CHAPTER lxxvii.

An Act for better supplying with Gas Marlborough and its neighbourhood, in the county of Wilts. [29th June 1875.] A.D. 1875.

WHEREAS in or about the year one thousand eight hundred and twenty-two certain persons formed themselves into a company or association for the purpose of supplying with gas the town of Marlborough and the places adjacent, in the county of Wilts, and are now, under the name of the Marlborough Gaslight and Coke Company (in this Act called the old Company), regulated by a deed of settlement dated the twenty-ninth day of October one thousand eight hundred and sixty-six, whereby it is provided that the capital of the old Company should be eight thousand pounds, divided into three hundred and twenty shares of twenty-five pounds each:

And whereas the present share capital of the old Company consists of seven thousand pounds, divided into two hundred and eighty shares of twenty-five pounds each, and such capital has been subscribed or taken and fully paid up:

And whereas the old Company have also expended out of moneys applicable to dividends sums amounting in the whole to one thousand pounds and upwards:

And whereas the old Company have not borrowed any money on mortgage or bond:

And whereas the old Company hold on lease part of the land described in the schedule to this Act, and have erected gasworks thereon, and have from time to time improved and enlarged the same with the capital raised and expended by them, and are now supplying gas to the town of Marlborough and places adjacent aforesaid:

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

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And whereas plans describing the lands to be taken for the purposes aforesaid, with a book of reference to the plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of these lands, have been deposited at the office of the clerk of the peace for the county of Wilts, and are herein referred to as the deposited plans and deposited book of reference:

And whereas it is expedient that the old Company should be dissolved and re-incorporated with further powers:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title.

1. This Act may be cited for all purposes as "The Marlborough Gas Act, 1875."

Provisions of certain general Acts incorporated.

2. "The Companies Clauses Consolidation Act, 1845," and Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," as amended by "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," "The Gasworks Clauses Act, 1847," and "The Gasworks Clauses Act, 1871," are (except where expressly varied by this Act) incorporated with this Act, and "The Gasworks Clauses Act, 1871," shall apply to the existing undertaking of the old Company, as if the same had been authorised by this Act.

Definition of terms.

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

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

The expressions "the works," "the gasworks," and "the undertaking" shall respectively mean and include the gasworks, and works connected therewith, by this Act vested in or authorised to be made or maintained by the Company, and any improvement thereof which they may construct under the powers of this Act, and the lands, buildings, estate, right, title, property, privileges, effects, and undertaking of the Company, and every part thereof respectively:

The expressions "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall, for the purposes of this Act, be read and have effect as if the debt or demand in respect of which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Limits of Act.

4. The limits of this Act for the supply of gas by the Company shall comprise the borough of Marlborough, including the parishes of Saint Mary the Virgin and Saint Peter and Saint Paul the Apostles, and also the parishes of Preshute and Mildenhall, all in the county of Wilts.

Company incorporated.

5. From and after the passing of this Act, the old Company shall be dissolved, and the several persons and corporations who have subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose herein-after mentioned, and shall be incorporated by the name of "The Marlborough Gas Company," and by that name shall be a body corporate, with perpetual succession and a common seal, with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

General purposes of the Company.

6. The Company shall be established for supplying gas within the limits of this Act, and for the purpose of manufacturing and storing gas and residual products on the lands described in the schedule to this Act, and for carrying the powers of this Act into execution.

Property vested in Company incorporated by this Act.

7. Subject to the provisions of this Act, all the lands, gasworks, erections, buildings, rights, interests, and easements which immediately before the passing of this Act were vested in the old Company, or in any person in trust for them, or to which that company was in anywise entitled, and all mains and pipes, plant, plugs, lamps, irons, retorts, gauges, meters, lamp-posts, syphons, apparatus, stock, effects, matters, and things which have been by them purchased, provided, laid down, erected, or placed in any place or house within the limits of this Act, or which immediately before the passing of this Act were the property of the old Company, and all moneys, securities, credits, effects, and other property whatsoever which immediately before the passing of this Act belonged to the old Company, or to any trustee on their behalf, and the benefit of all contracts and engagements entered into by and on behalf of the old Company, and immediately before the passing of this Act in force, shall be and the same are hereby

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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 old Company, or any trustee on their behalf, and may, according to the provisions of this Act, be held and enjoyed, sued for and recovered, maintained, altered, discontinued, removed, dealt with, and disposed of by the Company as they think fit.

Deed of settlement of the old Company to be void, without prejudice to remedies for antecedent breaches thereof.

8. Subject to the provisions of this Act, the deed of settlement of the old Company shall, as to any prospective operation thereof, be wholly void, and the Company and the shareholders shall be exempted from all the provisions, restrictions, and requirements of any Act which applied to the old Company, and the members thereof as such, but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said deed of settlement incurred before the passing of this Act, but such liability or obligation in respect of any such breach shall continue, and, save as in this Act otherwise provided, may be enforced by or on behalf of the Company, as nearly as may be in like manner as the same might have been enforced by or on behalf of the old Company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

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

Contracts prior to the passing of this Act to be binding.

