



ANNO DECIMO & UNDECIMO

# VICTORIÆ REGINÆ.

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## *Cap. xli.*

An Act for lighting with Gas the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York*. [21st June 1847.]

**W**HEREAS the Town and Neighbourhood of *Bingley* in the West Riding of the County of *York* are Places of considerable Trade, and have of late Years greatly increased and are now increasing in Population, and it would be a Source of great Advantage to the Inhabitants thereof, and to the Public at large, if a good Supply of Gas were provided for lighting the several Streets, Roads, Lanes, Wharfs, and public Passages and Places, and also the Mills, Shops, Inns, Taverns, private Houses, Warehouses, and other Buildings, within such Portions of the said Town and Neighbourhood as are herein-after more particularly defined : And whereas the several Persons herein-after named have, along with other Persons, associated themselves together for furnishing such Supply of Gas, and are desirous of being incorporated and of having Powers granted them for that Purpose, but the same 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, That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act.

[*Local.*]

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II. And

Incorporation of 8 & 9 Vict. c. 16. and 10 & 11 Vict. c. 15. with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Bingley Gas Act, 1847.*"

Incorporation of  
8 & 9 Vict.  
c. 18.

III. And be it enacted, That the "Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, and the Provisions of the Lands Clauses Consolidation Act shall be applicable to the Undertaking hereby authorized, except as hereinafter mentioned.

Compulsory  
Powers not  
to be exer-  
cised.

IV. Provided always, and be it enacted, That nothing in the said Lands Clauses Consolidation Act contained shall authorize the Company hereby incorporated to take or use any Land, unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof.

Limits of  
Act.

V. And be it enacted, That the Limits of this Act shall be and be considered as comprised within a Boundary or Limit commencing at and including the whole of the Bridge over the River *Aire* situate in the Hamlets of *Bingley*, *Micklethwaite*, and *Harden*, some or one of them, situate in the Township of *Bingley* in the Parish of *Bingley* in the said West Riding, commonly called or known by the Name of "*Ireland Bridge*," and following the Eastern Side or Bank of the said River *Aire* in a North-westerly Direction to the furthest or Westerly Corner of the Fence of a certain Field or Piece of Wood Ground called "*The Brow*," belonging to the Reverend *Thomas Gerard Ferrand*, Clerk, occupied by *Thomas Hodgson*, at the Point or Place where such Fence abuts upon the said River; thence in a direct Line in a North-easterly Direction to the furthest or North-easterly Corner of another Field belonging to the said Reverend *Thomas Gerard Ferrand*, called "*Castle Fields*," occupied by the said *Thomas Hodgson*; thence in a direct Line in an Easterly Direction across the *Bradford and Keighley Turnpike Road* up to and until it reaches the "*Five Rise Locks*" of the *Leeds and Liverpool Canal*; thence direct across the said Canal, and then along the Eastern Side of such Canal, in a South-easterly Direction, up to and until it reaches the nearest or Northerly Corner of the Fence of a Field called "*Piper Acre*," belonging to *Mrs. Sarah Ferrand* and *William Busfield Ferrand Esquire*, or one of them, occupied by *William England*, at the Point or Place where such Fence abuts upon the said Canal; thence in a direct Line in an Easterly Direction across the *Bingley and Otley Highway* up to and until it reaches the furthest or South-easterly Corner of a Field called "*The Ing*," belonging to *George Lane Fox Esquire*, and occupied by *Benjamin Beck Skirrow*; thence in a direct Line in a Southerly Direction across the *Bingley and Gilstead Highway* up to and until it reaches the South-easterly Corner of a Field or Piece of Ground called "*Myrtle Pasture*," belonging to the Devises of the late *Walter Ferrand Esquire*, deceased, and to the said *William Busfield Ferrand Esquire*, some or one of them, occupied by *John Outterside* and others as Cowgates, at the Point or Place where the Fence of the said Pasture abuts upon the said *Bradford and Keighley Turnpike Road*, and which said Fence divides the said Pasture from an adjoining Field which belongs to the said Devises and the said *William Busfield*

*Busfield Ferrand*, some or one of them, called "*The Brigg Flatt*," occupied by the said *John Outterside* and others as Garden Allotments ; thence proceeding up or following the Course of the said last-mentioned Fence in a South-westerly Direction up to and until it reaches the said River *Aire* ; thence along the said River *Aire*, on the Eastern Side or Bank thereof, in a Westerly Direction, up to and until it reaches *Ireland Bridge* aforesaid.

