



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. ii.

An Act for incorporating the *Woolwich, Plumstead,*
and *Charlton* Consumers Gas Company.

[26th April 1855.]

WHEREAS by a Deed of Settlement, bearing Date the Twenty-sixth Day of *March* One thousand eight hundred and forty-four, several Persons were formed into a Company, since registered pursuant to the Fifty-eighth Section of the Act Seventh and Eighth of *Victoria*, Chapter One hundred and ten, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies*, by the Name of "The *Woolwich* Consumers Protective Gas Company," for the Purpose, amongst other things, of manufacturing and supplying Gas, Coke, and Tar, and of lighting the Streets, Shops, Houses, and other Places, in the Town and Parish of *Woolwich* in the County of *Kent*; and such Persons have, pursuant to the Terms and Powers of the said Deed of Settlement, contributed, in Shares of Five Pounds each, for the Purposes of the said Company, the Sum of Twelve thousand Pounds: And whereas the said Company have been for some Years past and are now engaged in supplying with Gas the Town and Parish of *Woolwich* and the

Deed of Settlement, dated 26th March 1844.

7 & 8 Vict. c. 110.

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adjacent Parishes of *Plumstead* and *Charlton*, and also Her Majesty's Royal Arsenal, and Her Majesty's Royal Artillery Barracks, and the Barracks of the Royal Sappers and Miners, all in *Woolwich* aforesaid, and such Supply has been attended with great public and local Benefit: And whereas the Population and Dwelling Houses and other Buildings of the said Town and Parish of *Woolwich*, and the adjacent Parishes of *Plumstead* and *Charlton*, have very greatly increased, and a further and more adequate Supply of Gas is required for the said Town and Parishes, and also for the before-mentioned and other Public Establishments and Works in the said Town of *Woolwich*: And whereas the said Company are desirous of being reconstituted by the Name of "The *Woolwich, Plumstead, and Charlton Consumers Gas Company*," and of having Powers to increase their Capital and further Powers granted to them for the Purpose of more efficiently carrying on their Undertaking, but the same cannot be effected without the Aid and 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:

8 & 9 Vict.
c. 16. and
10 & 11 Vict.
c. 15. incor-
porated.

I. "The Companies Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be and are hereby incorporated with this Act.

Same Mean-
ings to
Words in
this Act as
in incorpo-
rated Acts.

II. Except as in this Act otherwise provided, the several Words and Expressions to which Meanings are assigned by the Acts incorporated herewith, or either of them, shall in this Act have the Meanings so assigned to them respectively, unless there be something in the Subject or Context repugnant to such Construction.

Short Title.

III. This Act may be cited for all Purposes as "*The Woolwich, Plumstead, and Charlton Consumers Gas Act, 1855.*"

Limits of
Act.

IV. The Limits of this Act shall include the Town and Parish of *Woolwich*, and the several Parishes of *Plumstead* and *Charlton*, all in the County of Kent.

Incorpora-
tion of
Company.

V. The *Woolwich Consumers Protective Gas Company*, registered under the Act of Seventh and Eighth of *Victoria*, Chapter One hundred and ten, is hereby dissolved; and the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in such Company, and the several Persons and Corporations who

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who shall hereafter subscribe to the Undertaking, and their respective Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purpose of making and supplying Gas, Coke, and Tar, within the Limits of this Act, and for continuing, maintaining, and from Time to Time renewing Gasworks for that Purpose, with proper Works and Conveniences connected therewith, according to the Provisions of this Act, and of the Acts therewith incorporated; and for the Purposes aforesaid such Company shall be incorporated by the Name of “*The Woolwich, Plumstead, and Charlton Consumers Gas Company*,” and by that Name shall be a Body Corporate, with perpetual Succession, and shall sue and be sued, and shall have a Common Seal, and Power to hold Lands for the Purposes of the Undertaking.

VI. All the Mains, Pipes, and Works purchased or provided, and laid down or placed, in any Street or other Place within the Limits of this Act, by the *Woolwich Consumers Protective Gas Company*, or now belonging to the said Company, and all other the Works, Lands, Buildings, and Real Estate of such Company, or vested in any Trustee or Trustees on behalf of such Company, and all the Personal Estate, Effects, and other Property of such Company, of what Nature or Kind soever, and wherever fixed, situate, or being, and all Claims and Demands, Rights, Remedies, and Choses in Action of such Company, shall be and the same are hereby vested in the Company incorporated by this Act.

Works, &c.
of dissolved
Company
vested in
new Com-
pany.