10. Except as is by this Act otherwise expressly provided, all purchases, sales, conveyances, grants, assurances, deeds, contracts, bonds, and agreements entered into or made before the passing of this Act by, to, or with the old Company, or any trustees or persons acting on behalf of the old Company, or by, to, or with any other person to whose rights and liabilities they have succeeded, and now in force, shall be as binding and of as full force and effect in every

respect against or in favour of the Company, and may be enforced as fully and effectually, as if, instead of the old Company or the trustees or persons acting on behalf of the old Company, the Company had been a party thereto.

Actions, &c. not to abate.

11. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which was pending by or against the old Company, or any member thereof in relation to the affairs of the old Company, or to which the old Company, or any member thereof in relation to such affairs, were parties immediately before the passing of this Act, but any such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company, as the case may be, in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, and continued by or in favour of or against the old Company, or any member thereof, if this Act had not been passed, the Company and shareholders therein being, in reference to the matters aforesaid, in all respects substituted for the old Company and its members respectively.

Trustees of old Company to be indemnified.

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

Company to satisfy liabilities of old Company.

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

Judgment in respect of existing liabilities may be enforced against individual shareholders.

14. If any judgment, decree, or order be at any time after the passing of this Act 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 old Company before the passing of this Act, and be not fully satisfied out of the property of the Company, then and in every such case the judgment, decree, or order

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may be enforced and execution thereon issued against the property and effects of any person who was a member of the old Company immediately before the passing of this Act, or at the time when the contract was made or the tort was committed in respect of which such debt or liability accrued or was incurred, and legally responsible in respect of such debt or liability, to the same extent as if this Act had not been passed.

Reimbursement of shareholders in such case.

15. Every person against whom or against whose property or effects any such judgment, decree, or order is enforced shall be entitled to recover against the Company all loss, damage, costs, and charges which he incurs by reason of the execution, and shall be entitled to contribution for so much thereof as remains unsatisfied from the several other persons against whom execution on the judgment, decree, or order might in accordance with this Act have been issued, and the contribution may be recovered in like manner as contribution in ordinary cases of co-partnership.

Recovery of gas rents, &c.

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

As to payment of debts owing before passing of Act.

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

Certificates, &c. to remain in force.

18. Notwithstanding the avoidance of the said deed of settlement, all certificates (until cancelled under the powers of this Act), sales, transfers, and dispositions heretofore made or executed under them, for and with respect to any shares in the old Company, shall remain in full force and continue and be available in all respects as if the said deed had not been avoided.

Books, &c. continued evidence.

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

Officers to continue until removed.

20. All the officers and servants of the old Company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereto annexed, until they resign the same or be removed therefrom by the Company, and 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 conditions, obligations, pains, and penalties, and to the like powers of removal, and to the like rules, restrictions, and regulations in all respects whatever as if they had been appointed under this Act.

Present registers of members to be continued.

21. The books kept by the old Company for entering the names and designations of the members thereof, with the numbers of their shares and the proper distinguishing number of such shares, shall and may continue to be kept for the same purpose by the Company, 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."

Capital.

22. The capital of the Company shall be thirty thousand pounds, whereof seven thousand pounds shall represent the paid-up capital of the old Company, and four hundred and ninety pounds shall represent the sum of one thousand pounds expended by the old Company on works out of profits applicable to dividends, which said two last-mentioned sums are in this Act called the original capital, and twenty-two thousand five hundred and ten pounds, in this Act called the additional capital, which shall be raised in manner hereinafter mentioned; and the said original capital shall be and the same is hereby converted into the sum of seven thousand four hundred and ninety pounds consolidated stock, and shall be called "the original stock" of the Company, and the Company may convert into stock the whole or any part of the additional capital when fully paid up.

Vesting of stock in present shareholders.

23. The original stock shall be vested in the several persons who immediately before the passing of this Act were the registered members of the old Company, in substitution for the existing shares of the old Company, in the proportion of twenty-six pounds and fifteen shillings original stock for each such share, and the original stock so vested shall be subject and liable to the same trusts, powers, provisions, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of this Act affected the share for which the same is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

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

24. The Company shall call in and cancel the existing certificates of shares in the old Company, and issue in lieu thereof certificates of the substituted original stock in the form and under the conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship of original stock under this Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act, or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof.

Profits of the Company limited.

25. The Company shall not in any one year make out of their profits any larger dividend on the original stock than ten pounds in respect of every one hundred pounds thereof, nor any larger dividend on the additional share capital to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

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

26. In case in any half year the net revenue of the Company applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary stock or shares in the capital of the Company, a rateable deduction shall be made in the dividend of each class.

