CHAPTER cxlii.

An Act to extend the Powers of the Uxbridge and Hillingdon Gas Consumers Company; and for other purposes. A.D. 1873.

[21st July 1873.]

WHEREAS by "The Uxbridge Gas Act, 1861," (in this Act called the existing Act,) the Uxbridge and Hillingdon Gas Consumers Company were incorporated, and were empowered to make and supply gas for public and private purposes in the townships, parishes, precincts, and places of Uxbridge, Hillingdon, Cowley, West Drayton, Hayes, Harlington, Gould's Green, Field Heath, Colham Green, Yiewsley, and Uxbridge Moor, in the county of Middlesex, and the parish of Denham in the county of Buckingham: 24 & 25 Vict. c. liii.

And whereas by the existing Act the share capital of the Company was fixed at sixteen thousand pounds, the whole of which has been issued and fully paid up, and the Company was authorised to borrow four thousand pounds, the whole of which has been borrowed, and one thousand seven hundred pounds, part thereof, has been converted into share capital, making the total paid-up share capital seventeen thousand seven hundred pounds, and leaving the sum of two thousand three hundred pounds now owing on mortgage by the Company:

And whereas since the passing of the existing Act the number of buildings and population within the before-mentioned townships, parishes, precincts, and places, and the demand for gas therein, have increased and are increasing:

And whereas there is a demand for gas to be supplied by the Company in the parishes of Harmondsworth in the county of Middlesex, and Iver in the county of Bucks, both adjoining the district which the Company are now authorised to supply with gas, and it is expedient that the Company's limits of supply be extended and made to include those parishes:

And whereas, for the purpose of meeting such demand and supplying such extended limits, it is necessary that the works of

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the Company be increased and improved and their mains extended; and it is expedient that they be empowered to purchase by agreement and to erect gasworks on the piece of land secondly described in the schedule to this Act:

And whereas it is expedient that the Company be authorised to raise additional capital for the purposes of their undertaking under their existing Act and this Act:

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:

Short title.

1. This Act may be cited for all purposes as "The Uxbridge Gas Act, 1873."

Provisions of Public Acts herein named incorporated.

2. "The Gasworks Clauses Act, 1847," and "The Gasworks Clauses Act, 1871," are (save where expressly varied or excepted by this Act) incorporated with and form part of this Act; and "The Gasworks Clauses Act, 1871," shall apply to the Company's undertaking, lands, works, buildings, and erections under the existing Act as well as to those under this Act.

Provisions of other general Acts herein named incorporated.

3. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," (except the clauses and provisions thereof with respect to the entry upon, purchase, and taking of lands otherwise than by agreement,) the clauses and provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following matters, viz., the distribution of the capital of the Company into shares, the transfer or transmission of shares, the payment of subscriptions and the means of enforcing the payment of calls, the forfeiture of shares for nonpayment of calls, the remedies of creditors of the Company against the shareholders, the borrowing of money by the Company on mortgage or bond, the consolidation of the shares into stock, the making of dividends, the giving of notices, and the provision to be made for affording access to the special Act by all parties interested, and Part I., relating to the cancellation and surrender of shares, Part II., relating to additional capital, and Part III., relating to debenture stock, of "The Companies Clauses Act, 1863," as amended by "The Companies Clauses Act, 1869," are (save where expressly varied or excepted by this Act) incorporated with and form part of this Act.

Interpretation of terms.

4. In this Act the expression "the Company" means the Uxbridge and Hillingdon Gas Consumers Company; the word

"share" includes stock; the expression "court of competent jurisdiction," or any other like expression, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute; and the expression "superior courts" shall include county courts in all cases where the amount of the debt or demand is within the jurisdiction for the time being of county courts.

Limits of Company for supply of gas extended.

5. The limits of the Company for the supply of gas are hereby extended so as to include the parish of Harmondsworth in the county of Middlesex, and the parish of Iver in the county of Bucks, and the Company may within those parishes exercise all such powers as by the existing Act and this Act they are authorised to exercise within their limits for the supply of gas under that Act.

Power to Company to raise additional capital.

6. The Company may from time to time raise (in addition to their present capital) any further sums not exceeding in the whole thirty thousand pounds by the creation and issue of new ordinary or preference shares or stock in their capital, or, at the option of the Company, by any of those modes, but no such share shall be of less amount than ten pounds.

Shares not to issue until one fifth paid up.

7. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not less than one fifth of the amount of such share shall have been paid in respect thereof.

Calls.

8. One fourth of the amount of a share shall be the greatest amount of a call, and two months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Certain sections of Act of 1861 extended to this Act.

9. Section 21 (scale of voting) and section 26 (Company may purchase shares) of the existing Act are hereby extended and made applicable to the shares which the Company are by this Act authorised to create.

Limit of dividends on new capital.

10. The Company shall not in any year pay out of their profits any larger dividend on the additional share capital of thirty thousand pounds to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid on ordinary shares, or six pounds in respect of every hundred pounds actually paid on preference shares.

