ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. xxii.

An Act for repealing "The *Stafford* Gas Act, 1846," and for reconstituting the *Stafford* Gas Company with additional Powers; and for other Purposes. [12th *May* 1854.]

WHEREAS by an Act passed in the Ninth Year of the Reign of Her present Majesty, intituled *An Act for better supplying with Gas the Town and Borough of* Stafford, *and the several Parishes and Townships of* Saint Mary *and* Saint Chad, *in* Stafford, Castle Church, Hopton *and* Coton, *and* Tillington, *all in the County of* Stafford, the *Stafford* New Gas Company were incorporated, and were authorized to raise by the Creation of Shares a Capital of Ten thousand Pounds, and by Mortgage or Bond the Sum of Three thousand three hundred and thirty-three Pounds: And whereas the said Company have proceeded to carry the Powers of the said Act into execution, and have raised by the Creation of Shares, and expended, the Sum of Thirteen thousand three hundred and thirty-three Pounds Six Shillings and Eightpence: And whereas the said Capital which the Company are so authorized to raise under 9 & 10 Vict. c. cxiv.

the Powers of the said Act is insufficient, and it is expedient that the said Company should be enabled to raise an additional Sum of Money: And whereas since the passing of the said Act the Number of Dwelling Houses, Manufactories, and public and other Buildings within the Limits of the said Act have greatly increased, and it is expedient to extend the Powers and Provisions of the said Act to the several other Parishes, Townships, and Places following; that is to say, *Acton Trussell* and *Bednall*, *Baswich*, *Brockton*, *Bradley*, *Coppenhall*, *Creswell*, *Dunston*, *Ingestre*, *Marston*, *Penkridge*, *Salt* and *Enson*, *Sandon*, *Seighford*, *Tixall*, *Whitgreave*, *Weston-upon-Trent*, *Worston*, and *Yarlett*: And whereas, in order to avoid the Inconveniences arising from the several Acts relating to the same Purposes being in force at the same Time, it is expedient that the recited Act be repealed, and that some of the Powers and Provisions thereof be amended and re-enacted or continued by this Act: And whereas such several Purposes cannot be effected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:

Recited Act repealed.

I. That, subject to the Provisions of this Act, the said recited Act shall be and is hereby repealed, and the Company thereby incorporated shall be and is hereby dissolved.

Certain Parts of 8 & 9 Vict. cc. 16. 18. and 10 & 11 Vict. c. 15. incorporated.

II. That "The Companies Clauses Consolidation Act, 1845," "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 this Act, except as hereafter mentioned.

Interpretation of Terms.

III. That in construing the said "Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," as incorporated with this Act, the Expression "the Special Act" shall mean this Act, and the Expressions "the Works" or "the Undertaking" shall mean the Gasworks and Works connected therewith by this Act vested in the Company incorporated 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, or which they may construct under the Authority hereof.

IV. That

IV. That the Word "Company" in this Act shall mean the Company incorporated by this Act. "Company."

V. That 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 Purposes hereinafter mentioned, and shall be incorporated by the Name of "The *Stafford* Gas Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and may sue and be sued, and shall have Power to purchase, or take on Lease, and hold and sell Lands for the Purposes of this Act. Re-establishment of Stafford Gas Company.

VI. That the Company shall be established for the Purpose of supplying and lighting with Gas produced from Coal or other Material the several Streets, Roads, Highways, Byeways, Lanes, public Places, Churches, Chapels and Buildings, and also the several Shops, Taverns, private Houses, Manufactories, Warehouses, and other Buildings within the Limits herein-after defined; and also for the Dealing in Coke, Coal, Lime, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Oil, and other Matters, the Products of the Coal or other Materials which may be employed in the Manufacture of such Gas; and also for manufacturing and selling or dealing in Gas Fittings, Tubes, Meters, Pipes, and all other Articles and Things in any way connected with Gasworks, or with the Supply of Gas to the Consumers thereof, in such Manner as the Company may think proper. Purpose of Company.

VII. That the Limits of this Act shall be held to comprise the Town and Borough of *Stafford*, and the several Parishes, Townships, Districts, and Places following; (that is to say,) *Acton Trussell* and *Bednall*, *Baswich*, *Brockton*, *Bradley*, *Castle Church*, *Coppenhall*, *Creswell*, *Dunston*, *Hopton* and *Coton*, *Ingestre*, *Marston*, *Penkridge*, *Salt* and *Enson*, *Sandon*, *Saint Mary* and *Saint Chad* in *Stafford*, *Seighford*, *Tillington*, *Tixall*, *Weston-upon-Trent*, *Whitgreave*, *Worston*, and *Yarlett*, all in the County of *Stafford*. Limits of the Act.