Additional capital.

27. The Company may raise the additional capital, not exceeding twenty-two thousand five hundred and ten pounds, by the issue of ordinary shares or of preference shares, or by either of those modes.

As to amount of new shares.

28. Any new shares, whether ordinary or preference, issued under this Act shall be of a nominal amount not less than ten pounds.

Shares not to issue till one fourth paid up.

29. The Company shall not issue any share created under the authority of this Act, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fourth of the amount of such share shall have been paid in respect thereof.

Calls.

30. One fourth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls.

Receipt in case of persons not sui juris.

31. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow on mortgage.

32. The Company may at any time and from time to time after the passing of this Act borrow on mortgage, in respect of the original stock of seven thousand four hundred and ninety pounds, any sum not exceeding in the whole one thousand nine hundred pounds.

Power to borrow in respect of additional capital.

33. In addition to the sum of one thousand nine hundred pounds which the Company are authorised to borrow by the last preceding section, they may from time to time borrow on mortgage, in respect of the additional capital of twenty-two thousand five hundred and ten pounds by this Act authorised to be raised by shares, any sums not exceeding in the whole five thousand six hundred pounds at the time or times after mentioned; (that is to say,) when seven thousand pounds of the additional capital shall have been issued and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned, one thousand seven hundred and fifty pounds; and a sum not exceeding one thousand seven hundred and fifty pounds when an additional seven thousand pounds of share capital shall have been issued and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned; and a sum not exceeding two thousand one hundred pounds when the remaining eight thousand two hundred and ten pounds of the share capital shall have been issued and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned; but no part of the said respective sums of one thousand seven hundred and fifty pounds, one thousand seven hundred and fifty pounds, and two thousand one hundred pounds shall be borrowed until the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the required amount of capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fourth part of the amount of each separate share in the required amount of capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Arrears of interest and principal may be

34. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to

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enforced by appointment of a receiver.

authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than seven hundred pounds in the whole.

As to conversion of borrowed money into capital.

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

Priority of mortgages over other debts.

36. All money raised or to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company, and the property from time to time of the Company, over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act: Provided always, that this priority shall not affect any claim against the Company or their property in respect of any rent-charge granted or to be granted by them in pursuance of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," or in respect of any rent or sum reserved by or payable under any lease granted or made to the old Company, or which may hereafter be granted or made to the Company in pursuance of any Act relating to the Company, which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock, nor shall anything in this section contained affect any claim for land taken, used, or occupied by the Company for the purposes of the Company's undertaking and works, or injuriously affected by the construction thereof, or by the exercise of any powers conferred on the Company.

Power to create debenture stock.

37. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Company shall rank pari passu with the interest of all mortgages granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

38. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied to the purposes of this Act only.

General meetings.

39. The first ordinary meeting of the Company shall be held within six months after the passing of this Act, and the future

ordinary meetings of the Company shall be held half-yearly, in the months of February or March and August or September in every year, or in such other months as the Company, by the resolution of an extraordinary general meeting, shall from time to time determine.

Quorum of meetings.

40. The quorum to constitute a general meeting, whether ordinary or extraordinary, of the Company shall be five shareholders, holding in the aggregate not less than two thousand pounds paid up in the capital of the Company.

Extraordinary meeting convened by shareholders

41. The number of shareholders who may require an extraordinary meeting to be convened shall not be less than ten, holding in the aggregate not less than two thousand pounds paid up in the capital of the Company.

Number of directors.

42. The number of directors shall be five, but the Company may from time to time reduce the number, provided that the number be not less than three.

Qualification of directors.

43. The qualification of a director shall be the possession in his own right of not less than three hundred pounds paid up in the capital of the Company.

Quorum of directors.

44. The quorum of a meeting of directors shall be three, and if the number of directors be reduced to three, the quorum shall be two.

First directors.

45. William Clark Merriman, Edward Baverstock Merriman, Richard Edmonds Price, and two other duly qualified persons to be nominated by them or a majority of them, and consenting to such nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act or nominated as aforesaid being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall, subject to the power herein-before contained for reducing the number of directors, elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845," and the several persons elected at any such meeting, being neither removed nor disqualified, nor having died or resigned, shall continue

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to be directors until others are elected in their stead, in manner provided in the same Act.

Auditors not required to hold shares.

46. The auditors need not hold shares in the Company.

Remuneration of directors and auditors.

47. The remuneration of the directors and auditors shall from time to time be fixed at one of the annual general meetings of the Company, and shall be paid out of the sums receivable under this Act.

Powers as to construction and maintenance of gasworks, &c.

