



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. i.

An Act to amend “*The Pudsey Gas Act, 1845,*”
and to enable the Company thereby incorporated
to raise a further Sum of Money.

[26th *April* 1855.]

WHEREAS by “*The Pudsey Gas Act, 1845,*” the *Pudsey* 8 & 9 Vict.
Coal Gas Company were incorporated, and authorized to c. lxiii.
manufacture and supply Gas within the Townships of
Pudsey and *Calverley-cum-Farsley* in the Parish of *Calverley* in the
West Riding of the County of *York*, and to raise Twelve thousand
Pounds by the Creation of Twenty Pound Shares, and Four thousand
Pounds by Mortgage of their Undertaking, with Power nevertheless
to raise the said Sum of Four thousand Pounds by the Creation of
new Shares instead of borrowing the same, and to convert borrowed
Money into Capital: And whereas the Share Capital of the Company
consists of Sixteen thousand Pounds, whereof the Sum of Three
thousand Pounds has been created for paying off an existing Mortgage
Debt of the Company: And whereas since the passing of the said
Act the Buildings and Consumption of Gas within the said Townships
have greatly increased and are rapidly increasing, and the Funds of
the said Company are altogether inadequate to meet the Demands
upon them, and it is expedient that the said Company should be
enabled to raise a further Sum of Money: And whereas it is expedient
[*Local.*] A 2 that

Pudsey Gas Act, 1855.

that the Provisions of the said Act should be amended and consolidated: 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; (that is to say,)

Recited Act
repealed.

I. From and after the passing of this Act the recited Act shall be and the same is hereby repealed, but without Prejudice to any Acts or Proceedings previously had, transacted, or commenced under the same, or to any Demands or Liabilities arising in consequence thereof, and with respect to all such Acts, Proceedings, Demands, and Liabilities, and the Means of enforcing the same, the Company by this Act incorporated shall be substituted for or considered identical with the Company dissolved by the Repeal of the said Act.

Short Title.

II. This Act shall for all Purposes be sufficiently cited or referred to as "The *Pudsey Gas Act, 1855.*"

Re-incor-
porating
Company.

III. The several Persons and Corporations who at or immediately before the passing of this Act were Proprietors of Shares in the *Pudsey Coal Gas Company* incorporated by the recited Act, and all other Persons and Corporations who shall hereafter become Shareholders in the Undertaking of the Company under the Provisions of this Act, shall be and are hereby united and incorporated by the Name of "The *Pudsey Coal Gas Company,*" and by that Name shall be a Body Corporate with perpetual Succession, and shall have a Common Seal, and shall and may by that Name sue and be sued, plead and be impleaded, at Law and in Equity, in their Corporate Capacity and in none other, and shall have Power to purchase and to hold Lands for all or any of the Purposes of the Company, subject to the Restrictions herein-after contained; and the Company shall, notwithstanding the Repeal of the recited Act, be liable for all Debts, Obligations, and Engagements, and for all Torts, Misfeazances, Nonfeazances, and other Liabilities, of what Nature or Kind soever, owing or incurred by the Company under the repealed Act, for which the said Company would have been liable if they had not been hereby dissolved.

8 & 9 Vict.
cc. 16. and 18.
and 10 & 11
Vict. c. 15.
extended to
this Act.

IV. The several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," (except so much thereof as relates to the Recovery of Damages not specially provided for, and Penalties,) "The Lands Clauses Consolidation Act, 1845," (except so much of the last-mentioned Act as relates exclusively to the Purchase and taking of Lands by Compulsion, and to the Recovery of

Pudsey Gas Act, 1855.

of Forfeitures, Penalties, and Costs,) and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act, save in so far as any of the Provisions of the said Acts respectively may be expressly modified by this Act.

V. "The Gasworks Clauses Act, 1847," shall be held applicable as well to the Mains, Pipes, and Works of the Company already laid down and constructed as to the Mains, Pipes, and Works hereafter to be laid down and constructed by them.

8 & 9 Vict.
c.15. to apply
to existing
Works.

VI. The Objects and Purposes for which this Act shall and may be put in force by the Company shall be the manufacturing, supplying, and lighting with Gas produced from Coal or other Material the several Streets, and also the several Churches, Chapels, Shops, Taverns, private Houses, Manufactories, Warehouses, and other Buildings, within the Limits herein-after specified, and also for the dealing in Coke, Coal, 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.

Purposes of
the Com-
pany.

VII. The Limits within which this Act may be put in force by the Company shall be the Townships of *Pudsey* and *Calverley-cum-Farsley* in the Parish of *Calverley* in the West Riding of the County of *York*.

Limits of
Act.

VIII. It shall be lawful for the Company to construct, lay down, and maintain such Buildings, Machinery, Retorts, Gas-holders, Mains, Pipes, Drains, and other Works and Apparatus, and such Dwelling Houses for the Use of their Officers and Workmen, and to perform such other Acts as they may deem requisite for carrying the Objects and Purposes of this Act into execution.

