



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. xxvi.

An Act to incorporate the *Woolwich Equitable Gas Company*, and to enable them to raise further Money ; and for other Purposes.

[25th May 1855.]

WHEREAS by a Deed of Settlement, bearing Date the Tenth Day of *May* One thousand eight hundred and thirty-two, several Persons formed themselves into a Company by the Name of "The *Woolwich Equitable Gaslight and Coke Company*," for the Purpose of making or producing Gas, inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil from Coal or other Materials, and of supplying the Town and Parish of *Woolwich* and the Suburbs and Vicinity thereof and Parts adjacent, all in the County of *Kent*, with Gas and inflammable Air: And whereas the said Company has been duly registered under the Act for the Registration, Incorporation, and Regulation of Joint Stock Companies: And whereas, under the Powers of the said Deed of Settlement, the Capital Sum of Twelve thousand Pounds was subscribed and raised in Shares of Twenty-five Pounds each: And whereas by a Supplemental Deed, bearing Date the Eighth Day of *December* One thousand

Deed of Settlement, dated 10th May 1852.

Supplemental Deed, dated 8th Dec. 1842.

[Local.] 4 D

The Woolwich Equitable Gas Company's Act, 1855.

Further Supplemental Deed, dated 31st March 1851.

thousand eight hundred and forty-two, and made pursuant to the Powers contained in the said Deed of Settlement, and by the Authority of an Extraordinary General Meeting, it was provided that the Capital of the Company should be Eighteen thousand Pounds, and that it should be lawful to increase the same to any Amount not exceeding the Sum of Thirty thousand Pounds: And whereas the said Company, in pursuance of the Powers of the said Deed of Settlement and Supplemental Deed, and by the Authority of an Extraordinary General Meeting, entered into a further Supplemental Deed, bearing Date the Thirty-first Day of *March* One thousand eight hundred and fifty-one, by which it was provided (amongst other things) that the existing Capital Stock of the said Company should be divided into One thousand seven hundred and ninety Shares of Ten Pounds each (to be denominated Full Shares), and Twenty Shares of Five Pounds each, to be denominated Half Shares, and that One hundred and twenty Ten Pound Shares then undisposed of in the said Company might be disposed of at such Price or Prices as the Directors for the Time being of the said Company should deem fit and expedient: And whereas the Capital Sum of Seventeen thousand eight hundred and ten Pounds has been subscribed and raised by the Shareholders of the said Company in One thousand seven hundred and seventy-one Shares of Ten Pounds each, and Twenty Half Shares of Five Pounds each, and Three thousand Pounds has been borrowed on Mortgage: And whereas the said Company have at considerable Expense constructed and established Works, and have laid down Pipes and other Apparatus, and have been for many Years past and still are engaged in supplying with Gas the Parish of *Woolwich*, and Parts of the Parishes of *Plumstead*, *Charlton*, and *Eltham*, all in the said County of *Kent*, and such Supply has been attended with great Benefit to the Inhabitants thereof: And whereas by reason of the great Extension of Buildings within the Parishes and Districts aforesaid, and of the Demand for Gas occasioned thereby, the said Company have found it necessary to raise Money by way of Mortgage, and to increase and extend their Works, but the same have been found insufficient to provide adequately for the increased and still rapidly increasing Population and Buildings, and the Demand for Gas, within the said Parishes and Districts; and it is expedient that the said Company should be enabled to extend their Supply of Gas, and that a further Outlay should be made upon the Company's Works, and that they should be empowered to alter and increase their Capital and the Number and nominal Amount of the existing Shares, and to raise further Money: And whereas the Company would be better able to carry on their Undertaking if they were incorporated, and if certain other Powers were conferred upon them; but the Purposes 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

The Woolwich Equitable Gas Company's Act, 1855.

