CHAPTER lxxxiii.

An Act for incorporating and conferring powers on the Northwich Gas Company. [3rd July 1882.] A.D. 1882.

WHEREAS certain persons under a deed of settlement dated the 30th day of March 1839 formed themselves into a gas company under the name of "The Northwich Gaslight and Coke Company" "for the purpose of supplying gaslight for public and "private consumption in the town of Northwich and to a certain "extent in the different adjoining townships and also for the sale of "coke to arise or be made by the formation or manufacture of gas" and such company was subsequently by certificate dated the 28th day of August 1863 incorporated under the Companies Act 1862 as a limited company under the name of the Northwich Gaslight and Coke Company Limited herein-after referred to as "the limited company": 25 & 26 Vict. c. 89.

And whereas on the 11th day of July 1864 the said limited company by a special resolution resolved that the deed of settlement of the company dated the 30th day of September 1839 be repealed and that Table A in the First Schedule of the Companies Act 1862 should be adopted by and apply to the limited company and the said resolution was subsequently duly confirmed and registered:

And whereas the present share capital of the limited company consists of 24,000*l.* divided into 1,600 shares of 15*l.* each which has all been subscribed for and allotted and 20,700*l.* has been paid up and the company have no mortgage debt:

And whereas the limited company have acquired the several pieces of land described in the First Schedule to this Act and erected gasworks thereon and have from time to time improved and enlarged the same with the capital raised by them and are now supplying gas within the places aforesaid:

And whereas the demand for gas in the district supplied by the limited company has increased and is increasing and other townships and places in the neighbourhood thereof are wholly without

A.D. 1882.

a supply of gas and it is expedient that the works of the limited company should be increased and improved and their mains and limits of supply extended and that additional land should be acquired and additional capital provided for such improvement and extension:

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

And whereas it is expedient that the company to be incorporated by this Act (in this Act called "the Company") be authorised to purchase and acquire by compulsion or otherwise for the purposes of their undertaking the lands described in the Second Schedule to this Act which adjoin the existing gas lands of the limited company and on such lands to extend their existing gasworks and erect new works:

And whereas a plan of the lands which may be purchased by compulsion for the purposes and under the powers of this Act and a book of reference to such 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 Chester and are herein-after respectively referred to as the deposited plan and book of reference:

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 as the Northwich Gas Act 1882.

Incorporation of Acts.
10 & 11 Vict. c. 15.
26 & 27 Vict. c. 118.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
34 & 35 Vict. c. 41.

2. The Gasworks Clauses Act 1847 and Part I. (cancellation and surrender of shares) of the Companies Clauses Act 1863 and the Lands Clauses Acts 1845 1860 and 1869 are subject to the provisions of this Act incorporated with and form part of this Act and the Gasworks Clauses Act 1871 shall apply to the existing undertaking of the limited company as if the same had been authorised by this Act.

Interpretation clause.

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 such construction. The expression "the Company" shall mean the Company incorporated by this Act the expression "the works" and the "gasworks" 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 expression "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 common simple contract debt and not a debt or demand created by statute.

Limits of Act.

4. The limits of this Act shall be and include the townships of Northwich, Castle-Northwich, Witton-cum-Twambrooks, part of Rudheath-Lordship, Winnington, Hartford, Anderton, Barnton, Lostock-Gralam, and Wincham, all in the parish of Great Budworth in the county of Chester and the townships of Davenham, Leftwich, Shurlach-cum-Bradford, remaining part of Rudheath-Lordship, Shipbrooke, Moulton, and Eaton, all in the parish of Davenham, in the said county of Chester.

Clause for protection of Brunner Mond and Company Limited.

5. Nothing in this Act contained shall operate against or affect the right of Messieurs Brunner Mond and Company Limited from manufacturing and supplying gas for the purposes of their works and for the supply of their tenants on lands now belonging to Messieurs Brunner Mond and Company Limited within the township of Winnington.

Incorporation of Company.

