ANNO DECIMO SEXTO

# VICTORIÆ REGINÆ.

## *Cap.* xiii.

**An Act to repeal the *Preston* Gas Company's Act, passed in the Second Year of the Reign of Queen *Victoria*, and to make other Provisions in lieu thereof. [9th *May* 1853.]**

WHEREAS an Act was passed in the Second Year of the Reign of Her present Majesty, intituled *An Act for incorporating the* Preston *Gaslight Company, and for better lighting with Gas or otherwise the Parliamentary Borough of* Preston, *and the Townships and Places therein mentioned, in the County of* Lancaster, whereby a Company was incorporated, called "The *Preston* Gas Company," and Powers were conferred upon such Company to purchase Lands by Agreement, and to construct and maintain all necessary Works for the Purpose of supplying with Gas the Parliamentary Borough of *Preston*, and the Precincts and Neighbourhood thereof; namely, the Township of *Penwortham* in the Parish of *Penwortham*, the Township of *Walton-in-le-Dale* in the Parish of *Blackburn*, and the Township of *Ribbleton*, and *Ashton* in the Township of *Lea*, *Ashton*, *Ingol*, and *Cottam* within the Parish of *Preston*, all in the said County of *Lancaster*; and the Share Capital of the said Company was limited to the Sum of Sixty thousand Pounds, and their Power of raising Money by Mortgage of their Undertaking to Ten

2 & 3 Vict. c. 3.

thousand Pounds, and their Power of purchasing Land to Six Acres: And whereas the said Company proceeded to put the said Act into execution, and have purchased or contracted to purchase all the Land which by the said Act they were empowered to purchase, and have raised and expended upon their Undertaking all the Sums which they were by the said Act empowered to raise: And whereas the Benefits derivable from the said Act would be greatly increased if the Operations of the said Company were extended, as well within the said Borough and Parishes and Townships aforesaid, as also to and within the whole of the said Parish of *Penwortham*, the whole of the said Township of *Lea*, *Ashton*, *Ingol*, and *Cottam* in the Parish of *Preston*, and the Township of *Fulwood* in the Parish of *Lancaster*; and it is expedient that for such Purposes the Limits of the said Act should be extended, and that Powers should be given to the said Company to raise more Money and purchase more Land: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament, but the same might be more conveniently provided for if the said Act was repealed, and if other Provisions were granted in lieu thereof: 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Recited Act repealed.

I. The Company incorporated by the recited Act is hereby dissolved, and the recited Act is hereby repealed.

Limits of Act.

II. The Limits of this Act shall extend to and include the Parliamentary Borough of *Preston* in the County of *Lancaster*, and the several Parishes, Townships, or Places following; (that is to say,) the Parish of *Penwortham*, the Township of *Walton-in-le-Dale* in the Parish of *Blackburn*, the Townships of *Ribbleton*, and *Lea*, *Ashton*, *Ingol*, and *Cottam* in the Parish of *Preston*, and the Township of *Fulwood* in the Parish of *Lancaster*, all in the County of *Lancaster*.

Certain Provisions of 8 & 9 Vict. cc. 16. 18. and 10 & 11 Vict. c. 15. incorporated with this Act.

III. "The Companies Clauses Consolidation Act, 1845," (except the Eighty-eighth Section thereof,) "The Lands Clauses Consolidation Act, 1845," (except such of the Provisions thereof as relate to the Purchase of Lands otherwise than by Agreement,) and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act.

Construction of certain Terms in 8 & 9 Vict. cc. 16. 18. and 10 & 11 Vict. c. 15.

IV. In construing the said "Companies Clauses Consolidation Act," "Lands Clauses Consolidation Act," and "Gasworks Clauses Act," as incorporated with this Act, the Expression "the Special Act" shall mean this Act; and the Expression "the Works," or "the Undertaking," shall mean the Gasworks and Works connected therewith by this

this Act vested in the Company incorporated or constituted by this Act, or which they may be authorized to execute; the Expressions "the Promoters of the Undertaking," or "the Undertakers," shall mean the Company incorporated by this Act; and the Expression "Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the said Company.

"Company" in this Act.

V. The Word "Company" in this Act shall mean the Company incorporated by this Act.

"Quarter Sessions" in Acts incorporated with this Act.

VI. The Expression "Quarter Sessions" in the said incorporated Acts shall be construed to mean the Quarter Sessions holden by Adjournment at *Preston* in and for the said County of *Lancaster*.

Re-establishment of Preston Gas Company.

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

Estates and Liabilities of the former Company vested in and binding on the Company hereby established.