VII. All Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Debentures, Contracts, Agreements, Securities, Orders, Resolutions, Proceedings, and other Acts and Things before the passing of this Act made, done, entered into, executed, or instituted by, from, with, to, for, or on behalf of the *Woolwich Consumers Protective Gas Company*, shall be good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, or with reference to the Company incorporated by this Act, in like Manner and to the same Extent as, but for the passing of this Act, they would have been good, valid, and effectual for, against, or with reference to the *Woolwich Consumers Protective Gas Company*, and may be enjoyed, proceeded on, and enforced accordingly.

Convey-
ances,
Leases, &c.
to remain
in force.

VIII. The Company by this Act incorporated shall, with reference to every Act done or left undone, and with respect to every Liability, of what Nature or Kind soever, incurred by the *Woolwich Consumers Protective Gas Company* prior to the passing of this Act, or which would.

Liabilities of
dissolved
Company
continued in
new Com-
pany.

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would have been incurred by them if they had not been dissolved by this Act, be considered as identical with that Company in like Manner in all respects as if this Act had not been passed, and the Company incorporated by this Act were the said *Woolwich Consumers Protective Gas Company*.

Actions not
to abate.

IX. No Action, Suit, Prosecution, or other Proceeding commenced either by or against the *Woolwich Consumers Protective Gas Company* before the passing of this Act shall abate or be discontinued or prejudicially affected by or in consequence of the Dissolution of such Company, but on the contrary the same respectively shall continue and take effect in favour of or against (as the Case may be) the Company incorporated by this Act, in like Manner in all respects as they would have continued or taken effect in favour of or against the *Woolwich Consumers Protective Gas Company* if this Act had not been passed; and all Offences committed or Penalties incurred before the passing of this Act may be prosecuted, enforced, or sued for by or against the Company by this Act incorporated, in like Manner as, but for the passing of this Act, they might have been prosecuted, enforced, or sued for by or against the *Woolwich Consumers Protective Gas Company*.

Debts due
to or by the
dissolved
Company to
be paid to
or by the
new Com-
pany.

X. All Persons who immediately before the passing of this Act owed any Sum of Money to the *Woolwich Consumers Protective Gas Company*, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue for the same, to the Company incorporated by this Act; and all Debts and Monies which immediately before the passing of this Act were due or owing by or recoverable from the *Woolwich Consumers Protective Gas Company*, or for the Payment of which such Company was or but for the passing of this Act would have been liable, shall be paid, with all Interest (if any) due or to accrue thereon, by or be recoverable from the Company incorporated by this Act.

Rates or
Rents.

XI. All Rates, Rents, and Sums of Money which but for the passing of this Act would have become due and payable to the *Woolwich Consumers Protective Gas Company* shall be paid to the Company incorporated by this Act, and shall be recoverable as Rates or Rents under this Act.

Liability of
Shareholders
of dissolved
Company,

XII. Nothing in this Act contained shall be held or construed to exonerate or release any of the Shareholders of the *Woolwich Consumers Protective Gas Company* from Liability in respect of any Debt,

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Debt, Obligation, or Costs of that Company; and if any such Debt, Obligation, or Costs, or any Damages, shall be recovered against any such Shareholder, the Amount thereof, together with the Costs and Expenses incurred by him in reference thereto, shall be repaid to him by the Company incorporated by this Act, and shall be recoverable against such Company by Action or Plaint in any Court of competent Jurisdiction.

and giving them a Remedy over against the new Company, continued.

XIII. Every Trustee or other Person in whom or in whose Name any Lands, Works, Erections, Buildings, or Property belonging to the *Woolwich* Consumers Protective Gas Company were vested immediately before the passing of this Act, and who shall have entered into any Bond, Covenant, Contract, or Engagement in respect of or with reference to such Lands, Erections, Buildings, or Property, or who shall have entered into any other Contract on behalf of the said Company, shall be indemnified and saved harmless, out of the Funds or Property of the Company hereby incorporated, from all Liability, and against all Loss, Costs, Charges, and Expenses, which he may sustain, incur, or be put unto by reason or in consequence of his having entered into any such Bond, Covenant, Contract, or Engagement.

Trustees of the Company to be indemnified.

XIV. The Secretary, Manager, Superintendent of Works, Clerk, and every other Officer and Servant appointed previous to the passing of this Act shall hold and enjoy his Office and Employment, together with the Salary or Emoluments thereunto annexed, and be deemed an Officer or Servant of the Company incorporated by this Act until he shall be removed from such Office or Employment; and such Officer or Servant shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into execution, and shall be subject and liable to the like Power of Removal, and the like Pains and Penalties, and to the like Rules and Regulations, in all respects whatsoever as if he had been appointed under the Authority of this Act.