Powers of
Company.

IX. The Repeal of the Act hereby repealed shall not annul or in any-wise prejudice, qualify, or affect any Purchase, Sale, Lease, Conveyance, Grant, Contract, or Security heretofore made or executed under or by virtue of the said Act, nor shall any Estate, Term of Years, Right, Title, or Interest vested in or acquired by the *Pudsey* Coal Gas Company prior to the passing of this Act be prejudicially affected by the Repeal of the said Act, but all such Purchases, Sales, Leases, Conveyances, Grants, Contracts, Securities, Terms of Years, Rights, Titles, and Interests shall be and remain as good and valid, both in favour of and against the Company hereby incorporated, as though the said

Purchases,
Contracts,
&c. not to
be affected.

[*Local.*]

B

last-

Pudsey Gas Act, 1855.

last-mentioned Company were specifically named therein in lieu of the Company incorporated by the recited Act, and as though the said Act had not been repealed.

Vesting
certain Pro-
perty in the
Company.

X. All Lands, Works, Buildings, Offices, Machinery, Mains, Pipes, Lamp-posts, Books, Papers, Accounts, and other Property of every Description, whether real or personal, and all Rights, Easements, and Privileges which belonged to the *Pudsey Coal Gas Company* incorporated by the recited Act, or to which they were entitled at the Time of the passing of this Act, shall on the passing of this Act become vested in the Company hereby incorporated; and all Debts due to or by the said *Pudsey Coal Gas Company* at or immediately before the passing of this Act, and all Rates and Rents then accruing due to the said last-mentioned Company, shall be and be deemed to be due or accruing due, and may be enforced by or against the Company hereby incorporated (as the Case may require), in like Manner as the same would have been due or accruing due to or by, and might have been enforced by or against, the *Pudsey Coal Gas Company* incorporated by the recited Act, if the said Act had not been repealed.

Actions not
to abate.

XI. No Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the *Pudsey Coal Gas Company* incorporated by the recited Act, shall abate or be discontinued or be prejudicially affected by the passing of this Act, but the same shall continue and 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 incorporated by the recited Act if this Act had not been passed; and all Penalties incurred by reason of any Offence against the Provisions of the recited Act prior to the passing of this Act may be sued for, and all Offences committed before the passing of this Act against the Provisions of the recited Act may be prosecuted, in such or the like Manner as such Penalties might have been sued for or such Offences prosecuted if this Act had not been passed, the Company hereby incorporated being substituted in reference to the Matters aforesaid for the *Pudsey Coal Gas Company* incorporated by the recited Act.

Books to
remain
Evidence.

XII. All Books and other Documents by the recited Act authorized or directed to be kept, and thereby made Evidence, shall, notwithstanding the passing of this Act, be admitted as Evidence in all Courts whatsoever; and all Byelaws made under the Act hereby repealed shall, without Confirmation, be deemed as valid as though the same were made under this Act, but shall not continue in force longer than Six Months after the passing of this Act.

XIII. The

Pudsey Gas Act, 1855.

XIII. The Directors and all Officers of the *Pudsey Coal Gas* Directors and Officers to remain.
Company who have been duly appointed to their respective Offices prior to the passing of this Act shall continue to hold such Offices respectively in the Company hereby incorporated until they retire or be removed therefrom, and shall be entitled to the same Remuneration as though the said Act had not been repealed, unless the Amount of such Remuneration shall hereafter be altered by Vote of a General Meeting of the Company, and shall be subject to the same Penalties, Rules, and Regulations as though they had been respectively appointed under the Provisions of this Act.

XIV. The passing of this Act shall not relieve any Surety from Sureties not to be relieved.
Liability under any Security given by him on behalf of any Officer of the Company for the due Performance of the Duties of his Office; but all such Securities shall remain as valid and effectual as though this Act had not been passed, or as though the same had been given subsequently to the passing of this Act to the Company hereby incorporated.

XV. All Sums of Money due to the Company for the Supply of Gas, or for the Hire of Meters or Gas Fittings, and the Amount of Recovery of Money for Gas, Meters, &c.
which is less than Twenty Pounds, may be recovered and levied as Damages.

XVI. It shall not be lawful for the Company to charge for the Gas supplied by them after a greater Rate than Six Shillings *per* Limiting Price.
Thousand Cubic Feet.

XVII. The Capital of the Company shall be Forty-eight thousand Pounds, divided into such Number of Shares as will admit of Capital.
the same being distributed according to the Provisions herein-after contained.