48. Subject to the provisions of this Act, the Company may from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue their existing gasworks upon the lands described in the schedule to this Act, and they may also erect, lay down, provide, and from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue additional and other gasworks, retorts, gasholders, condensers, purifiers, drains, sewers, mains, pipes, meters, lamps, lamp-posts, burners, stopcocks, machinery, and other works, apparatus, and conveniences, and may do all such acts as they may think proper for making and storing gas and for supplying gas within the limits of this Act, and may make, store, and supply gas accordingly, and may manufacture, sell, provide, supply, and deal in coal, coke, tar, pitch, asphaltum, ammoniacal liquor, and all other products or residuum of any materials employed in or resulting from the manufacture of gas, and also meters, fittings, tubes, pipes, and other articles and things in any way connected with gasworks or with the supply of gas, as they may from time to time think fit.

Power to purchase lands.

49. Subject to the provisions of this Act, the Company may enter upon and take, for the purposes of their undertaking, so much of the lands shown on the deposited plans and described in the deposited books of reference as are described in the schedule to this Act.

Powers for compulsory purchases limited.

50. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Power to purchase lands by agreement. Gas not to be manufactured except on lands scheduled.

51. The Company may, for the purposes of their undertaking, purchase, take, and hold (by agreement, but not otherwise), in addition to the lands described in the schedule to this Act, any lands and hereditaments, not exceeding in the whole three acres, which the Company may from time to time require for the purposes of their works and undertaking, but no land shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Act.

Power to lay pipes against buildings.

52. The Company, with the consent of the owner and occupier of any building, may lay any pipe, branch, or any other necessary apparatus from any main or branch pipe into, through, or against such building for the purpose of lighting it, and may, with the like consent, provide and set up any apparatus necessary for securing to such building a proper and complete supply of gas, and for measuring and ascertaining the extent of such supply, and may from time to time, with the like consent, repair, replace, alter, discontinue, and remove any such pipe, branch, or apparatus.

Power to contract with public bodies.

53. The Company may from time to time enter into and carry into effect contracts with any sanitary or other local authority within the limits of this Act with respect to the supply of lamps, lamp-posts, gas, gas fittings, or meters by the Company, and the lighting, extinguishing, and keeping clean the public lamps from time to time required by such sanitary or local authority to be lighted, on such terms and conditions as they think fit, and otherwise as shall from time to time be agreed upon between such sanitary or local authority and the Company.

Limiting the price of gas.

54. The price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed seven shillings per one thousand cubic feet.

Power to take licenses.

55. Subject to the provisions of this Act, the Company may (but only for the purposes of the Company within the limits of the Act, and not so as to acquire any exclusive right therein,) contract for, take, and use any leave, license, or authority to work, use, exercise, or put in practice any invention under any letters patent heretofore made or hereafter to be made, granting any right or privilege of working, using, or vending any invention in relation to the manufacture or distribution of gas, or the conversion, manufacture, or utilization of the products obtained from the manufacture of gas or the materials used therein.

Pressure of gas.

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

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mutatis mutandis, apply to such testing of pressure, and two hours previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Quality of gas.

57. The prescribed number of candles shall be fourteen.

Testing place.

58. Within three months from the passing of this Act a testing place shall be provided at the works of the Company.

Burner.

59. The prescribed burner shall be Sugg's London Argand Burner Number 1, with a six-inch by one-and-three-quarter-inch glass chimney, but if at any time the gas flame tail over the top of that glass a six-inch by two-inch chimney shall be used.

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

60. If any person is required by the Company to give to them security for the payment of the price or rent of a meter, the Company shall pay interest after the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Authentication of notices.

61. Any summons, warrant, demand, or notice, or other such document to be issued or given for any of the purposes of this Act may be in writing or print, or partly in writing or partly in print, and if the same require authentication by the Company, the signature thereof by the secretary to the Company shall be a sufficient authentication.

Notice to Company to discontinue supply.

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

Liability to gas rent not to disqualify justice, &c.

63. A justice or judge of any court shall not be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any gas rent, meter rent, rate, or charge under this Act.

Application of penalties.

64. Every penalty imposed by this Act shall (except where otherwise expressly provided, and except where the Company shall be the party by whom the penalty has to be paid) be paid to the Company.

Penalties not cumulative.

65. Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for this purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts.

Expenses of Act.

66. All costs, charges, and expenses of and preliminary and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

A certain messuage or tenement and lands, containing one acre or thereabouts, situate in the parish of Saint Mary the Virgin, Marlborough, and bounded as follows:—On the south by the River Kennet; on the west by the road or highway leading from Marlborough across the River Kennet to Hungerford and Salisbury; on the north in part by a messuage or tenement and garden ground belonging or reputed to belong to the mayor, aldermen, and burgesses of the borough of Marlborough, and in the occupation of Sarah Dangerfield, and in remaining part and on the east by a piece of meadow land belonging or reputed to belong to the said mayor, aldermen, and burgesses, in the occupation of Jonah Reeve, and known by the name of the "Plume of Feathers Mead."

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