6. From and after the passing of this Act the limited company shall be dissolved and the several persons and corporations who immediately before the passing of this Act were members of that company and all other persons and corporations who have subscribed to or who shall hereafter become proprietors in the undertaking of the Company and their executors administrators successors and assigns respectively shall be and they are hereby united into a company for the purposes herein-after mentioned and shall be incorporated by the name of the Northwich 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.

7. The Company shall be established for the purposes of manufacturing gas and for supplying gas within the limits of this Act for public and private purposes and for the purpose of utilising and distributing materials used in and about the manufacture of gas as aforesaid and of residual products arising from such manufacture and for converting such products into other materials and for

A.D. 1882.

dealing selling and disposing of lime coke tar asphaltum chemicals and other residual and manufactured products and other matters and things and for manufacturing purchasing or hiring and supplying gas meters stoves fittings and other apparatus and for carrying on the business usually carried on by gas companies or incidental thereto.

Present property of limited company vested in Company incorporated by this Act.

8. Subject to the provisions of this Act all the lands gasworks erections buildings rights and easements which immediately before the passing of this Act were vested in the limited company or any person in trust for them or to which the limited company were 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 limited company and all moneys securities credits effects and other property whatsoever which immediately before the passing of this Act belonged to the limited company or to any trustee on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the limited company and immediately before the passing of this Act in force shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the limited 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 &c. of the Company to be void without prejudice to remedies for antecedent breaches.

9. Subject to the provisions of this Act the deed of settlement of the thirtieth day of March one thousand eight hundred and thirty-nine the certificate of incorporation of the company as a limited company dated the twenty-eighth day of August one thousand eight hundred and sixty-three and the special resolution of the limited company dated the eleventh day of July one thousand eight hundred and sixty-four shall as to any prospective operation thereof respectively 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 limited 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 or of the provisions of Table A in the First Schedule of the Companies Act 1862 so far as the same were adopted by and

are applicable to the limited company under the said special resolution of the eleventh July one thousand eight hundred and sixty-three 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 limited company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

10. Except as is by this Act otherwise especially provided everything before the passing of this Act done or suffered by or with reference to the 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 and special resolution 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 and special resolution were not avoided by this Act and this Act were not passed would be incident to or consequent on any and everything so done or suffered and with respect to all such rights liabilities claims and demands the Company and its shareholders and property shall to all intents and purposes represent the limited company and the members thereof as such and the property of the limited 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 Act* to be binding.

11. Except as is by this Act otherwise specially 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 limited company or any trustees or persons acting on behalf of the limited 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 said company or the trustees or persons acting on behalf of the limited company the Company had been a party thereto.

Actions &c. not to abate.

12. 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 limited company or any member thereof in relation to the affairs of the limited company or to which the limited company or any member thereof in relation to such

A.D. 1882.

affairs were parties immediately before the passing of this Act but 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 or continued by or in favour of or against the limited company or any member thereof if this Act had not been passed the Company and the shareholders therein being in reference to the measures aforesaid in all respects substituted for the limited company and its members respectively.

Trustees of limited company to be indemnified.

13. Every trustee or other person in whom or in whose name any lands works buildings easements rights property or effects belonging to the limited 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 limited 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.

satisfy liabilities of limited company.

14. 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 limited company immediately before the passing of this Act were subject and shall indemnify the members directors officers and servants of the limited company and their respective representatives from all such obligations and liabilities and from all expenses and costs in that behalf.

Recovery of gas rents, &c.

15. All gas rents and sums of money which immediately before the passing of this Act were due or accruing to the limited company shall be payable to and may be collected and received 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.

16. All persons who immediately before the passing of this Act owed any money to the limited 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 limited company or for the payment of which the limited 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.

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

Books &c. continued evidence.

18. 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.

19. All officers and servants of the limited 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 thereunto annexed until they shall resign the same or be removed therefrom by the Company 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 whatsoever as if they had been appointed under this Act.

Present registers of members to be continued.

