CHAPTER xxxix.

An Act to authorise the Newport (Monmouthshire) Gas Company to construct further Works; and for other purposes. A.D. 1877.

[28th June 1877.]

WHEREAS by "The Newport (Monmouthshire) Gas Act, 1855," (in this Act called "the Act of 1855,") the Newport (Monmouthshire) Gas Company (in this Act called "the Company"), incorporated by an Act passed in the sixth year of the reign of Her present Majesty, intituled "An Act for better lighting with gas the "town and borough of Newport in the county of Monmouth," were authorised to maintain their then existing gasworks, and to construct further works, and to continue and furnish a supply of gas to the town and borough of Newport, and the parishes of Saint Woollos, Christchurch, and Malpas, in the county of Monmouth: 18 & 19 Vict. c. lxxx.

And whereas by the Act of 1855 the share capital of the Company, inclusive of their then existing capital, was authorised to be forty thousand pounds, and the Company were empowered to borrow on mortgage any sums not exceeding in the whole (together with the sums previously borrowed by them and then remaining due) the sum of ten thousand pounds:

And whereas by "The Newport (Monmouthshire) Gas Act, 1875," which incorporated "The Gasworks Clauses Act, 1871," and is in this Act called "the Act of 1875," the Company were authorised to acquire by agreement certain additional lands specified and described in Part II. of the schedule to that Act, and the share capital of the Company, inclusive of their then existing capital, was authorised to be ninety thousand pounds, and the Company were empowered to borrow on mortgage any sums not exceeding in the whole (in addition to the sum which by the Act of 1855 they were authorised to borrow) the sum of twelve thousand five hundred pounds: 38 & 39 Vict. c. cxli.

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And whereas the whole of the share capital authorised by the Act of 1855 has been raised, and one half of the additional share capital by the Act of 1875 authorised to be raised has been subscribed for, and works in extension of the existing works of the Company are now in progress:

And whereas the Company has been unable to acquire by agreement any of the additional lands which by the Act of 1875 they were authorised to acquire, and since the passing of the Act of 1855 and the Act of 1875 respectively the demand for gas within the Company's limits has increased and is still increasing, and it is expedient that the Company should be authorised and empowered to increase their supply of gas within the limits aforesaid, and to construct additional works, and for those purposes to purchase lands:

And whereas a plan showing the lands which may be purchased under the powers of this Act, and a book of reference to the said plan containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the said lands, were duly deposited with the clerk of the peace for the county of Monmouth, and are in this Act referred to as the deposited plan and book of reference respectively:

And whereas the objects of this Act 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 as "The Newport (Monmouthshire) Gas Act, 1877."

This and recited Acts to be construed as one.

2. The Act of 1855, as amended by the Act of 1875 and by this Act, and the Act of 1875 as amended by this Act, shall be construed together as one Act.

Certain provisions of general Acts herein named incorporated.

3. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," (except the provisions of the first-mentioned Act with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking,) and section 17 of the Railways Clauses Consolidation Act, 1845, and sections 18 and 19 of the Railways Clauses Act, 1863, are (except where varied by this Act) incorporated with and form part of this Act, and the sections so incorporated of the two last-mentioned Acts shall apply and extend to the works below high-water mark authorised by this Act.

Power to purchase lands.

4. The Company may purchase by agreement all or any of the lands described in Part II. of the schedule to this Act, and may upon such parts of those lands as are herein-after mentioned manufacture and store gas and residual products.

Prohibiting manufacture of gas, &c. except on certain lands.

5. Notwithstanding anything to the contrary contained in the recited Acts or this Act, the Company shall not manufacture gas or residual products, or store gas, except on the lands described in Part I. of the schedule to this Act, and on the lands referred to in Part II. of the schedule to this Act by the numbers 88, 89, 91, 95, and 98.

Power to construct gasworks.

6. Subject to the provisions and for the purposes of this Act, it shall be lawful for the Company from time to time, upon the lands to be acquired under this Act, to make, construct, lay down, and maintain, alter, or discontinue such retorts, gasometers, receivers, drains, sewers, mains, pipes, machinery, and other works and apparatus, houses, buildings, wharves, landing places, roads, and approaches, and to do all such other acts as they shall think necessary, consistently with the provisions of this Act, for making and storing gas, and for supplying gas within the limits prescribed by the Act of 1855, and to make, store, and supply gas accordingly, and to sell, manufacture, and dispose of coke and other residuum arising or to be obtained from the materials used in the manufacture of gas, in such manner as the Company may think proper.

Testing places.

7. The Company shall cause to be provided on some part of the gasworks to be constructed on the lands described in Part II. of the schedule to this Act, so soon as gas shall be manufactured at such works, a testing place with apparatus therein for the purposes mentioned in the Gasworks Clauses Act, 1871, and the provisions of that Act with respect to the testing place and apparatus, and the testing of gas thereat, shall be applicable with respect to the testing place and apparatus to be so provided.

Saving rights of the Crown

8. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any portion of the shore or bed of the sea, or of any river, channel, creek, bay, or estuary, or any right in respect thereof, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Board of Trade, without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give), neither shall anything in this Act contained extend to take away, prejudice, diminish, or alter any of the estates,

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rights, privileges, powers, or authorities vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Expenses of Act.

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

SCHEDULE to which the foregoing Act refers.

PART I.

Site of existing Gasworks.

All that piece or parcel of ground situate and being in the parish of Saint Woollos and borough of Newport in the county of Monmouth, containing in length, from north to south, four hundred and seventy-five feet or thereabouts, and in breadth, from east to west, one hundred and eighty feet or thereabouts, as the same is bounded on the south thereof by the public street called or known as Mill Street, on the north thereof by lands and premises in the occupation of J. J. Cordes and Company, on the east thereof by the canal, railway, and premises of the Monmouthshire Railway and Canal Company, and on the west thereof by lands and houses of or reputed to belong to the said J. J. Cordes and Company and the representatives of Frederick Fradsham, and which said piece or parcel of ground is more particularly shown on the plan (Sheet No. 2) deposited with the clerk of the peace for the county of Monmouth, as mentioned in the preamble to this Act, and thereon distinguished by the colours white, pink, blue, and yellow, and numbered 1, 2, 3, and 4 respectively.

PART II.

All or parts of eleven several pieces or parcels of land lying for the most part all together in the parish of Saint Woollos in the county of Monmouth, and numbered respectively on the tithe commutation map of the parish of Saint Woollos 88, 89, 91, 95, 97, 98, 99, 100, 102, 103, and 104, and containing together in the whole twenty acres or thereabouts, and bounded on the north-west in part by the Eastern Valleys Railway of the Monmouthshire Railway and Canal Company, and on all other parts or sides thereof by lands the property or reputed property of Captain Kingsmill Manley Power and the Reverend Henry Bolton Power.

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