VIII. From and immediately after the passing of this Act all the Lands, Tenements, and Hereditaments, Monies, and all Rights, Claims, Easements, and Privileges, and all Goods, Chattels, Effects, Bonds, Deeds, Books, Writings, Maps, Plans, and Personal Estate of the Company hereby dissolved, shall be and the same are hereby vested in the Company hereby incorporated; and all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the Company hereby dissolved shall pay the same, together with all Interest (if any) due or to accrue due for the same, to the Company hereby incorporated; and all Debts which immediately before the passing of this Act were due and owing by the Company hereby dissolved shall be paid, with all Interest (if any) due and to accrue due thereon, by the Company hereby incorporated; and all Rates or Rents which immediately before the passing of this Act were due and payable, or then accruing due, under or by virtue of the re-

cited

cited Act, to the Company hereby dissolved, shall be and become due and payable to the Company hereby incorporated, and shall and may be collected and recovered by the same Ways and Means, and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as the Rates and Rents by this Act made payable to the Company hereby incorporated; and all Conveyances, Contracts, Mortgages, Bonds, Covenants, Liabilities, Securities, Arrangements, and Agreements made or entered into before the passing of this Act to, with, in favour of, or by or for the Company hereby dissolved shall be and remain as valid and effectual in favour of or against and with reference to the Company hereby incorporated, and may be proceeded on, enforced, and satisfied in the same Manner to all Intents and Purposes, as if the Company hereby incorporated had been a Party to, executed, and incurred the same, or had been named or referred to therein instead of the Company incorporated by the recited Act.

Rates and Rents payable under recited Act to continue payable till altered by this Act.

IX. All Rates, Rents, or Charges made or imposed under or by virtue of the recited Act, and which at the Time of the passing of this Act shall be due and payable or accruing due and payable, or if this Act had not passed would have been due and payable or would have accrued due and payable, shall continue to be payable until the same shall be altered or reduced under the Authority of this Act, and may be collected and recovered by such Means and under such Restrictions and Regulations as any Rates, Rents, or Charges to be received in pursuance of this Act may be collected or received.

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

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

Actions, &c. not to abate.

XI. No Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the Company hereby dissolved previous to the passing of this Act, shall abate or be discontinued or prejudicially affected by this Act, but on the contrary the same shall continue to take effect, either in favour of or against the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in relation to the Company hereby dissolved if this Act had not been passed; and also all Penalties incurred for any Offence against the Provisions of the recited Act previously to the passing of this Act may be sued for, and all Offences which may have been committed before the passing of this Act against the

the Provisions of the recited Act may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if this Act had not been passed, the Company hereby incorporated being, in reference to the Matters aforesaid, in all respects substituted in the Place of the Company hereby dissolved.

Books, &c. made Evidence by recited Act to continue so.

XII. All Books and other Documents whatsoever by the recited Act authorized or directed to be kept, and thereby made Evidence, shall still be admitted as Evidence in all Courts whatsoever.

Officers under recited Act to continue till removed.

XIII. All Clerks, Officers, and Persons appointed by virtue of or acting under the Authority of the recited Act, and not acting contrary to the Provisions and Directions in this Act contained, shall hold and enjoy their respective Offices and Employments, together with the Salaries or Emoluments thereunto annexed, until they shall be removed therefrom by the Company or the Directors; and all such Clerks, Officers, and Persons 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 Pains and Penalties and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if they had been appointed by virtue of this Act.

Capital.

XIV. The Capital of the Company shall be Sixty thousand Pounds (subject to Augmentation as herein-after mentioned), and such Capital shall be divided into Three thousand Shares of Twenty Pounds each.

Distribution of old Capital.

XV. And whereas the present Capital of the Company consists of Three thousand Shares of Twenty Pounds each: Be it enacted, That every Person and Corporation who immediately before the passing of this Act was a Proprietor of One or more Shares in the Capital of the said Company shall in lieu thereof for each such Share be entitled to One of the Shares herein-before authorized to be created; and such Shares shall be subject and liable to the same Trusts, Powers, Provisions, Declarations, and Agreements, Charges and Incumbrances, as the original Shares in lieu of which they were respectively substituted were subject or liable to immediately before the passing of this Act, and are hereby vested in such Persons and Corporations accordingly, and so as to give effect to and not revoke any Testamentary Disposition affecting such original Shares or any of them.

Calls considered to have been paid.

XVI. Such new Shares so vested in such Persons and Corporations as aforesaid shall be considered as Shares in respect of which all Calls have been paid.

Power to raise additional Capital by Creation of Shares.

