ANNO DECIMO NONO

VICTORIÆ REGINÆ.

Cap. XX.

An Act to empower the *Wakefield* Gaslight Company to raise a further Sum of Money.

[*5th June* 1856.]

WHEREAS an Act was passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, called "The *Wakefield* Gas Act, 1847," whereby the *Wakefield* Gaslight Company, incorporated by a former Act thereby repealed, were reconstituted and authorized to construct Gasworks and supply Gas within the Parish of *Wakefield* and the Township of *Sandal* otherwise *Sandal Magna* in the Parish of *Sandal Magna*, and the Township of *Warmfield* otherwise *Warmfield-cum-Heath* in the Parish of *Warmfield* in the West Riding of the County of *York*, and to raise, in addition to their original Capital of Twenty-five thousand Pounds, Seven thousand five hundred Pounds by the Creation of Five Pound Shares, and Ten thousand eight hundred Pounds by Mortgage of their Undertaking, with Power to raise the

10 & 11 Vict. c. cxcix.

the last-mentioned Sum by Shares instead of borrowing, or to convert any Portion thereof when borrowed into Capital: And whereas since the passing of the said Act the Buildings and Population and Demands for Gas within the Limits of the said Act have greatly increased and are still increasing, and the said Company have raised by the Creation of Shares the whole of the said Sums of Seven thousand five hundred Pounds and Ten thousand eight hundred Pounds, making together the Sum of Eighteen thousand three hundred Pounds, and have expended the same in or towards carrying into effect the Objects of the said Act; but such Sums have been found greatly insufficient, and a considerable further Outlay is required for fully effecting such Objects, and it is expedient that the said Company should be authorized to raise a further Sum of Money: And whereas the present Share Capital of the Company consists of Twenty-five thousand Pounds (the Amount of their Capital paid up and expended at the Time of the passing of the said Act), and the said Sums of Seven thousand five hundred Pounds and Ten thousand eight hundred Pounds, making together the Sum of Forty-three thousand three hundred Pounds; and no Money is due from the said Company on Mortgage of their Undertaking: 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to raise Money by Creation of new Shares.

I. It shall be lawful for the *Wakefield* Gaslight Company, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at any General Meeting or General Meetings of the Company convened with Notice of the Intention to apply for such Consent, to raise by the Creation of new Shares such further Sum or Sums of Money as they may think fit, not exceeding in the whole the Sum of Twenty thousand seven hundred Pounds, and such new Shares shall form Part of the General Capital of the said Company; and except as otherwise provided by this Act with respect to Limitation of Dividend, such new Shares shall confer and impose on the Holders thereof all the Rights, Privileges, Liabilities, and Incidents which the present Shares in the said Company confer and impose on the Holders thereof.

II. Such

Amount of Shares, and as to Disposal.

II. Such new Shares shall be of the nominal Value of Five Pounds each, and shall be allotted, sold, or disposed of to such Persons, and in such Manner, as the said Company, with the Consent of Three Fifths of the Votes of the Shareholders present in Person or by Proxy at a General Meeting convened with Notice of the Purpose, shall think fit.

Calls.

III. One Pound *per* Share shall be the greatest Amount of any One Call which shall be made in respect of such new Shares, and there shall be an Interval of not less than Three Months between any Two successive Calls, and not more than Four Pounds *per* Share shall be called up in any One Year.

8 & 9 Vict. c. 16. as to borrowing, &c. incorporated.

IV. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the borrowing of Money by the Company on Mortgage or Bond, and with respect to the Conversion of the borrowed Money into Capital, shall be and are hereby incorporated with this Act.

Limiting Amount of Dividends.

V. The Profits of the Undertaking to be divided in any Year amongst the Holders of the Shares to be created under the Powers of this Act shall not exceed the Rate of Seven Pounds Ten Shillings in the Hunded by the Year on the Capital for the Time being paid up in respect of such Shares, unless a larger Dividend be at any Time necessary to make up the Deficiency of any previous Dividend which shall have fallen short of the said yearly Rate.

Power to borrow on Mortgage.