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; (that is to say,)

I. That the Expression "the Company" in this Act shall mean the Company by this Act incorporated. "The Company."

II. That the several Acts of Parliament following, that is to say, 8 & 9 Vict.,
cc. 16. & 18.
and
10 & 11 Vict.
c. 15. incor-
porated.
"The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," (except as after mentioned,) and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act.

III. Provided always, That nothing herein, or in the said "Lands Clauses Consolidation Act, 1845," contained, shall authorize the Company to take or use any Land, unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof. Company not
to take Land
without
Consent.

IV. That in construing the said "Companies Clauses Consolidation Act," the said "Lands Clauses Consolidation Act," and the said "Gasworks Clauses Act," as incorporated with this Act, the Expression "the Special Act" shall mean this Act; and the Expression "the Works" or the "Undertaking" shall mean the Gasworks and Works connected therewith by this Act vested in the Company incorporated by this Act, or which they may be authorized to execute; the Expression "the Promoters of the Undertaking," or "the Undertakers," shall mean the Company incorporated by this Act; and the Expression "Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the said Company, or which they may construct under the Authority hereof; and the Expression "Quarter Sessions," shall be construed to mean the Quarter Sessions for the County of *Kent* holden at *Maidstone* in the said County. Interpreta-
tion of
certain
Terms.

V. That in citing this Act it shall be sufficient to use the Expression Short Title.
"The *Woolwich Equitable Gas Company's Act, 1855.*"

VI. That the Limits of this Act shall be held to comprise the Town and Parish of *Woolwich*, and the Parishes of *Plumstead*, *Charlton*, and *Eltham*, all in the County of *Kent*. Limits of
Act.

VII. That the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in the Company so registered as aforesaid, and all other Persons and Corporations who have subscribed or shall hereafter subscribe to the Undertaking of the Company, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for Company in-
corporated.

The Woolwich Equitable Gas Company's Act, 1855.

for the Purpose of making and supplying Gas within the Limits of this Act, and for making and extending Gasworks for that Purpose, with proper Works and Conveniences connected therewith, according to the Provisions in this Act and the said incorporated Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Woolwich Equitable Gas Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and may sue and be sued, and shall have a Common Seal, and Powers to purchase and hold, lease and sell Lands for the Purposes of the Undertaking.

Land to be held by the Company.

VIII. That it shall not be lawful for the Company to purchase or hold, for the Purposes of the Undertaking, at any one Time, more than Seven Acres of Land: Provided always, that the Company shall not erect any further Works for the Manufacture of Gas except upon Land adjoining to the Lands which at the Time of the passing of this Act may be vested in the Company, and occupied by them with Works for the Manufacture of Gas: Provided also, that when a Road bounds the said present Works the Lands immediately on the other Side of such Road shall be considered adjoining Lands, for the Purposes of this Act.

Company to remain entitled to Property.

IX. That the Company shall remain and be seised and possessed of and entitled to all the Gasworks, Gasometers, Retorts, Apparatus, Works, and Conveniences, Lands, Buildings, Estates, Money, Property, Choses in Action, Effects, Claims, and Demands whatsoever, of or to which the Company so registered as aforesaid were immediately before the passing of this Act seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act had not passed, and shall stand in the Place of the said Company so registered as aforesaid, and shall be liable to all Claims and Demands whatsoever, at Law or in Equity, to which the said last-mentioned Company were or would have been liable.

Deed of Settlement to be void, without Prejudice to Remedies for antecedent Breaches thereof.

X. That, subject to the Provisions of this Act, the said Deed of Settlement of the said Company shall, as to any future or prospective Operation thereof, from and after the passing of this Act be wholly void and of none Effect; and that the several Persons who shall have executed the same, and their Heirs, Executors, and Administrators, shall immediately from and after the passing of this Act be released and discharged from any future Obligation to observe, perform, abide by, fulfil, or conform to the said Deed of Settlement, or the Covenants or Agreements therein contained, or any or either of them: Provided always, that nothing herein contained shall release or discharge any Person from any Liability or Obligation in respect of any Breach of the

The Woolwich Equitable Gas Company's Act, 1855.

the Provisions of the said Deed which may have been incurred prior to the Date of the passing of this Act, but such Liability or Obligation shall subsist and continue, and may be enforced accordingly, under and according to the Provisions of the said Deed.