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Power to borrow on mortgage.

11. The Company may, in addition to the sum of two thousand three hundred pounds borrowed on the authority of the existing Act, from time to time borrow on mortgage in respect of every ten thousand pounds of the additional capital by this Act authorised any sum or sums not exceeding two thousand five hundred pounds; but no part of any one of the said sums of two thousand five hundred pounds shall be so borrowed until the whole of that portion of the additional capital in respect of which it is to be borrowed is issued and accepted, and one half of that portion of additional capital is paid up, and the Company have proved to the justice who is to certify under the 40th section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such portion of additional capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such portion of additional capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such portion of additional capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; 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 shall be sufficient evidence thereof.

Borrowed money not to be converted into capital.

12. The Company shall not have power to convert borrowed money into capital other than ordinary or preference shares or stock, with a maximum dividend of five per centum per annum.

Existing mortgages to have priority.

13. All mortgages and bonds granted by the Company in pursuance of the existing Act, and subsisting at the time of the passing of this Act, shall during the continuance thereof have priority over all mortgages granted in pursuance of this Act.

Interest on mortgages and debenture stock to rank equally.

14. The Company may create and issue debenture stock, but, notwithstanding anything in Part III. of "The Companies Clauses Act, 1863," contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Priority of mortgages over the debts.

15. All money 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 rentcharge granted or to be granted by them in pursuance of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts 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.

Application of moneys.

16. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied only for the purposes of this Act, and of the existing Act as amended by this Act, and the Company may apply for the purposes of this Act any moneys raised or to be raised under the existing Act, and which they do not require for the purposes of that Act.

Power to purchase lands and erect and maintain gasworks.

17. The Company may purchase by agreement and may hold the lands secondly described in the schedule to this Act, or any part of such lands, and may on those lands, or any part thereof, erect, construct, and maintain, and from time to time alter or enlarge, retorts, gasholders, receivers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom, and all proper approaches and conveniences for the purposes of such works.

Prohibiting works except on lands in schedule.

18. The Company shall not manufacture gas, or convert or manufacture any residual products, except upon the lands described in the schedule to this Act.

Power to take licenses.

19. Subject to the provisions of this Act, the Company may (but only for the purposes of the Company within the limits of the existing Act and this Act, and not so as to acquire any exclusive right therein) contract for, take, and use any leave, license, or authority to work, use, exercise, or put in practice any invention under any letters patent heretofore made or hereafter to be made granting any right or privilege of working, using, or vending any invention in relation to the manufacture or distribution of gas, or the conversion, manufacture, or utilization of the products obtained from the manufacture of gas or the materials used therein.

Quality and testing of gas.

20. Sections sixty and sixty-one of the existing Act are hereby repealed; and with reference to "The Gasworks Clauses Act, 1871,"

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fourteen shall be the prescribed number of sperm candles, the works of the Company shall be the prescribed place, twelve months after the passing of this Act shall be the prescribed time, and the prescribed burner shall be the burner known as Sugg's London argand burner No. 1, to be used with a chimney six inches long, and having a diameter of one and three quarter inches, or some other burner to be approved by the Board of Trade.

Pressure of gas.

21. All gas supplied by the Company to any consumer shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water 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.

Power to purchase other lands.

22. In addition to the lands described in the schedule to this Act, the Company may, by agreement, but not otherwise, purchase any other lands not exceeding in the whole five acres.

Contracts with corporations.

23. Any contract made by the Company with any board, corporation, or public body shall not disqualify any member of such board, corporation, or body for the office of director of the Company.

Expenses of Act.

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

The SCHEDULE to the foregoing Act.

(1.) The existing Gas Lands of the Company.

Certain lands now belonging or reputed to belong to and held by the Company, situate in the parish of Hillingdon in the county of Middlesex, and bounded on the north as to part thereof by a wharf and buildings in the occupation of Simeon Hurst Watkins, and as to the other part thereof by four cottages or tenements and buildings in the respective occupations of Daniel Wilshin, Joseph Ward, Charles Hiscock, and John Ayres, on the east by the occupation road there, on the south by meadow land in the occupation of Walter May, and on the west by the bank of the Grand Junction Canal.

(2.) The new Gas Land.

A piece of land in the parish of Hillingdon in the county of Middlesex, belonging or reputed to belong to and in the occupation of John Cove, containing one acre or thereabouts, bounded on the north by eleven messuages or tenements and gardens in the respective occupations of John Joseph Coles, John Cove, William Johnson, Hannah Bailey, John Ford, Ann Morris, Henry Herbert, Thomas Neighbour, Martha Starling, William Henry Hassall, and John Walpole, and by another messuage or tenement and garden now unoccupied, on the south by meadow land in the occupation of Walter May, on the east or south-east by meadow land in the occupation of the said Walter May, and on the west by an occupation road.

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