VI. And be it enacted, That *David Wilkinson Sharp, John Beanlands, Thomas Jowett, Edward Sharp, Joseph Leach* the younger, *Thomas Ramsden, William Sharp, Joseph Dean, John Dean*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purposes of making and supplying Gas within the Limits of this Act, and for 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 "*Bingley Gas Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have power to purchase and hold Lands for the Purposes of the said Undertaking. Company incorporated.

VII. Provided always, and be it enacted, That it shall not be lawful for the Company to purchase or hold for the Purposes of the Undertaking more than Seven Acres of Land. Company not to hold more than Seven Acres.

VIII. And be it enacted, That the Capital of the Company shall be Eight thousand Pounds. Capital.

IX. And be it enacted, That the Number of Shares into which the said Capital shall be divided shall be Eight hundred, and the Amount of each Share shall be Ten Pounds, and the said Capital shall be and is hereby vested in the several Persons incorporated by this Act, and their several and respective Executors, Administrators, and Assigns, proportionably to the Sums they shall severally subscribe for and contribute ; and every Person who may hold One or more than One of such Shares shall be entitled to and receive, at such Times as the Company shall direct, the Distribution of an equal proportionate Part, according to the Number of Shares held by him, of the Profits and Advantages of the Undertaking which shall arise and accrue to, or be raised, recovered, or received by, the Company ; and every Person possessed of any such Share or Shares shall bear and pay a proportionable Sum towards carrying on the Purposes of this Act in manner herein directed. Shares.

X. And be it enacted, That Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and that Three Months at the least shall intervene between successive Calls. Calls.

XI. And be it enacted, That no Dividend shall exceed the Rate of Ten Pounds *per Centum per Annum* on the paid up Capital for the Time being Declaration of Dividend.

being of the said Company, unless a larger Dividend shall at any Time be necessary to make up the Deficiency of any previous Dividend when such previous Dividend shall have fallen short of Ten Pounds *per Centum per Annum*, in which Case such larger Dividend may be declared.

Power to borrow on Mortgage or Bond.

XII. And be it enacted, That after the whole of the said Sum of Eight thousand Pounds shall have been subscribed for, and One Half thereof actually paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General or Special General Meeting of the Company, not exceeding in the whole the Sum of Two thousand six hundred and sixty-six Pounds.

Power to convert Loan into Capital.

XIII. And be it enacted, That it shall be lawful for the Company, if they think fit, to raise the additional Sum so authorized to be borrowed, by creating new Shares of the Company, instead of borrowing the same, or having borrowed the same it shall be lawful for them to continue at Interest only a Part of such additional Sum, if they so think fit, and to raise the Remainder thereof, or any Part of the Remainder thereof, by creating new Shares of the Company; but no such Augmentation of Capital as aforesaid shall take place without the Authority of an Order of a General Meeting of the Company called for the Purpose previously obtained.

Mortgagees not to vote.

XIV. And be it enacted, That no Party shall in right of any Mortgage be deemed a Shareholder, or be capable of acting or voting as such at any Meeting of the Company.

Number and Qualification of Directors.

XV. And be it enacted, That (subject to the Provisions herein contained for increasing or reducing the Number of Directors) the Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Fifteen Shares of Ten Pounds each in the said Undertaking.

Power to alter Number of Directors.

XVI. And be it enacted, That the Company shall have Power to increase or reduce the Number of Directors, provided the increased Number do not exceed the Number of Twelve, and the reduced Number be not less than Six.

First Directors.

XVII. And be it enacted, That *David Wilkinson Sharp, John Beaulands, Thomas Jowett, Edward Sharp, Thomas Ramsden, William Sharp, Joseph Dean, Joseph Leach* the younger, and *John Dean* shall be the first Directors of the Company.

Extraordinary Meetings may be convened by Shareholders.

XVIII. And be it enacted, That it shall be lawful for Ten or more Shareholders holding in the aggregate equivalent to Eighty Shares of Ten Pounds each to require the Directors to call an Extraordinary Meeting of the Company.