Officers to continue until removed.

XV. It shall be lawful for the Company, subject to the Provisions contained in this Act and the Acts incorporated herewith, to continue, maintain, and from Time to Time renew such Gasworks, Apparatus, and Buildings, with Approaches thereto respectively, upon the Lands belonging to them, and to do all such other Acts as they may consider necessary or proper for supplying the Inhabitants, and all public and private Buildings, and all public and private Lamps within the Limits of this Act, with Gas, and also to manufacture

Power to Company to continue and carry on Works.

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facture

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facture or purchase and to contract for Gas and for the Supply thereof, and to sell Gas, and to demand and take Rents and Charges for the Supply thereof, and to sell, dispose of, or manufacture the Coke and Tar and other residuary Products arising from the Materials used in the Manufacture of Gas, and also to make and sell or deal 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.

Capital and
Appropriation of Part
amongst
Shareholders
of the old
Company.

XVI. The Capital of the Company shall be Twenty-four thousand Pounds, and shall be divided into Four thousand eight hundred Shares, of the Value of Five Pounds *per* Share; and Two thousand four hundred of such Shares shall be denominated "Old Shares," and shall be considered as Shares that have been fully paid up, and shall be divided amongst the Shareholders who, immediately before the passing of this Act, composed the *Woolwich* Consumers Protective Gas Company, in proportion to the Number of Shares held by them respectively in that Company, and shall respectively be subject to the same Trusts, Powers, Provisions, Declarations, and Agreements as the Share or Shares for which they are respectively substituted was or were subject or liable to immediately before the passing of this Act; and such Shares are hereby vested in such Shareholders accordingly, and so as to give effect to and not revoke any testamentary Disposition affecting the Shares in respect of which they are respectively substituted.

Residue of
Shares to be
offered to
present
Share-
holders.

XVII. The remaining Two thousand four hundred Shares shall be denominated "New Shares," and shall be offered to the Shareholders in the Company for the Time being in proportion to the Number of Shares held by them respectively; and if any Shareholder fail for One Month after an Offer of such Shares to accept the same, and to pay the Value thereof or the Instalments called for in respect thereof, it shall be lawful for the Directors to dispose of the Shares offered to him in such Manner as they shall deem most beneficial for the Company, Preference however being given to Consumers of Gas supplied by the Company: Provided always, that if the Directors think proper, but not otherwise, they may permit any Shareholder who, from Absence abroad or other Cause satisfactory to them, omits to signify, within the Time limited as aforesaid, his Acceptance of the Shares offered to him, to accept such Shares notwithstanding such Time has elapsed.

Time for
Acceptance
of Shares
may be ex-
tended.

XVIII. The

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XVIII. The Amount of any Call shall not exceed One Pound Ten Shillings *per* Share, and the Interval between any Two successive Calls shall not be less than Two Months. Calls.

XIX. (With reference to "The Gasworks Clauses Act, 1847," with respect to the Amount of Profits to be received by the Undertakers when the Gasworks are carried on for their Benefit,) the prescribed Rate of Profits to be divided amongst the Shareholders in any Year shall be Ten Pounds in the Hundred by the Year on the old Shares, and Seven Pounds and Ten Shillings in the Hundred by the Year on the new Shares. As to Rate of Dividend.

XX. After the whole of the additional Capital of Twelve thousand Pounds shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company from Time to Time to borrow on Mortgage or Bond any Sum or Sums of Money not exceeding in the whole (including any Money which may be owing by the Company on Mortgage or Bond at the Time of the passing of this Act) the Sum of Six thousand Pounds; and all Monies raised by the Company under this Act, either by Shares or Mortgage, shall be applied to the Purposes of this Act, and to no other Purpose whatsoever. Power to borrow Money on Mortgage.

XXI. All Mortgages and Bonds granted by the Company before the passing of this Act shall respectively, during the Continuance thereof, have Priority over all Mortgages and Bonds granted under the Authority of this Act. Priority of existing Mortgages or Bonds.

XXII. The Number of Directors shall be not less than Nine and not more than Twelve, in the Discretion of the Directors for the Time being of the Company, of whom Five shall be a Quorum, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares at least in the Undertaking: Provided always, that no Person who shall be a Shareholder in any other Company supplying Gas within the Limits of this Act shall be deemed eligible for the Office of Director of the Company hereby incorporated, although otherwise qualified for such Office. Number and Qualification of Directors.

XXIII. That *Lewis Davis, John Hammond, John Alfred Rastrick, Thomas Hurditch, Samuel Dixon, Andrew Sanderson, William Campbell Taylor, George Roffey, Thomas Wilkes Plaisted, William Stuart, Joseph Cohen, and George Willis*, being the present Directors of First Directors.

