ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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Cap. viii.

An Act for incorporating the *Ormskirk* Gaslight Company. [9th *May* 1853.]

Deeds of Settlement dated 2d Oct. 1833 and 14th Sept. 1846.

WHEREAS by a Deed of Settlement, bearing Date the Second Day of *October* One thousand eight hundred and thirty-three, and by a Supplemental Deed, bearing Date the Fourteenth Day of *September* One thousand eight hundred and forty-six, several Persons were formed into a Company, completely registered under the Act for the Registration, Incorporation, and Regulation of Joint Stock Companies, by the Name of "The *Ormskirk* Gaslight Company," for the Purpose, amongst other things, of manufacturing inflammable Air or Gas, and of lighting therewith the Streets, Shops, Houses, and other Places in the Town of *Ormskirk* in the County of *Lancaster*; and such Persons have contributed in Shares, for the Purposes of the said Company, the Sum of Four thousand seven hundred and thirty-six Pounds: And whereas the Directors of the said Company, by virtue and in exercise of the Powers given to them by their said Supplemental Deed of Settlement, and by the Authority of a General Meeting of Proprietors duly called for that Purpose, have borrowed, on Bond of the said Company, a Sum of Five hundred Pounds: And whereas the several Persons so united as aforesaid have been accordingly for some Years

past, and are now, engaged in supplying the Town of *Ormskirk* with Gas, and such Supply has been attended with great Benefit to the Inhabitants thereof: And whereas it has been considered expedient to extend the Supply of the said Gas to the Parish or Township of *Aughton*, and to the Townships of *Bickerstaffe*, *Burscough*, and *Lathom*, all in the said County of *Lancaster*: And whereas the said Persons are desirous of being incorporated, and of having further Powers granted them, for the Purpose of more efficiently carrying on the said Company; but the same cannot be effected without the Aid and 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,

8 & 9 Vict. cc. 16. & 18. incorporated with this Act.

I. That the several Acts of Parliament following; that is to say, "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be incorporated with this Act.

Company not to take Lands without Consent.

II. That nothing in the said Lands Clauses Consolidation Act or in this Act contained shall authorize the Company hereby incorporated to purchase, take, or use any Lands, unless with the Consent and by Agreement with the Owners and Occupiers thereof.

Short Title.

III. That this Act may be cited for all Purposes as "The *Ormskirk* Gaslight Act, 1853."

Limits of Act.

IV. That the Limits of this Act shall include the Parish or Township of *Aughton*, and the Townships of *Ormskirk*, *Bickerstaffe*, *Burscough*, and *Lathom*, all in the County of *Lancaster*.

Incorporation of Company.

V. That the Company hereby incorporated, and their Successors, shall from and after the passing of this Act be united into and form a Corporation aggregate to all Intents, for effecting the Purposes herein mentioned, by the Name of "The *Ormskirk* Gaslight Company," and by that Name shall be and continue to be a Body Corporate, with perpetual Succession and a Common Seal, and shall sue and be sued in their corporate Capacity, and in no other Manner whatsoever, and shall have Power from Time to Time to purchase or hold Lands, Tenements, Hereditaments, and Premises not exceeding in the whole Four Acres (subject to the Restrictions herein contained), for the Purposes of the said Company or Undertaking.

Capital.

VI. That the Capital of the Company, including the existing Capital thereof, shall be Twenty thousand Pounds.

VII. That

Power to borrow Money.

VII. That it shall be lawful for the Company to borrow any Sum of Money not exceeding in the whole the Sum of Two thousand Pounds, including the said Sum of Five hundred Pounds now due and owing upon the Security of the said Undertaking, if not paid off under the Provisions herein-after contained; provided that no Part of such Sum of Two thousand Pounds shall be borrowed until the whole of the said Capital shall have been subscribed for, and One Half thereof shall have been paid up; provided that all Monies raised by the Company under this Act, either by Shares or Mortgage or otherwise, shall be applied to the Purposes of this Act, and to no other Purpose whatsoever.

Number of Shares.

VIII. That the Number of Shares into which the said Capital shall be divided shall be Two thousand, and the Amount of each Share shall be Ten Pounds.

All Shares to be taken as of nominal Value of 10*l.*

IX. And whereas the Amount paid up on Three hundred and sixty of the existing Shares of the said Company is Eleven Pounds Ten Shillings, and on Two hundred and ninety-eight of such Shares is Two Pounds respectively: Be it enacted, That from and after the passing of this Act all the Shares in the said Company, whether existing or to be issued, shall be taken as of the nominal Value of Ten Pounds.

New Shares to be offered to present Shareholders.

X. That the new Shares to be issued in pursuance of this Act shall be offered to the existing Shareholders in proportion to their respective Shares of the said Company; and that an Amount equal to the Sum of One Pound Ten Shillings upon the present Shares of each of such Shareholders respectively shall be considered and taken as paid up by every Holder of Shares on which the Sum of Eleven Pounds Ten Shillings has been paid up upon the new Shares to which he shall be entitled under the Provisions of this Act.

The 500*l.* to be paid off out of new Shares, or continued as a Debt, at the Option of Creditors.

XI. That the existing Debt of Five hundred Pounds of the said Company shall be paid off out of the Money to be raised by the Creation of new Shares, or shall, at the Option of the Party entitled to the same, be continued as a Debt of the said Company, in such Manner, and with such Rights and Remedies for the Recovery thereof, as if the same were Part of the Money borrowed under the Provisions of this Act.

Company not bound to issue more new Shares than required.

XII. That the Company shall not be bound to issue a greater Number of new Shares than shall be sufficient to give to every Holder of existing Shares a Number of such new Shares equal to the Number of existing Shares held by him.