XI. That all Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things before the passing of this Act made, done, entered into, and executed or instituted under or by virtue of the said recited Deed of Settlement or the said Supplemental Deeds of the said Company, or with reference to the Purposes thereof, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as if this Act had not passed, and may be proceeded on and enforced accordingly.

Conveyances, &c. to remain in force.

XII. That any Action, Suit, Prosecutions, or other Proceeding commenced either by or against the Company so registered as aforesaid before the passing of this Act shall not abate or be discontinued or be prejudicially affected by this Act, but, on the contrary, shall continue and take effect, both in favour of and against the Company, in like Manner in all respects as the same would have continued and taken effect if this Act had not been passed.

Actions not to abate.

XIII. That all Gas Rates and Rents which immediately before the passing of this Act were due and payable or accruing to the Company so registered as aforesaid shall be payable to and may be collected and recovered by the Company, in like Manner as the Gas Rates and Rents under this Act.

Gas Rates due at Commencement of Act to be recoverable by the Company.

XIV. That all Persons who immediately before the passing of this Act owed any Sum of Money to the Company so registered as aforesaid, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due and payable or accruing for the same, to the Company; and all Debts and Monies which immediately before the passing of this Act were due or owing by or recoverable from the Company so registered as aforesaid, or for the Payment of which they were or but for this Act would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Company.

Debts due to and by the Company to be paid to and by them.

XV. That nothing in this Act contained shall be held or construed to exonerate or release any of the Shareholders of the old Company from any Liability in respect of any Debt, Obligation, Tort, Mifeasance, or Nonfeasance of that Company; and if any such Debt or Obligation, or Damages in respect of any Tort, Mifeasance, or Nonfeasance, shall be recovered against any such Shareholder, the

Continuing Liability of Shareholders of old Company, and giving them a Remedy against the

[Local.]

4 E

Amount

The Woolwich Equitable Gas Company's Act, 1855.

new Com-
pany.

Amount thereof, together with the Costs and Expenses incurred by him in reference thereto, shall be repaid to him by the new Company, and shall be recoverable against such Company by Action or Plaint in any Court of competent Jurisdiction.

Resolutions,
&c. to re-
main in
force.

XVI. That all Resolutions, Orders, Notices, and Proceedings of the Company so registered as aforesaid and of the Directors thereof, made and taken before the passing of this Act, and all Books, Accounts, Documents, and Writings whatsoever of or relating to the said Company, shall for the Purposes of this Act continue of full Force and Effect as if this Act had not passed.

Officers to
continue.

XVII. That every Officer and Servant appointed by virtue of or acting under the Authority of the said Deed of Settlement shall hold and enjoy his Office and Employment, with the Salary and Charges thereunto annexed, and be deemed an Officer and Servant of the Company appointed under this Act, until he be removed from such Office and Employment in pursuance of this Act; and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if he had been appointed under this Act.

Capital of
the Com-
pany.

XVIII. That the Capital of the Company shall be Forty-eight thousand Pounds, and shall be divided (subject to the Power to mortgage as herein-after mentioned) into Four thousand seven hundred and ninety Shares of Ten Pounds each and Twenty Half Shares of Five Pounds each.

Vesting in
the Proprie-
tors of the
Company so
registered
as aforesaid
same Num-
ber of Shares
as now held
by them.

XIX. That One thousand seven hundred and seventy-one of the said Ten Pound Shares, and Twenty Half Shares of Five Pounds each, representing Seventeen thousand eight hundred and ten Pounds of the said Capital, shall remain vested in the several Persons and Corporations respectively who immediately before the passing of this Act were possessed of or entitled to any Share or Shares in the Capital of the Company so registered as aforesaid, and such Shares shall confer on the Holders thereof the same Rights and Interests as they would have enjoyed, and shall be subject to the same Liabilities as to Calls or otherwise in respect thereof, as if this Act had not been passed, save in so far as such Rights or Interests may be expressly altered by this Act.