20. The books kept by the limited 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.

8 & 9 Vict. c. 16.

Capital.

21. The capital of the Company shall be fifty thousand pounds whereof twenty-four thousand pounds is in this Act called the original capital and twenty-six thousand pounds is in this Act called the additional capital and shall be raised in manner hereinafter mentioned and the original capital shall be divided into one thousand six hundred shares of fifteen pounds each which shares are in this Act called "the old shares" and the Company may convert into stock the whole or any part of their original or additional capital when fully paid up.

Vesting of old shares in present shareholders.

22. The old shares shall be vested in the several persons who immediately before the passing of this Act were the registered members of the limited company share for share in substitution for the existing shares of the limited company and every share so vested

A.D. 1882.

shall be subject to the same liability for calls and subject and liable to the same trusts powers provisions declarations and 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.

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

23. The Company shall call in and cancel the existing certificates of shares in the limited company and issue in lieu thereof certificates 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 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.

Power to Company to raise additional capital.

24. The Company may from time to time raise the additional capital not exceeding in the whole twenty-six thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares and stock or wholly or partially by one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share or stock vest in the person or corporation accepting the same unless and until the full nominal amount of such share or stock together with any premium obtained upon the sale thereof shall have been paid in respect thereof: Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of twenty-six thousand pounds: Provided also that the Company shall not create and issue within the year following the passing of this Act any greater nominal amount of capital than shall be sufficient to produce in manner aforesaid eight thousand pounds or within any subsequent year six thousand pounds.

If authorised capital for any year not raised amount may be made up.

25. If in any year or years the Company have not created and issued capital to the full amount herein-before prescribed in relation to such year or years they may in any subsequent year create and issue in addition to the amount prescribed for such year such a nominal amount of capital as shall be sufficient together with the amount then raised to produce in manner aforesaid eight thousand pounds in respect of the year following the passing of this Act and six thousand pounds in respect of every subsequent year then expired.

Profits of the Company limited.

26. The Company shall not in any one year make out of their profits 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 proportionately.

27. In case in any half year the net revenues 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 proportionate deduction shall be made in the dividend of each class.

New shares to be offered by auction or tender.

28. Notwithstanding anything in this Act contained the Company shall when any shares or stock created under the powers of this Act are to be issued and before offering the same to the holder of any other shares or stock in the Company and whether the ordinary shares or ordinary stock of the Company are or is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof and notice thereof of the amount of such reserved price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock in the Company.

Purchase money of capital sold by auction to be paid within three months.

29. It shall be one of the conditions of any sale of shares or stock under this Act that the whole nominal amount thereof together with any premiums given by any purchaser at such sale shall be paid to the Company within three months after such sale.

As to notice to be given as to sale &c. of shares.

30. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the clerk to the local board of Northwich and to the secretary of the committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulated within the said district.

A.D. 1882.

Shares not sold by auction or by tender to be offered to shareholders.

31. When any shares or stock created under the powers of this Act have been offered for sale by auction or tender and not sold the same shall be offered at the reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock of the Company in manner provided by the Companies Clauses Act 1863: Provided always that any shares or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of shares and stock created under the powers of this Act.

Application of premium arising on issue of shares or stock.

32. Any sum of money which shall arise from the issue of any such shares or stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend.

Power to borrow in respect of original capital.

33. The Company may at any time and from time to time after the passing of this Act borrow on mortgage of the undertaking in respect of the original capital of twenty-four thousand pounds any sums not exceeding in the whole six thousand pounds.

Power to borrow in respect of additional capital.

34. In addition to the sum of six thousand 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-six thousand pounds by this Act authorised to be raised by shares or by stock any sums not exceeding in the whole six thousand five hundred pounds: Provided that the aggregate amount so borrowed shall not at any time exceed one-fourth part of the amount of such additional capital actually paid up for the time being and that no part thereof 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 capital in respect of which such borrowing powers are sought to be exercised has been paid up 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 certificate shall be sufficient evidence thereof.