VIII. That from and immediately after the passing of this Act all the Lands, Tenements, Hereditaments and 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, Estates and Liabilities of former Company vested in and binding on Company hereby established.

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 recited 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, 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, and all Rights, Liabilities, Claims, and Demands, both present and future, from whatever Cause arising, which might have been enforced against the Company hereby dissolved if this Act had not been passed, 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 the same would have been valid or effectual in favour of, against, and with reference to, or might have been proceeded on, enforced, or satisfied against or by the Company hereby dissolved.

Company to hold or sell Gasworks, &c., or any Part thereof.

IX. That, notwithstanding the Repeal of the said recited Act, it shall be lawful for the Company to hold, convert, and employ all or any Part of their present Gasworks, Land, Buildings, Hereditaments, and Premises, and to sell all or such Part of the said Gasworks, Land, Buildings, Hereditaments, and Premises as may not be required for the Purposes of the Undertaking.

Rates and Rents now payable to continue till altered.

X. That the Dividends, Rates, Rents, or Charges authorized, 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 Dividends, 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.

XI. That all Sales, Transfers, and Dispositions executed before the passing of this Act, of any Share or Shares in the Joint Stock of the Company

Company hereby dissolved, shall remain in full Force and Effect, 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, and Penalties to be recoverable.

XII. That 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 by reason of 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 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. to continue to be admitted Evidence.

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

Directors to remain in Office.

XIV. That, notwithstanding the Repeal of the recited Act, but subject to the Powers and Provisions of this Act, the several Persons who, on the Commencement of this Act, are the Directors of the Company, shall remain in Office, and shall retire from Office in the Rotation fixed by this Act.

Officers to continue till removed.

XV. That 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.

XVI. That the Capital of the Company shall be Twenty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence, subject to Augmentation as herein-after mentioned, and shall be divided into Four thousand Shares, of the nominal Value of Six Pounds Thirteen Shillings and Fourpence each.

Appropriation of Shares.

XVII. That every Person and Corporation who, immediately before the passing of this Act, was possessed of or entitled to One or more Share or Shares of the nominal Value of Thirteen Pounds Six Shillings and Eightpence in the Capital of the Company hereby dissolved shall, for each such Share, be possessed of or entitled to Two Shares of the nominal Value of Six Pounds Thirteen Shillings and Fourpence each in the Capital of the Company hereby incorporated, without making any further Payment in respect thereof; and the said Shares are hereby vested in such Persons and Corporations accordingly.

New Shares to be subject to the same Trusts as the old Shares.

XVIII. That all Persons and Corporations in whom any of the said Shares shall be vested as aforesaid shall stand and be possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations and Agreements, Charges and Incumbrances, as the Trusts, Powers, Provisions, Declarations and Agreements, Charges and Incumbrances, upon or to which the Share or Shares in the Capital of the Company hereby dissolved, in respect of which such Share or Shares was or were so vested, was or were subject and liable immediately before the passing of this Act, and so as to give effect to and not revoke any Will or other testamentary Instrument disposing of or affecting such Share or Shares.

Power to raise additional Capital, by Creation of new Shares, which shall be offered to present Shareholders.

XIX. That for the Purpose of enabling the said Company to raise the Residue of the said Capital of Twenty-six thousand six hundred and sixty-six Pounds Thirteen Shillings and Fourpence, it shall be lawful for them to create Two thousand additional Shares, of the nominal Value of Six Pounds Thirteen Shillings and Fourpence each; and such Shares shall be offered to the then Proprietors of Shares in the Proportion of One such additional Share for every then existing Share: Provided always, that the Amount of Profits to be divided amongst the Holders of such additional Shares shall not in any Year exceed the Sum of Eight Pounds *per Centum per Annum*.

How Offer to be made, and Shares to vest in Persons accepting Offer, &c.