Certificates
of old Shares
to apply to
new Shares.

XX. That the Certificates of the Shares created under the Powers of the said Deed of Settlement and the said Supplemental Deeds which shall be existing at the Time of the passing of this Act shall, until called in, continue to be the Certificates of the said Shares under this Act.

XXI. That

The Woolwich Equitable Gas Company's Act, 1855.

XXI. That all Persons and Corporations in whom any of such Shares are or may be vested as aforesaid shall stand possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances, as the said Shares were subject and liable to immediately before the passing of this Act.

Shares to be held upon the same Trusts.

XXII. That it shall be lawful for the Company from Time to Time, with the Consent of Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at any General Meeting especially convened for the Purpose, to raise by the Creation of new Shares, in addition to the existing Capital of Seventeen thousand eight hundred and ten Pounds, any further Sum or Sums of Money for the Purposes of the Company not exceeding in the whole the sum of Thirty thousand one hundred and ninety Pounds, and to attach such Conditions and Agreements to such Shares or any of them as may be agreed on at such Meeting: Provided always, that no guaranteed or preferential Dividend upon any such Shares shall exceed Six Pounds *per Centum per Annum*.

Power to raise additional Capital by new Shares.

XXIII. That the Dividend upon the additional Capital of the Company shall not exceed Seven Pounds Ten Shillings *per Centum per Annum*.

Rate of Dividend on additional Capital.

XXIV. That any Shares to which a guaranteed or preferential Dividend shall be attached shall be distinguished and registered as "Preference Shares," and shall be marked as such, together with the Rate of the preferential Dividend payable thereon, upon the Certificates issued by the Company to the respective Holders thereof.

As to "Preference Shares."

XXV. That Two Pounds shall be the greatest Amount of any One Call which the Company may make in respect of any new Shares which may be created under this Act, and Three Months at the least shall intervene between successive Calls, and the aggregate Amount of Call to be made on any Share in any One Year shall not exceed Three Fifths of the Amount of such Share.

Calls.

XXVI. That it shall be lawful for the Directors of the said Company from Time to Time to borrow on Mortgage of their Undertaking or on Bond any Sum or Sums of Money not exceeding in the whole the Sum of Twelve thousand Pounds.

Power to borrow on Mortgage.

XXVII. That all Money to be raised under the Provisions of this Act, whether by means of Shares or by the Exercise of the Power of borrowing, shall be applied to the Purposes of the Undertaking by this Act authorized, and to no other Purpose.

Application of Money.

XXVIII. That

The Woolwich Equitable Gas Company's Act, 1855.

Priority of
existing
Mortgages.

XXVIII. That all Mortgages or Bonds granted by the Company, and in force on the passing of this Act, shall during the Continuance thereof have Priority over all the Mortgages and Bonds granted under this Act.

Number and
Qualification
of Directors.

XXIX. That, subject to the Provisions herein contained for increasing or reducing the Number of Directors, the Number of Directors of the Company shall be Twelve; and the Qualification of a Director shall be the Possession by him in his own Right of Ten Shares in the Undertaking.

Power to
reduce the
Number of
Directors.

XXX. That it shall be lawful for the Company, by Vote of any General Meeting, from Time to Time to reduce the Number of Directors to any Number, being not less than Six.

First
Directors.

XXXI. That the several Persons who immediately before the passing of this Act were the Directors of the Company so registered as aforesaid shall be the First Directors of the Company.

Directors to
retire from
Office at
Company's
Ordinary
Meeting.

XXXII. That at the First Ordinary General Meeting of the Company the several Persons who shall then be Directors of the Company shall go out of Office and cease to be Directors; and at such Meeting the Proprietors present, personally or by Proxy, shall elect a new Body of Directors, the several Persons who immediately before such Meeting shall be Directors being eligible to be Members of such new Body.