Appointment of receiver.

35. The mortgagees of the undertaking 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 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 six hundred and fifty pounds in the whole.

As to conversion of borrowed money into capital.

36. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage or by the issue of debenture stock 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.

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 and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which such stock and mortgages were authorised) 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 for the purposes of this Act only.

Priority of mortgages over other debts.

39. All moneys 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 Amendment Act 1860 or in respect of any rent or sum reserved by or payable under any lease 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

A.D. 1882.

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.

First ordinary meeting.

40. The first ordinary meeting of the Company shall be held within three months after the passing of this Act.

Number of directors.

41. The number of directors shall be seven but the Company may from time to time reduce the number provided the number be not less than five.

Qualification of directors.

42. The qualification of a director shall be the possession in his own right of shares or stock of the Company of the nominal value of not less than one hundred and fifty pounds.

Quorum.

43. The quorum of a meeting of directors shall be three.

First directors.

44. Thomas Davies, Thomas Barlow, William Caldwell, John Moore, William Starkey, Johnson Fletcher, and Thomas Caleb Hughes, 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 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 being if qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting of 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 to be directors until others are elected in their stead in manner provided by the same Act.

Power to take lands.

45. Subject to the provisions of this Act the Company may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference and in the Second Schedule to this Act as they may require for the purpose of this Act.

Company not to exercise compulsory powers after expiration of three years.

46. 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 and for the

purposes of section 127 of the Lands Clauses Consolidation Act 1845 the prescribed period shall be seven years from the passing of this Act.

Powers as to construction and maintenance of gasworks &c.

47. 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 on which the same are erected or any part thereof and which are described in the First Schedule to this Act and also upon the other lands described in the Second Schedule 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 gasometers receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery and other works and 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 and deal in coke tar pitch asphaltum ammonia ammoniacal oil and all other products and materials resulting from the conversion of such products or the 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 by agreement. Gas not to be manufactured except on lands scheduled.

48. 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 schedules to this Act any lands and hereditaments not exceeding in the whole five acres which the Company may from time to time require for the purposes of their works and undertaking but no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedules to this Act.

Company may acquire patent rights.

49. The Company may acquire hold and use patent rights or licenses not being exclusive for the use of inventions in relation to the manufacture of gas or in relation to the distribution or supply of gas and also in relation to the manufacture conversion or utilisation of residual products and materials arising in or resulting from the manufacture of gas.

Power to lay pipes against buildings.

50. 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

A.D. 1882.

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.

Company to receive notice from consumer of gas for discontinuance.

51. A notice to the Company from a consumer for a 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.

Standard price of gas.

52. The price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter having regard to the increased cost of supply by reason of the natural subsidence of the surface of the ground within the limits of supply shall not at any time exceed six shillings per one thousand cubic feet.

Pressure of gas.

53. 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 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.

54. The prescribed number of candles shall be fourteen.

Testing place.

55. Within six months from the passing of this Act a testing place shall be provided upon some part of the works or lands of the Company or within two hundred yards from any part thereof.

Burner.

56. The prescribed burner shall be the burner known as Sugg's London Argand burner No. 1 consuming five cubic feet of gas per hour with a six-inch by one-and-three-quarter-inch glass chimney measured outside and if at any time the gas flame rises above the top of the glass a six-inch by two-inch chimney measured outside shall be used.

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

57. 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 at 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.

Protection of London and North-western Railway Company.

58. The following provisions for the protection of the London and North-western Railway Company (in this section referred to as the North-western Company) shall have full effect namely :—

In laying down executing or in effecting the repairs or renewals of any mains or pipes or in executing any other works upon across over under or in any way affecting any railway lands or property now or hereafter belonging to or worked or occupied by the North-western Company or the bridges approaches viaducts stations or other works or any level crossings of any such railway the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the North-western Company and only according to such plans as shall be previously reasonably approved by him and in all things by and at the expense of the Company who also shall make good and repair the roads over any such bridges and approaches which the Company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works matters and things shall be constructed executed and done so as not to cause any injury to any such railway bridges stations works lands or property or interruption to the passage or conduct of traffic over any such railway or at any station thereon and if any such interruption or injury shall arise the Company shall make compensation to the North-western Company in respect thereof the amount of such compensation together with full costs to be recoverable by the North-western Company from the Company by all and the same means as any simple contract debt is recoverable.