XVII. It shall be lawful for the Company, as and when they shall think fit, to raise, by the Creation of Shares, such further Sum or Sums of Money, not exceeding in the whole Sixty thousand Pounds, as they may think proper; and the Shares to be so created shall be of such Amount respectively, and allotted or disposed of in such Manner, as may be or may have been agreed upon at any General Meeting or Meetings of the Company specially convened for the Purpose.

Calls.

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

Power to borrow Money on Mortgage or Bond.

XIX. The Company may borrow any Sums of Money on Mortgage or Bond, not exceeding in the whole, inclusive of such Sums as may have been borrowed by the Company hereby dissolved and may remain unpaid, the Sum of Ten thousand Pounds; and after the whole of the additional Capital of Sixty thousand Pounds shall have been subscribed, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any further Sums, not exceeding in the whole, together with the said Sum of Ten thousand Pounds, the Sum of Thirty thousand Pounds.

Former Mortgages to have Priority.

XX. All Mortgages or Bonds granted by the Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages and Bonds to be granted by virtue of this Act.

Power to reborrow Money.

XXI. If the Company shall pay off any Sums owing by them on Mortgage or Bond, whether the same shall have been borrowed prior to the passing of this Act or subsequent thereto, it shall be lawful for them again to borrow the Sum so paid off, and so from Time to Time as often as Occasion shall require.

Numbers and Qualification of Directors.

XXII. Subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors of the Company shall be Five, and the Qualification of a Director shall be the Possession by him in his own Right of Five Shares in the Undertaking.

XXIII. It

Power to vary the Number of Directors.

XXIII. It shall be lawful for the Company, by Vote of any General Meeting, from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three.

First Directors.

XXIV. The Persons who immediately before the passing of this Act were the Directors of the Company hereby dissolved shall be the First Directors of the Company, and shall continue in Office until the First *Monday* in the Month of *January* which will be in the Year One thousand eight hundred and fifty-four, and until others are appointed in their Stead in pursuance of this Act.

Election of future Directors.

XXV. At the General Annual Meeting to be held on the First *Monday* in the Month of *January* One thousand eight hundred and fifty-four, or within Ten Days next after, or at some Adjournment thereof, the Directors appointed by this Act, and at the Annual General Meeting which shall be held on the First *Monday* in the Month of *January* in every subsequent Third Year, or within Ten Days next after, or at some Adjournment thereof, the Directors for the Time being, shall go out of Office, and Five of the Proprietors of Shares in the Undertaking, being respectively Proprietors of at least Five Shares in the Undertaking, shall be elected to be Directors in the Place of the Directors so going out of Office, but nevertheless any Director whose Office shall then have expired shall (if otherwise eligible) be again immediately re-eligible.

Remuneration of Directors and Auditors.

XXVI. The Remuneration of the Directors and Auditors shall from Time to Time be fixed by a General Meeting of the Company, and shall be paid out of the Rents, Rates, or Sums receivable under this Act.

Quorum of Directors.

XXVII. A Quorum of a Meeting of the Directors shall be Three, or if the Number of Directors shall be reduced to Three the Quorum shall be Two.

Quorum of a General Meeting.

XXVIII. The Quorum for any General Meeting of the Company shall be Seven Shareholders holding collectively Shares of the aggregate Amount of not less than One thousand four hundred Pounds.

First and other Meetings.

XXIX. The First Ordinary Meeting of the Company shall be held on the Fourth *Monday* next after the passing of this Act, or within Ten Days then next after, and the subsequent Ordinary Meetings of the Company shall be held on the First *Monday* in the Month of *January* in every Year, or within Ten Days then next after; and all Meetings of the Company, whether ordinary or extraordinary, shall be held at the Office of the Company, or such other Place in *Preston* as the Directors shall from Time to Time appoint.

XXX. At

Scale of voting.

XXX. At any General Meeting of the Company every Shareholder present, in Person or by Proxy, shall have One Vote for every Twenty Pounds held by him in the Capital of the Company up to Two hundred Pounds, and One additional Vote for every additional One hundred Pounds held by him in the Capital of the Company over and above Two hundred Pounds: Provided always, that no Shareholder shall be entitled to vote at any Meeting so long as any Call upon any of the Shares held by him in the Capital of the Company shall remain unpaid.

Number of Shareholders to call Extraordinary Meetings.

XXXI. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be convened shall be Five holding in the aggregate not less than Fifty Shares in the Company.

Power to purchase Lands.

XXXII. It shall be lawful for the Company to purchase any Quantity of Land by Agreement with the Owners, Lessees, and Occupiers thereof, not exceeding in the whole, together with such other Lands as may be then vested in them, Twelve Statute Acres.

Company empowered to construct Gasworks, &c.