VI. It shall be lawful for the said Company, at any Time or Times after the passing of this Act, to borrow on Mortgage of their Undertaking any Sum or Sums of Money not exceeding in the whole Ten thousand eight hundred and twenty-five Pounds; and after the said new Capital of Twenty thousand seven hundred Pounds shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the said Company, at any Time or Times, to borrow on Mortgage of their Undertaking any further Sum or Sums of Money not exceeding in the whole the Sum of Five thousand one hundred and seventy-five Pounds.

Application of Monies raised under this Act.

VII. All Monies raised by this Act, whether by the Creation of Shares or by Mortgage, shall be applied only in carrying into execution the Objects and Purposes of the recited Act and this Act.

VIII. The

As to Contract for lighting the public Lamps.

VIII. The said Company shall supply to the Local Board of Health for the District of the Borough of *Wakefield* such Quantities of Gas as the said Board may from Time to Time require for lighting the public Lamps within the said Borough, and shall from Time to Time enter into any reasonable Contract or Contracts for that Purpose, and for ascertaining the Quantities thereof from Time to Time supplied to the said public Lamps; and all Disputes (except as to the Price to be paid for every One thousand Cubic Feet of Gas supplied, which is provided for in the recited Act, and as to the Amount of the illuminating Power thereof herein-after provided for) which may arise between the said Company and the said Board respecting the Stipulations, Agreements, or Terms contained or to be contained in the said Contract or Contracts, shall be submitted to Arbitration in the Method provided by "The Railways Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Local Board may appoint Inspector of Meters.

IX. The said Local Board of Health may from Time to Time, if they think fit, appoint an Inspector of Meters, and such Inspector shall have at all Times, on the Application and at the Expense of any Consumer of Gas of the Company, a Right to inspect and test the Meter or Meters erected or placed by the Company on the Premises of the Person making such Request after giving Twenty-four Hours Notice in Writing of such intended Inspection to the Company, and if on any such Inspection the said Inspector shall find that any such Meter is not a good and proper Meter, or does not accurately register the Quantity of Gas consumed, the Company shall remove the same and supply its Place with a good and proper Meter, on being requested in Writing by such Consumer so to do, and on Failure thereof for Ten Days shall forfeit to such Consumer not exceeding Twenty Shillings for each Day during which such Failure continues.

As to Quality of Gas supplied by Company.

X. All the Gas supplied by the said 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 Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour.

XI. The

Company to erect a Meter to test Purity of Gas.

XI. The said Company shall, within Six Months after the passing of this Act, have or cause to be erected in some convenient Part of their Works an Experimental Meter furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas *per* Hour, with other necessary Apparatus for testing the illuminating Power of the Gas.

Power to Local Board to appoint Persons to test Purity of Gas.

XII. It shall at any Time be lawful for the said Local Board of Health by Order in Writing to appoint some competent Person, not being a Member or Officer or Servant of such Local Board of Health, to proceed to the Works of the said Company, and the Person so appointed, on giving Six Hours previous Notice in Writing to the said Company, may at any reasonable Hour in the Daytime, on producing the said Order, enter on the Premises of the said Company, and in the Presence of the Superintendant or other Officer of the said Company make Experiment of the illuminating Power of the Gas by means of the Experimental Meter and other Apparatus before mentioned, and the said Company and their Officers shall afford all reasonable Facilities and Assistance to the making of such Experiment; and if it shall be proved to the Satisfaction of any Two Justices of the Peace, not being Directors or Shareholders of the said Company, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company did not when so tested as aforesaid equal the illuminating Power by this Act prescribed, or that the said Company or their Officers refused to afford such reasonable Facilities as aforesaid, or hindered or prevented the making of such Experiment, in any such Case the said Company shall forfeit such Sum not exceeding Twenty Pounds as the said Justices shall determine.

Penalty on Default.

Cost of Experiment to be paid according to the Event.

XIII. The Costs of and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Costs of the Proceedings before the Justices, shall be ascertained by such Justices, and in the event of any Penalty being imposed on the said Company, shall be paid together with such Penalty by the said Company, but in the event of the Gas being found when tested to be of not less illuminating Power than is by this Act prescribed, such Costs shall be awarded to be paid by the said Local Board of Health to the said Company, and shall be paid or levied accordingly.

Expenses of Act.

XIV. The Costs, Charges, and Expenses of or attending the passing of this Act shall be paid by the said Company.

Short Title.

XV. This Act may for any Purpose be cited as "The *Wakefield* Gas (New Capital) Act, 1856."

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