Expenses of Act.

59. The costs charges and expenses of and incidental to the preparing applying for obtaining and passing this Act shall be paid by the Company.

A.D. 1882.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

A plot of land in Northwich aforesaid abutting on Crum Hill containing 1,446 square yards or thereabouts bounded on the north-west partly by a slaughter-house and three cottages belonging or reputed to belong to Thomas Barlow and the representatives of John Barlow deceased occupied respectively by Mr. William Cliff butcher Michael Murphy John Maddock and Thomas Dwyer as tenants and partly by a cottage and hereditaments belonging or reputed to belong to James Cowley occupied by Patsy McManus and partly by a cottage belonging or reputed to belong to William Bowyer occupied by Thomas Carroll on the south and south-east partly by lands messuages and hereditaments belonging or reputed to belong to Thomas Horatio Marshall Esquire one portion whereof is in his own occupation and the remaining portions are occupied by Bartholomew Golden marine store dealer and partly by cottages and hereditaments belonging or reputed to belong to the trustees of the will of Mrs. Mary Rothwell deceased one of which is now untenanted and the others are occupied respectively by Patience Whitehead James Ashbrook and Annie Costello as tenants on the north-east by hereditaments belonging or reputed to belong to the said Thomas Horatio Marshall occupied by the said limited company formerly part of a watercourse and its abutments called the "Cut" and on the south-west partly by a passage called Crum Hill and partly by Cross Street.

A plot of land in Northwich aforesaid containing 2,429 square yards or thereabouts formerly known as the Pig Market bounded on the north partly by Sheath Street partly by a yard and buildings belonging or reputed to belong to James Rogerson occupied by William Heath partly by hereditaments belonging or reputed to belong to Thomas Burrows and occupied by John Osmond Gleave partly by stables and premises belonging or reputed to belong to James Rogerson and occupied by George Wakefield and partly by a passage called Gas Street on the south-east by salt works and hereditaments known as Barons Croft Salt Works owned by Thomas Horatio Marshall Esquire occupied by Thomas Redford Bower on the north-east by hereditaments belonging or reputed to belong to John Astles and occupied by the said John Astles, Patsey Morrey, Patsey Lydon, and John Kennerley, as tenants, on the south by the River Dane and on the west by hereditaments belonging to Mr. John Moore.

THE SECOND SCHEDULE.

Three messuages or dwelling-houses with the yards and land occupied therewith situate and numbered 17 19 and 21 Cross Street in Northwich aforesaid belonging or reputed to belong to Thomas Horatio Marshall Esquire one of which tenements is occupied by Owen Dunn and the other two are occupied by Bartholomew Golden also a plot of land on the north-east side of the premises belonging to the said limited company forming part of an old watercourse and its abutments called the "Cut" belonging or reputed to belong to the said Thomas Horatio Marshall and occupied by him or by the said limited company and through which a sewer belonging to the Northwich Local Board is laid also two cottages or dwelling-houses situate in and numbered 13 and 15 Cross Street aforesaid occupied by Patience Whitehead and James Ashbrook respectively also two other dwelling-houses situate behind the two cottages herein-before mentioned as being in the occupation of Patience Whitehead and James Ashbrook one of which two last-mentioned cottages is untenanted and the other is occupied by Annie Costello all which four last-mentioned cottages belong or are reputed to belong to the trustees of the will of Mrs. Mary Rothwell deceased and all the outbuildings lands yards gardens and appurtenances to all of the lastly-described premises belonging.

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