XXXIII. Subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company from Time to Time to make, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and also such Houses and Buildings and Approaches thereto, upon the Lands hereby authorized to be held or purchased by the Company, and to do all such other Acts, as they shall think proper consistently with the Provisions of this Act for supplying Gas within the Limits of this Act, and for other Purposes authorized by this Act, and to sell and dispose of or manufacture into or otherwise convert into disposable Subjects the 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.

Power of the Company to contract for lighting Streets, &c.

XXXIV. It shall be lawful for the Company or their Directors from Time to Time to enter into or make any Contract or Agreement with the Board of Health of the Borough of *Preston*, or with any Body or Bodies Politic or Corporate, Trustees, Commissioners, Surveyors, or other Person or Persons having the Control, Direction, or Management of any Street or Bridge within the Limits of this Act, for lighting and supplying the same with Lamp Pillars and Posts, Lamp Brackets, Lamps, and Glass, and for the Repair thereof respectively, and also from Time to Time to make and enter into any Agreement with any Body Corporate or Person for lighting or supplying with Gas any Church, Chapel, Shop, Inn, Tavern, Dwelling House, Mill, Manufactory,

Manufactory, Warehouse, or other public or private Building, in such Manner, under such Conditions, and upon such Terms as shall be agreed upon between the Company and the respective Body or Bodies Corporate, Surveyors, or other Persons respectively; and such Surveyors or other Person or Persons are hereby authorized and empowered, with the Consent of the Inhabitants of the Township in which such Street or Bridge shall be situate, in Vestry assembled, to contract and agree with the Company, and to pay out of any Money which shall come to their Hands, or over which they shall have Control, such Sums of Money as shall from Time to Time have been contracted or agreed to be paid to the Company for lighting the same Street or Bridge with Gas as aforesaid; provided that from and after the Expiration of any existing Contract for the Supply of Gas for lighting any Street or Bridge within the Parliamentary Borough of *Preston*, the Company shall afford such Supply at a Price equal to the lowest Price charged by the Company to any private Consumer.

Company empowered to lay Pipes for lighting Buildings.

XXXV. Subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipes into, through, or against any Building for the Purpose of lighting the same, and to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Power to recover Rent under 50*l.*

XXXVI. If any Person supplied with Gas by the Company, or having hired from the Company any Meters or Fittings for Gas, neglect to pay the Rent due for the same to the Company, and the Rent so due does not amount to Fifty Pounds, the Company may recover the same, together with the Expenses of cutting off the Gas, in any Court having Jurisdiction for the Recovery of Demands of that Amount within the District in which the said Gas shall have been supplied, as well as in the Manner prescribed for the Recovery thereof in the "Gasworks Clauses Act, 1847."

Quality of Gas.

XXXVII. All the Gas supplied by the Company shall be of such Quality as to produce from an Argand Burner, having Fifteen Holes and a Seven-inch Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Twelve Wax Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

Experimental Meter to be constructed.

XXXVIII. The Company shall, within Six Months after the passing of this Act, erect or cause to be erected, upon some convenient

Part of their Works, an experimental Meter, furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, and capable of consuming Five Cubic Feet of Gas by the Hour, with other necessary Apparatus for estimating the illuminating Power and for testing the Purity of Gas.

Power for Board of Health to test illuminating Power and Purity of Gas.

XXXIX. If at any Time the Board of Health of the said Borough shall wish to test the illuminating Power and Purity of the Gas, it shall be lawful for the said Board of Health, under the Hand of the Town Clerk, to appoint some competent Person, not being a Member or an Officer or Servant of the Board of Health, to proceed to the Works of the Company; and it shall be lawful for such Person so appointed, at all reasonable Times, on the Production of such written Authority, to enter the Works of the Company for the Purpose of making, and forthwith in the Presence of the Superintendent or other Officer of the Company to make, Experiments upon the illuminating Power and Purity of the Gas by means of the experimental Meter and other Apparatus herein-before mentioned; and if it shall be proved to the Satisfaction of any Two Justices, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company, when consumed in an Argand Fifteen-hole Burner at the Rate of Five Cubic Feet by the Hour, did not equal the illuminating Power of not less than Twelve Wax Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour, or if it shall be proved that the said Gas contained a sufficient Quantity of Sulphurated Hydrogen to discolour the usual Test Paper, then and in every such Case the Company shall forfeit such Sum not exceeding Ten Pounds as to the said Justices shall seem fit.

Company to supply Gas when required by Board of Health.