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of the dissolved Company, shall be the first Directors of the Company under this Act.

Number and
Qualification
of Auditors.

XXIV. The Number of Auditors of the Company shall be Four, and the Qualification of an Auditor shall be the Possession in his own Right of Ten Shares at least in the Undertaking; and Two of such Auditors (to be determined in the first instance by Ballot among themselves, unless they shall otherwise agree, and afterwards by Seniority) shall go out of Office at the Half-yearly Meeting held in the Month of *August* in every Year.

Quorum at
General
Meetings.

XXV. The Quorum for a General Meeting shall be Thirty Shareholders, holding in the aggregate Three hundred Shares at the least in the Capital of the Company.

Number of
Shareholders
who may
convene a
Meeting.

XXVI. The Number of Shareholders who may convene Extraordinary Meetings of the Company shall be Thirty, holding in the aggregate Three hundred Shares at least in the Capital of the Company.

Votes of
Share-
holders.

XXVII. At General Meetings of the Company each Shareholder shall have One Vote for every Share in the Capital of the Company held by him.

Shareholders
may require
Questions at
Meetings to
be decided
by Ballot.

XXVIII. At any General Meeting of the Company, whether ordinary or extraordinary, it shall be lawful for not less than Ten Shareholders, holding in the aggregate One hundred Shares at the least in the Capital of the Company, to require that any Question that may have been submitted to the Consideration of such Meeting shall be decided by Ballot among the Shareholders, the Time and Place at which such Ballot shall be taken to be fixed by the Chairman of such Meeting.

List of
Persons
qualified to
be Directors
to be sent to
Share-
holders.

XXIX. The Clerk of the Company shall, Six Days at least prior to any Meeting of the Company at which Directors are to be elected, transmit to each Shareholder a List of the Shareholders then qualified to be Directors.

Limiting
price of Gas.

XXX. It shall not be lawful for the Company to charge, within the Limits of this Act, a higher Price for Gas than Five Shillings and Ninepence *per* Thousand Cubic Feet.

XXXI. Every

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XXXI. Every Consumer of Gas supplied by the Company shall, upon the Request of the Company, consume the Gas so supplied by Meter, to be provided either by the Company at the Expense of the Consumer, or, at the Option of the Consumer, by the Consumer, and approved by the Company.

Company may require Consumers to use Meters.

XXXII. Subject to the Provisions in this Act and the incorporated Acts contained, the Company may lay any Pipe, Branch, or other Apparatus from any Main or Branch Pipe, into, through, or against any Building for the Purpose of lighting the same, and may provide and set up any Apparatus necessary for securing to any Building a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply, and may from Time to Time repair, replace, alter or discontinue, and remove any such Pipe, Branch, or Apparatus.

Company may lay Pipes for lighting Buildings.

XXXIII. The Company may recover the Price or Rent of any Pipe, Burner, Meter, Lamp, or Fitting sold, delivered, or let to Hire by them in the same Manner as they may recover Rent due for the Supply of Gas under the Provisions of "The Gasworks Clauses Act, 1847;" and, in addition to the Power given by the said Act in this Behalf, the Company may recover the Rent of any Gas supplied by them, or the Price or Rent of any such Pipe, Burner, Meter, Lamp, or Fitting as aforesaid, together with the Expense of cutting off the Service Pipe or Gas, by Action in any Court of competent Jurisdiction, although the Demand in respect thereof may be less than Twenty Pounds.

Recovery of Rent, and Price for Gas and Fittings.

XXXIV. Any One Warrant issued for any of the Purposes of this Act may contain in the Body thereof, or in a Schedule thereto, several Names and several Sums.

Several Names, &c. in One Warrant.

XXXV. Any Justice who issues a Warrant of Distress for any of the Purposes of this Act may order that the Costs of the Proceedings for the Recovery of the Money to be levied shall be paid by the Person liable to pay such Money, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Costs of Distress.

XXXVI. Nothing in this Act contained shall take away, lessen, alter, or affect any of the Jurisdictions, Rights, Powers, or Authorities vested in or belonging to the Metropolitan Commissioners of Sewers, as to such Parts of the Parish of *Charlton* as are comprised within

Saving Rights of Metropolitan Commissioners of Sewers.

[*Local.*] *F* their

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their Limits, but all such Jurisdictions, Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Expenses of
Act.

XXXVII. The Costs and Expenses incurred in obtaining this Act, and all Expenses incurred preparatory or relating thereto, shall be paid by the Company.

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