local Board the Sum of Ten Pounds, to be recovered in like Manner, for each Day during which such Washing or other Substance shall continue to be brought or flow as aforesaid, after the Expiration of Twenty-four Hours from the Time when Notice of the Offence shall have been served by the said Local Board on the said Company. Penalty on Company causing Gas Refuse to flow into Sewers.

LVIII. All Sums of Money due to the Company for the Supply of Gas, or for the Price, Hire, or Cost of fixing any Meters or Fittings, and all Damages, Costs, and Expenses by this Act or any Act incorporated herewith directed to be paid, may be levied by Distress, and any Justice, on Application, may issue his Warrant accordingly. Debts, &c. may be levied by Distress.

LIX. Any One Warrant issued for any of the Purposes of this Act may contain in the Body thereof or in a Schedale thereto any Number of Names and Sums. Several Names, &c. in One Warrant.

LX. 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 Money, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Money. Costs of Proceedings may be added to Distress Warrant.

LXI. 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. Liability to Rate not to disqualify Justices.

LXII. Nothing

Debts recoverable in Courts of Law.

LXII. Nothing in this Act or any Act incorporated herewith contained shall prevent the Company from recovering any Sum of Money which shall be due to them for the Supply of Gas, or for Coke, Tar, or any other Materials or Articles sold by the Company, or for the Sale or Hire or fixing of Meters or Fittings, or for Damages, Costs, or Expenses, by Action or Proceeding in any Court of competent Jurisdiction for the Recovery of Sums of the like Amount.

Saving Rights of Corporation.

LXIII. Except the Powers by this Act and the incorporated Acts given, nothing in this Act contained shall extend or be construed in any way to change, lessen, abridge, impeach, annul, prejudice, or destroy any Rights, Privileges, Franchises, Jurisdictions, Immunities, Rents, Tolls, Stallage, or lawful Customs belonging, due, or in anywise appertaining to the Corporation.

Expenses of Act.

LXIV. All the Costs, Charges, and Expenses incurred by or on behalf of the Company in applying for and obtaining this Act, and preparatory or incidental thereto, shall be paid by the Company.

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