XL. The Company shall from Time to Time, when required by the Board of Health of the Borough so to do, supply Gas to all the public Lamps of the Borough for the Time being, and shall also supply Gas to all the Inhabitants of the Borough applying for the same, whose Premises are situate in any Street or Place therein where the Mains of the Company are now laid down, or to which they may for the Time being extend: Provided always, that if at any Time after the Termination of the existing Contract between the said Board of Health and the Company for the Supply of the public Lamps any Difference shall arise as to the Price to be charged therefor thereafter, it shall be lawful for the said Board of Health to require the same to be settled by Arbitration in the Manner provided by the "Lands Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration; provided also, that previous to supplying Gas to Inhabitants of the Borough, it shall be lawful for the said Company to require each such Inhabitant to make to the Company a Deposit of a Sum not exceeding Twenty Shillings, such Sum to be afterwards

Differences as to Price to be settled by Arbitration.

Private Consumers to pay Deposit.

allowed

allowed in Account out of the First Monies to be paid by such Inhabitant to the said Company.

Limiting Price of Gas.

XLI. From and after the passing of this Act the present Prices shall continue to be paid and payable for Gas supplied by the Company until the First Day of *October* now next; and from and after that Day it shall not at any Time be lawful for the Company to charge within the Limits of the said Borough a higher Price for Gas than the Sum of Four Shillings and Ninepence Halfpenny *per* Thousand Cubic Feet, subject to the following Discounts:

On an annual Consumption of not exceeding One hundred thousand Cubic Feet, Ten Pounds *per Centum*;

Above One hundred thousand Cubic Feet and not exceeding One hundred and fifty thousand Cubic Feet, Fifteen Pounds *per Centum*;

Above One hundred and fifty thousand Cubic Feet and not exceeding Two hundred thousand Cubic Feet, Twenty Pounds *per Centum*;

Above Two hundred thousand Cubic Feet and not exceeding Two million Cubic Feet, Twenty-five Pounds *per Centum*;

Two million Cubic Feet and upwards, Thirty Pounds *per Centum*:

Provided always, that the Account be paid at the Company's Office or at the Gasworks within Twenty-one Days from the Delivery thereof.

Special Audit of Accounts.

XLII. In addition to the Audit of the Accounts by Auditors to be appointed by the Company under the Provisions of the said "Companies Clauses Consolidation Act, 1845," the said Board of Health of the said Borough shall appoint in every Year a fit Person, and the Company shall appoint another fit Person, which Two Persons shall together examine and audit the annual Account of the Company for the Year in which they shall have been so appointed in the Manner and with the Powers provided by the said "Companies Clauses Consolidation Act, 1845;" provided that it shall not be necessary that either of the last-mentioned Auditors shall be a Shareholder in the Undertaking.

Power to appoint Inspector of Meters.

XLIII. It shall be lawful for the said Board of Health of the said Borough from Time to Time to appoint a fit Person to be Inspector of Meters, and to remove such Person, and from Time to Time to appoint another Person in his Place, who shall be paid by the said Board of Health and the said Company, in equal Shares, such Salary or Allowance, and shall be subject to such Rules and Regulations, as may from Time to Time be determined and fixed by the Company and the said Board of Health; and in the event of their not agreeing, then by a Referee

a Referee to be appointed by the Mayor of the said Borough and the Chairman of the Company; and it shall be lawful for such Inspector, and he is hereby authorized and empowered, from Time to Time and at all Times, at the Request of any Consumer of Gas within the said Borough, to open and inspect any Meter which may be supplied with Gas by the Company, and to test, as between the Company and the Consumer, all the Meters furnished or supplied by the Company.

Saving of Rights.

XLIV. Provided always, That nothing in this Act contained shall be held or construed to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, as well in right of Her Crown as in right of Her Duchy of *Lancaster*, or to prejudice, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Town Council of the Borough of *Preston* in the County of *Lancaster*, or the Local Board of Health for the said Borough, or the Company of Proprietors for the Improvement of the *Ribble* Navigation, or the Company of Proprietors of the *Preston* Waterworks, or the Company of Proprietors of the *Lancaster* Canal Navigation, or the *North Union* Railway Company, or the *Wyre* Railway and Harbour Company, or the *Lancaster and Preston Junction* Railway Company, or the *Preston and Longridge* Railway Company, or the *East Lancashire* Railway Company, or the *Lancashire and Yorkshire* Railway Company, or the *Fleetwood, Preston, and West Riding Junction* Railway Company, or the Lords or Ladies of the Manors within the aforesaid Parliamentary Borough of *Preston*, and the Townships and Places aforesaid, or any of them, subject nevertheless to the several Powers expressly vested in the Company.

Short Title.

XLV. This Act shall for all Purposes be sufficiently described or referred to as "The *Preston* Gas Act, 1853."

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