XX. That such Offer shall be made by Letter under the Hand of the Clerk of the Company given to or sent by Post to each Proprietor, or left at his usual or last known Place of Abode, or addressed to his last Address appearing in the Shareholders Address Book, by the

the said "Companies Clauses Consolidation Act, 1845," required to be kept, of which Letter having been so given or sent the Certificate of such Clerk shall be conclusive Evidence; and such newly-created Shares shall vest in and belong to the Proprietors who shall accept the same, and pay to the Company the Price at which the same were allotted to them, at such Times, and in such Manner, and by such Instalments, as shall be fixed by the Directors.

As to Disposal of Shares not taken by the Proprietors.

XXI. That if any Proprietor fail, for One Month after such Offer of newly-created Shares, to accept the same, or to pay any Instalments called for in respect thereof, it shall be lawful for the Company to dispose of such Shares to any Party willing to become the Purchaser thereof, for such Sum as the Company can obtain for the same, or otherwise as they think proper.

Calls.

XXII. That the Amount of a Call shall not exceed Two Pounds a Share, and the Interval between successive Calls shall not be less than Two Months, and the aggregate Amount of all Calls on any One Share in any One Year shall not exceed Three Fourths of the Amount of such Share.

Power to cancel unissued new Shares.

XXIII. That if after the Company have authorized the Issue of any Shares, the Directors deem it inexpedient to issue the whole of such Shares, they may cancel the unissued Shares, and the Company may from Time to Time thereafter authorize the Issue in lieu thereof of other Shares, of an aggregate Amount not exceeding that of the Shares so cancelled.

Votes of several Persons joint Owners of One Share.

XXIV. That if several Persons be jointly entitled to a Share, then, if more than One of them be present at any General Meeting, the One so present whose Name stands first in the Register of Shareholders as One of the Holders of the Share, shall, for the Purpose of voting at the Meeting, be deemed the sole Holder thereof; or if only One of such joint Holders be present at any General Meeting, then the One so present shall, for the Purpose of voting at the Meeting, be deemed the sole Holder thereof; and on all Occasions the Vote of such first-named Shareholder, or, as the Case may be, of such solely present Shareholder, shall be allowed as the Vote in respect of such Share, without Proof of the Concurrence of the other Holders thereof, or notwithstanding their Dissent.

Less than 10*l.* of Capital Stock not to give a Vote.

XXV. That if the Company at any Time consolidate all or any Part of the then existing Shares in the Capital of the Company into one general Capital Stock, any Part of such Stock less than Ten Pounds

Pounds shall not confer on the Holder thereof any Right of voting, or any Qualification.

Power to raise Money on Mortgage.

XXVI. That the Company may also, if they think fit, for the general Purposes of their Undertaking, raise from Time to Time as Occasion requires, by borrowing on Mortgage of their Undertaking or on Bond, any Sums not exceeding in the whole Five thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital shall have been subscribed, and One Half thereof shall have been actually paid up.

Ordinary Meetings.

XXVII. That the First Ordinary Meeting of the Shareholders of the Company shall be held within the Limits of this Act, within Three Months after the passing thereof, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* and *August* in every Year.

Number and Qualification of Directors.

XXVIII. That the Number of the Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares.

Rotation of Directors.

XXIX. That the Directors shall retire from Office in the following Rotation, to wit; One Third at the First Ordinary Meeting in the Year One thousand eight hundred and fifty-four, One Third at the First Ordinary Meeting in the Year One thousand eight hundred and fifty-five, and One Third at the First Ordinary Meeting in the Year One thousand eight hundred and fifty-six; the Order in which they shall retire to be determined by Ballot amongst themselves before the Ordinary Meeting in the Year One thousand eight hundred and fifty-four.

Number of Directors may be reduced.

XXX. That the Company may from Time to Time reduce the Number of Directors, so as the reduced Number be not less than Six; and the reduced Number shall retire from Office as nearly as may be in the Rotation fixed by this Act, but in such Order as shall be determined by Ballot amongst themselves before the Ordinary Meeting next following the Reduction.

Quorum for Meetings of Directors.

XXXI. That the Quorum of a Meeting of Directors shall be Three Directors.

Number of Committees of Directors.

XXXII. That the Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Three nor more than Seven, and the Quorum of any such Committee shall be Three Directors.

XXXIII. That

Receipts on behalf of incapacitated Persons.

XXXIII. That if any Money be payable to any Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his respective Guardian or Committee shall be a sufficient Discharge to the Company for the same.

Power to maintain Works and supply Gas, &c.