Quorum.

XXXIII. That a Quorum of a Meeting of the Directors shall be Four.

First and
other
Meetings.

XXXIV. That the First Ordinary Meeting of the Company shall be held in *May* next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Month of *May* in every Year.

Power to
call Extra-
ordinary
Meetings.

XXXV. That the Number of Proprietors on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be Ten or more Proprietors holding in the aggregate not less than Six hundred Pounds in the Capital of the Company.

Power to
construct
Works.

XXXVI. That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company from Time to Time to make, construct, lay down, and maintain, alter or discontinue, such Retorts, Gas Meters, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and also such Houses and Buildings and Approaches thereto, upon the Lands belonging to the

The Woolwich Equitable Gas Company's Act, 1855.

the Company, or hereby authorized to be purchased by them, and to do all such other Acts as they shall think necessary, consistently with the Provisions of this Act, for supplying Gas within the Limits of this Act, and to sell, manufacture, and dispose of Coke and other Residuum arising or to be obtained from the Material used in the Manufacture of Gas, in such Manner as the Company may think proper.

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

XXXVIII. That every private Consumer of Gas of the Company shall, upon Request in Writing by the Company, consume Gas by Meter, to be found and provided by the Company, if the Consumer shall not think fit to provide the same at his own Expense.

Consumers
of Gas may
be required
to consume
by Meter.

XXXIX. That the maximum Gas Rate, Rent, or Price at which Gas shall be sold by the Company to all Persons who shall burn the same by Meter shall not exceed Five Shillings and Ninepence *per* Thousand Cubic Feet.

Limiting
Charge for
Gas supplied
by Meter.

XL. That all Pipes which shall be hereafter laid down by the Company within the Limits of this Act shall be of such Construction or shall be so marked as that the same may be easily distinguishable from the Pipes of any other Company or Persons supplying Gas or Water within the same Limits.

Future Pipes
to be distin-
guished.

XLI. That every Person who fits up any Apparatus or Fitting whereby Gas is obtained from any Main or Pipe of the Company shall, within Seven Days after completing the same, make a Return in Writing to the Company of the Light or Number of Lights so fitted up; and in default thereof he shall pay to the Company, for every Light so fitted up, and in respect of which such Notice is not so given any Sum not exceeding the Sum of Five Pounds.

Notice to be
given to
Company of
Lights fitted
up to their
Mains.

XLII. That, in addition to the Power given by "The Gasworks Clauses Act, 1847," in this Behalf, the Company may recover the Rate, Rent, or Price for any Gas, or the Price or Rent of any Pipe, Burner, Meter, Lamp, or Fitting supplied, sold, delivered, or let by the Company, 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

As to Reco-
very of
Rents for
Gas and Fit-
tings under
20/.

[*Local.*]

4 *F*

Pounds;

The Woolwich Equitable Gas Company's Act, 1855.

Pounds; and the Register of the Meter shall be *primâ facie* Evidence of the Quantity of the Gas consumed by any Customer of the Company, and in respect of which any Rent is charged and sought to be recovered by the Company.

To prevent
the fraudu-
lent Con-
sumption of
Gas.

XLIII. That every Person who knowingly and wilfully prevents any Meter from duly registering the Quantity of Gas supplied by the Company shall for every such Offence forfeit and pay to the Company a Sum not exceeding Twenty Pounds; and any such Prevention caused by artificial Means shall be *primâ facie* Evidence of such Knowledge on the Part of the Consumer using any such Meter.

Costs of
Distress.

XLIV. That any Justice who issues any Warrant of Distress under this Act may order that the Costs of the Proceedings for the Recovery of the Money owing to the Company 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.

Expenses of
Act.

XLV. That all the Costs, Charges, and Expenses of applying for and obtaining this Act or incident thereto shall be defrayed by the Company.

LONDON:

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