XIII. That

Number of Directors.

XIII. That the Number of Directors shall be Seven, of whom Three shall be a Quorum, and the Qualification of a Director shall be the Possession, in his own Right, of Five Shares in the Undertaking, but such Qualification may be increased to any Number not exceeding Twenty Shares, at any Time after the passing of this Act, by a General Meeting of the Shareholders lawfully summoned to consider that Question.

First Directors.

XIV. That the Persons who shall have been duly appointed Directors of the Company at the Time of the passing of this Act shall remain such Directors until the First General Meeting of the Shareholders to be held after the passing of this Act.

General Meetings.

XV. That the Ordinary Annual General Meeting of the said Company shall be held on the Third *Monday* in the Month of *February* in every Year, or on such Day within Twenty-one Days thereafter as the Board of Directors shall appoint, and such Annual Meetings shall be convened in the Manner in the "Companies Clauses Consolidation Act" mentioned.

Votes at General Meetings.

XVI. That at every General Meeting every Shareholder holding any Number of Shares not exceeding Five in the Capital of the said Company shall be entitled to One Vote, and holding above Five Shares and not exceeding Ten shall be entitled to Two Votes, and holding above Ten Shares and not exceeding Fifteen shall be entitled to Three Votes, and holding above Fifteen Shares and not exceeding Twenty shall be entitled to Four Votes, and holding above Twenty Shares shall be entitled to Five Votes; but no Shareholder shall, for any greater Number of Shares, be entitled to more than Five Votes.

Quorum at General Meetings.

XVII. That if Six Shareholders at the least, of whom Two shall be Directors for the Time being, shall not assemble and proceed to Business at such General Meeting within One Hour after the Time fixed for holding any such Meeting, then such Meeting shall adjourn to a future Day, and that, for the Purpose of Adjournment only, every General Meeting shall be deemed to be sufficiently constituted if any Two Shareholders shall attend the same.

Liabilities of present Shareholders continued.

XVIII. That the several Persons constituting the Company at the Time of the passing of this Act shall severally and respectively continue and remain liable to all Debts and Demands incurred before the passing of this Act, in such Manner and to such Extent as they would have been liable if this Act had not been passed.

Existing Contracts, &c. may be

XIX. That all Contracts, Covenants, or Engagements entered into by any Shareholder in the said Company, or any Subscriber to the Funds

Funds thereof, or any Customer or Consumer or other Person, with such Company, or with any Trustee, Director, or Person on behalf of such Company, at any Time before the passing of this Act, may be proceeded on by the Company hereby incorporated, and enforced in all respects as if they had been made or entered into with the Company after the passing of this Act. enforced after the passing of this Act.

XX. That all the Main Pipes, Service Pipes, and Works which have been already purchased or provided and laid down or placed in any Street within the Limits of this Act, and all the Gasworks, and all Pipes, Posts, Lamp Irons, Lamps, Meters, Lands, Tenements, Erections, Buildings, Plant, Stock in Trade, Matters and Things, Monies, Stocks, Funds, and Securities, Credits and Effects, the Property of or belonging to the said Company, or to any Trustee or Trustees on their Behalf, and all Leases vested in them at the Time of the passing of this Act, shall be and the same are hereby vested in the Company incorporated by virtue of this Act. Vesting Works in Company incorporated.

XXI. That it shall be lawful for the said Company, subject to the Restrictions contained in this and so much of the said Acts as are incorporated herewith, from Time to Time to continue such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses and Buildings, upon the Land now held, or hereby or by the aforesaid Acts authorized to be held or purchased by the said Company, and to do all other and necessary Acts and Things as they shall think proper for supplying the Inhabitants, and all public and private Buildings, and all public and private Lamps, within the Limits of this Act, with Gas, and also to manufacture or purchase and to contract for Gas and for the Supply thereof, and to sell Gas, and to sell, dispose of, or manufacture the Coke and other residuary Products arising from the Materials used in the Manufacture of Gas, in such Manner as the said Company may think proper. Power to Company to continue and carry on Works.

XXII. That it shall be lawful for the said Company to demand, levy, and receive Rates, Rents, and Tolls for the Supply of Gas; but it shall not at any Time be lawful for the said Company to demand and receive from any Person or Corporation who shall use or burn Gas manufactured or purchased and supplied by the said Company, either for public or private Use, and used by Meter, any Sum exceeding the Rate of Six Shillings and Sixpence *per* One thousand Cubic Feet of Gas. Rates for Supply of Gas.

XXIII. That it shall be lawful for the Company, with the Approbation of Two Thirds of the Votes of the Proprietors present, either personally Power to sell or lease Gasworks, &c.

personally or by Proxy, at an Extraordinary Meeting of the Company especially convened for the Purpose, to sell or lease the Gasworks, Plant, Machinery, Pipes, Lands, Buildings, and Premises belonging to the Company, or any Part or Parts thereof respectively, to the Local Board of Health for the Town of *Ormskirk*, for such Consideration in Money, or at such annual Rent, and for such Term or Terms of Years respectively, as shall be mutually agreed upon.

Power to Company to execute Conveyance or Lease.

XXIV. That it shall be lawful for the Company to make or execute any Lease, Conveyance, or other Instrument which shall be necessary to give effect to any such Sale or Demise respectively of the said Undertaking, Lands, and Buildings when so agreed upon as aforesaid; provided that such Lease, Conveyance, or other Instrument shall not prejudice or affect any Debts, Contracts, Engagements, or Liabilities of the said Company which shall be subsisting at the Time of the Execution thereof.

Expenses of Act.

XXV. That the Costs and Expenses incurred in obtaining this Act, and all Expenses incurred preparatory or relating thereto, shall be paid by the Company.

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