Votes of Shareholders.

XIX. And be it enacted, That at all Meetings of the Company every Shareholder shall be entitled to One Vote for each Share held by him up to Ten, and he shall have an additional Vote for every Ten Shares beyond

beyond the first Ten Shares held by him up to One hundred: Provided always, that no Shareholder shall be entitled to vote at any Meeting unless he shall have paid all Calls then due upon the Shares held by him; and provided also, that no Shareholder shall be entitled to more than Nineteen Votes in the whole in respect of the Shares held by him at any One Meeting.

XX. And be it enacted, That it shall be lawful for the Company to agree with the Owners of any Lands which they may think requisite or proper for the Purposes of the said Undertaking for a Lease, on such Terms as may be agreed on of any such Lands, or such Part thereof as they shall think proper, not exceeding in Quantity Five Acres: Provided always, that the Consideration for any Lease which shall be granted of any such Lands in which any Person under Disability shall be interested shall be the best yearly Rent, payable half-yearly or oftener, that can be reasonably obtained without taking any Money by way of Fine or Premium; provided also, that where any Land shall have been taken on Lease by virtue of this Act, the Company shall afterwards have Power to purchase the Reversion of such Lands, or the Discharge thereof from the Rents and Covenants reserved and payable in and by such Lease.

Power to purchase or lease Lands.

XXI. And be it enacted, That all Leases of Land so to be taken on Lease may be according to the Form in Schedule (A.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit.

Form of Lease.

XXII. And be it enacted, That, subject to the Restrictions in this and the said incorporated Acts contained, it shall be lawful for the Company from Time to Time to construct and maintain such Gasworks and Apparatus, and such Buildings, with Approaches thereto, upon the Lands belonging to the Company, or hereby authorized to be purchased or leased by them, and to do all such other Acts, as they shall think necessary for supplying the Inhabitants within the Limits of this Act with Gas, and to supply such Gas upon such Terms as shall be agreed upon between the Company and the Persons supplied therewith, and to sell and dispose of the Coke and other Residuum arising from the Materials used in the Manufacture of Gas in such Manner as the Company may think proper.

Company empowered to construct Gasworks.

XXIII. And be it enacted, That, subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to lay any Pipe or other 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.

Company empowered to lay Pipes for lighting Buildings.

XXIV. And be it enacted, That the Justice or Justices before whom any Penalty or Forfeiture exigible under this Act shall be imposed may, where the Application thereof is not otherwise provided for, award not more than One Half thereof to the Informer, and shall award the Remainder to the Commissioners for improving the Town

Application of Penalties.

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and Neighbourhood of *Bingley* appointed or to be appointed for that Purpose, to be applied in aid of the Rates which they may for the Time being be authorized to levy and raise for the Improvement of such Town and Neighbourhood, or if there shall be no such Commissioners, then to the Overseers of the Poor of the Township of *Bingley*, to be applied in aid of the Poor's Rates of the said Parish.

Public Act.

XXV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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SCHEDULE (A.)

*Form of Lease.*

I, \_\_\_\_\_ of \_\_\_\_\_ in consideration of the Sum of \_\_\_\_\_ paid to me by \_\_\_\_\_ [or as the Case may be] in consideration of the Sum of \_\_\_\_\_ paid to me, and of the Rent herein-after reserved and made payable, by "The Bingley Gas Company," do hereby demise to the said Company, their Successors and Assigns, all [describing the Premises to be demised], together with all Ways, Rights, and Appurtenances thereunto belonging, to hold the Premises to the said Company, their Successors and Assigns, for the Term of \_\_\_\_\_ Years from the Day of the Date hereof, yielding and paying therefor yearly and every Year during the said Term the yearly Rent of \_\_\_\_\_ free from Land Tax, Sewers Rates, and all other Taxes and Outgoings (Income Tax excepted), by \_\_\_\_\_ equal Payments in the Year, the first Payment to be made on the \_\_\_\_\_ Day of \_\_\_\_\_ according to the true Intent and Meaning of the Act of Parliament incorporating the said Company. In witness whereof I have hereunto set my Hand and Seal, and the Company have hereunto affixed their Common Seal, the \_\_\_\_\_ Day of \_\_\_\_\_

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