XVIII. All Shares in the *Pudsey Coal Gas* Company existing at the Time of the passing of this Act shall be considered as Shares in the Company hereby incorporated, and the Certificates for such Shares existing at the Time of the passing of this Act shall be considered to be Certificates for Shares of equal Amount in the last mentioned Company, and every Holder of any such Share shall be entitled to a Share of equal nominal Amount in the Capital of the last-mentioned Company; and the said Shares shall be held subject in all respects to the same Trusts, Declarations, Agreements, Liens, and Incumbrances as the Shares for which the same are substituted were subject to at the Time of the passing of this Act. Shares in old Company to be Shares in new.

XIX. The

Pudsey Gas Act, 1855.

New Shares.

XIX. The Remainder of the Capital unrepresented by the said last-mentioned Shares, and which shall be requisite to make up the said Amount of Forty-eight thousand Pounds, shall be represented by such Number of new Shares and of such nominal Amounts respectively as the Company, at any Meeting or Meetings to be specially convened for the Purpose, shall from Time to Time determine consistently with the Provisions herein-after contained; and it shall be lawful for the Company at any such Meeting to create such Number of new Shares, in addition to the Shares already created, as may be necessary to make up the total Capital of Forty-eight thousand Pounds, or any Part thereof.

New Shares to be offered to Holders of old Shares.

XX. All new Shares which may be created by the Company under the Provisions herein-before contained shall be offered to the several Persons who shall be possessed of other Shares in the Company at the Time of the Creation of such new Shares, and in proportion to the Number and Amount of such other Shares so held by them respectively.

How Offer to be made.

XXI. Such Offer shall be made by Letter under the Hand of the Secretary for the Time being of the Company, given to or sent by Post, addressed to each Shareholder according to his last known Address as entered in the Books of the Company, or left for him at such Address, and every Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter ought to be delivered according to the Regulations of the Post Office.

Amount of Calls.

XXII. Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make in respect of any new Share, and Two Months shall be the shortest Period intervening between successive Calls, and not more than Half of each Share shall be called up in any One Year.

Limiting Amount of Dividends.

XXIII. The Profits of the Undertaking to be divided in any Year amongst the Holders of the Shares created under the recited Act shall not exceed the Rate of Ten Pounds in the Hundred by the Year on the Capital for the Time being paid up in respect of such Shares, and the Profits of the Undertaking to be divided in any Year amongst the Holders of new Shares to be created under the Provisions of this Act shall not exceed the Rate of Seven Pounds in the Hundred by the Year on the Capital 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, within Eight Years, shall have fallen short of the said yearly Rates respectively.

XXIV. All

Pudsey Gas Act, 1855.

XXIV. All Mortgages granted by the *Pudsey Coal Gas Company* before the passing of this Act shall be binding on the Company, and shall have Priority over any Mortgages or Bonds which may be granted or created by the Company after the passing of this Act.

Former
Mortgages
to have
Priority.

XXV. It shall be lawful for the Company, after Forty thousand Pounds at least of their Capital shall have been subscribed, and Twenty thousand Pounds thereof at least shall have been paid up, to borrow on Mortgage or Bond any Sum of Money on the Credit of their Undertaking not exceeding in Amount, with the Sums already borrowed by them, Ten thousand Pounds: Provided always, that the total Sum due by the Company on Mortgage or Bond at any One Time shall not exceed in Amount One Third of the paid-up Capital of the Company at the Time when such Money is owing.

Power to
borrow on
Mortgage.

XXVI. All Moneys which shall be raised by the Company under the Provisions of this Act, whether by the Creation of Shares or by borrowing, shall be applied for and towards the carrying the Objects and Purposes of this Act into execution, and to no other Purpose whatsoever.

Monies
raised to be
applied to
Purposes of
Act.

XXVII. The First Ordinary Meeting of the Company shall be held in the Month of *July* next after the passing of this Act; and the Quorum of every Meeting of the Company shall be Five Shareholders holding in the aggregate not less than One thousand Pounds of the Capital of the Company.

Meetings
and Quorum.

XXVIII. The Number of Shareholders on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be not less than Five, and such Shareholders shall hold not less than One thousand Pounds of the Capital of the Company.

Share-
holders who
may convene
a Special
Meeting.

XXIX. There shall be Six Directors of the Company; and the necessary Qualification for the Office of Director shall be the Possession in his own Right of Shares representing at least Two hundred Pounds of the paid-up Capital of the Company; and Three Directors shall form a Quorum at Meetings of Directors.

Directors
Qualification,
and Quorum
of Meetings.

XXX. The Order of Rotation in which the present Directors of the Company shall retire from Office shall be the same as though this Act had not been passed, and the Persons to retire annually from Office shall be such as would have so retired if this Act had not been passed.

Order of
Rotation in
which Di-
rectors shall
retire from
Office.

[*Local.*]

C

XXXI. The

Pudsey Gas Act, 1855.

Quantity of
Land to be
held by
Company.

XXXI. The Quantity of Land which it shall be lawful for the Company to purchase and hold for the Purposes of this Act shall not exceed Five Acres.

Expenses of
Act.

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

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1855.