XXXIV. That the Company may from Time to Time, within the Limits of this Act, maintain, make, alter and discontinue such Gas-works and Apparatus, and all such Retorts, Gasometers, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and such Houses, Buildings, and Approaches, upon the Lands by this Act authorized to be held and purchased by the Company, and may do all such Acts as they 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 Coke, and all other Products and Residuum of any Articles employed in or resulting from the Manufacture of Gas; and may sell the Gas and Coke, and other Products of the Manufacture of Gas, as they from Time to Time think fit.

Power to lay Pipes for lighting Buildings.

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

Consumers of Gas may be required to consume Gas by Meter.

XXXVI. That every Consumer of Gas of the Company shall, upon Request in Writing by the Company, consume Gas by Meter, to be found and provided by the Company, at a Rent not exceeding Ten Pounds *per Centum per Annum* on the Cost of the Meter, unless such Consumer shall desire to provide such Meter at his own Cost, to be approved of by the Company.

Maximum Charge for Gas.

XXXVII. That not more than Five Shillings and Sixpence *per* Thousand Cubic Feet be charged by the Company to any Person consuming Gas by Measure.

Recovery of Rents.

XXXVIII. That the Company may recover the Rent of any Gas, or the Price or Rent of any Pipe, Burner, Meter, Lamp, or Fitting, Coke, and other Products of the Manufacture of Gas, supplied, sold, delivered, or let to hire by the Company, by Action, Plaint, or other Proceeding in any Court of competent Jurisdiction; and the Register of the Meter shall be *primâ facie* Evidence of the Quantity of Gas consumed by any Customer of the Company, and in respect of which any Rent is charged and sought to be recovered by the Company.

To prevent the fraudulent Consumption of Gas.

XXXIX. That every Person who shall knowingly and wilfully prevent any Meter from duly registering the Quantity of Gas supplied by the Company, shall for every such Offence forfeit and pay to the Company a Sum not exceeding Fifty Pounds; and any such Prevention caused by artificial Means shall be *primâ facie* Evidence of such Knowledge on the Part of the Consumer using any such Meter.

Power to purchase and take Land

XL. That the Company may from Time to Time, by Agreement, purchase, take, or use for the Purposes of this Act, any Quantity of Land not exceeding Five Acres, in addition to the Land taken under the said recited Act.

Power for Council of the Borough of Stafford to relinquish Powers as Inspectors under 3 & 4 W. 4. c. 90.

XLI. That it shall be lawful for the Council of the Borough of *Stafford*, and they are hereby authorized, at any Time after the passing of this Act, by public Notice to be affixed on the outer Door of the Town Hall, or in some public Place within the said Borough, to declare that on a certain Day to be named in such Notice, not less than Fourteen Days after the Day on which such public Notice shall have been given, they will relinquish and cease to exercise the Powers at present exercised by them, as Inspectors under a certain Act made in the Session of the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the Eleventh Year of His late Majesty King* George *the Fourth, for the lighting and watching of Parishes in* England *and* Wales, *and to make other Provisions in lieu thereof*, so far as the same relates to the lighting of that Part of the Parish of *Castle Church* aforesaid which is within the Borough of *Stafford* and not within the Provisions of any Local Act.

Power for Council to resume Powers of Inspectors under 3 & 4 W. 4. c. 90.

XLII. That if at any Time after the Relinquishment of the said Powers by the Council of the said Borough of *Stafford*, that Part of the said Parish of *Castle Church* which is within the said Borough of *Stafford* and not within the Provisions of any Local Act shall remain for the Space of One Year without having a proper and sufficient Number of public Lights, and the Inhabitants of the said Parish of *Castle Church* shall neglect or refuse, during the said Period of One Year, to adopt and carry into effect the Provisions of the said Act of the Third and Fourth Years of His late Majesty King *William* the Fourth for lighting the said Parish of *Castle Church* or that Part thereof which is in the Borough of *Stafford* and not within the Provisions of any Local Act, it shall be lawful for the Council of the said Borough of *Stafford* to resume and again take upon themselves the Powers of Inspectors under the said last-mentioned Act of Parliament so relinquished by them as aforesaid.

XLIII. That

XLIII. That all the Costs, Charges, and Expenses of applying for and obtaining this Act, or incident thereto, shall be defrayed by the Company out of the Capital of the Company. Expenses of Act.

XLIV. That in citing this Act in other Acts of Parliament, and in legal Instruments and other Proceedings, it shall be sufficient to refer to and describe it by the Title of "The *Stafford* Gas Act, 1854." Short Title.

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