



ANNO DECIMO OCTAVO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. Ixiv.*

An Act to incorporate the *Hyde* Gas Company, and to grant more effectual Powers for supplying with Gas the several Townships of *Hyde*, *Werneth*, *Bredbury*, *Romiley*, *Newton*, and *Godley*, in the County of *Chester*.

[15th *June* 1855.]

**W**HEREAS by a Deed of Settlement, dated the Fifth Day of *July* One thousand eight hundred and fifty-four, certain Persons formed themselves into a Joint Stock Company by the Name of the "*Hyde* Gas Company," for the Purpose of manufacturing and supplying Gas in *Hyde* in the County of *Chester*, and certain adjacent Townships, Districts, or Places, and of establishing Manufactories of Gas, with all necessary Buildings, Gasometers, Retorts, Pipes, Works, and Apparatus, and of selling and disposing of Coke and of all Products arising from Materials used in the Manufacture of Gas, with a Share Capital of Twenty thousand Pounds, divided into Two thousand Shares of Ten Pounds each, with Power to increase that Capital to the Extent of Ten thousand Pounds, and to borrow any Sums not exceeding in the whole Ten thousand Pounds: And whereas on the Twenty-first Day of *August* One thousand eight hundred and fifty-four the said Company was completely

[*Local.*] 10 C

Deed of Settlement,  
dated  
5th July  
1854.

pletely

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pletely registered under the Act for the Registration, Incorporation, and Regulation of Joint Stock Companies: And whereas no such Increase of the Capital of the said Company as by the said Deed authorized has taken place: And whereas the said Capital of Twenty thousand Pounds hath been subscribed for, and Calls have been made on the said Two thousand Shares of Ten Pounds each, and the Amount received on such Calls has been expended for the Purposes of the Undertaking of the said Company: And whereas the said Company have not borrowed any Money: And whereas the said Company have purchased about Two Acres of Land in the Township of *Hyde* at a Place called *Millwood*, bounded by a Road adjoining the *Peak Forest* Canal, a newly formed Street leading to such Canal, and by Land belonging to *Edward Hyde Clarke* Esquire and to Messrs. *Hibbert* and *Alcock*, and have at very considerable Expense partly constructed and laid down Gasworks, Pipes, and other Apparatus, and the said Company are now proceeding to the Completion of the said Works; and it is expedient that the said Company should be enabled to supply with Gas the several Parishes, Townships, Divisions, Chapelries, Districts, and Places herein-after named; and it is also expedient that more effectual Powers should be conferred upon them for the Purpose of effectuating such Supply: And whereas *Isaac Booth* of *Hyde* aforesaid, and also of *Denton* in the County of *Lancaster*, some Time since constructed Works for supplying with Gas the Inhabitants of the Township of *Hyde*, and laid down to some Extent Mains and Pipes: And whereas it will be for the Benefit of the *Hyde Gas Company* and of the Public if the said Gasworks of the said *Isaac Booth* become vested in the said *Hyde Gas Company*, and the said *Isaac Booth* is willing to transfer the same to the said *Hyde Gas Company*, and an Agreement hath been entered into for the Purchase thereof, bearing Date the Seventeenth Day of *March* One thousand eight hundred and fifty-five, and made between the said *Isaac Booth* of the one Part, and *Samuel Hibbert, Frederick Tinker, Thomas Thornely, James Maugham, Joseph Collier, Thomas Hague, and Sampson Ardern*, therein described as Directors of the said *Hyde Gas Company*, of the other Part: And whereas it is also expedient that the said *Hyde Gas Company* should be empowered to raise further Monies for the Purposes of their Undertaking; 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 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,)

8 & 9 Vict.  
cc. 16. & 18.  
and

I. That the several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses



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Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act; and in construing those Acts respectively in connexion with this Act the Expression "the Special Act" shall mean this Act; the Expressions "the Company" and "the Undertakers" respectively shall mean the Company by this Act incorporated; and the Expressions "the Undertaking" and "the Gasworks" shall include all the Works of the Company executed and to be executed: Provided always, that nothing in the Lands Clauses Consolidation Act 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.

10 & 11 Vict  
c. 15. incor-  
porated.

II. That, except as in this Act otherwise provided, the several Words and Expressions to which Meanings are respectively assigned by the said 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.

Same Mean-  
ing to Words  
in this Act  
as in incor-  
porated  
Acts.

III. That in this Act the Expression "the original Company" shall mean the Company or Partnership existing under the said Deed of Settlement immediately before the passing of this Act, and the Expression "the Company" shall mean the Company hereby incorporated, unless there be something in the Subject or Context repugnant to such Construction.

Construction  
of Terms.

IV. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Hyde Gas Act, 1855.*"

Short Title.

V. That the Limits of this Act shall comprise and include the Townships of *Hyde, Werneth, Bredbury, and Romiley*, all in the Parish of *Stockport* in the County of *Chester*, and the Townships of *Newton and Godley* in the Parish of *Mottram-en-Longdendale* in the said County of *Chester*; and the Limits within which the Gasworks may be continued, maintained, erected, or made are the Lands hereinbefore mentioned at the Place called *Millwood* aforesaid, and also the Lands whereon the said Gasworks of the said *Isaac Booth* have been erected, situate at a certain Place in the Township of *Hyde* called *Slack*, abutting upon, between, or adjoining certain Streets or Ways in such Township called *Back Lane* and *Walker Lane*.

Limits of.  
Act, and  
Sites of Gas-  
works.

VI. That the present Members of or Shareholders in the original Company, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively,

Incorporation of Com-  
pany.



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respectively, shall be and they are hereby united and incorporated into a Company for the Purpose of making and supplying Gas within the Limits of this Act, and for doing all Acts necessary for that Purpose, and for other the Purposes by this Act and the said incorporated Acts authorized, by and under the Name of "The *Hyde Gas Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have a Common Seal, and shall and may sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, subject to the Restrictions and Provisions herein and in the said incorporated Acts contained, but shall not, after the passing of this Act, be subject to any of the Clauses or Provisions of the Act for the Registration, Incorporation, and Regulation of Joint Stock Companies, or of any Act passed for amending that Act: Provided always, that it shall not be lawful for the Company to hold, for the Purposes of the Undertaking, more than Four Acres of Land.

Present  
Property  
vested in  
Company  
incorporated  
by this Act.

VII. That all Lands, Works, Erections, Buildings, Rights, and Easements which immediately before the passing of this Act were vested in the original Company or any Person on their Behalf, or to which the original Company were entitled, either at Law or in Equity, and all Mains and Pipes, Plugs, Lamps, Irons, Gasometers, Retorts, Meters, Apparatus, Matters, and Things, which have been by them purchased or provided, laid down, erected, or placed in any Place or House within the Limits of this Act, or which immediately before the passing of this Act were the Property of or belonging to the original Company, and all Monies, Securities, Credits, Effects, and other Property whatsoever belonging to the original Company, or to any Trustees on their Behalf, for the Purposes of the original Company, shall be and the same are hereby vested in the Company, to the same Extent and for the same Estate and Interest as the same were previously to the passing of this Act vested in the original Company or any Trustees on their Behalf, and may be held, used, and enjoyed, maintained, altered, discontinued, or removed, by the Company, as they think fit, subject, however, to the Payment by the Company of the same Chief or Ground Rents, and to the Observance and Performance of the same Covenants, Conditions, and Agreements, as the original Company were or would have been liable to pay, observe, and perform if this Act had not been passed.

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

VIII. That, subject to the Provisions of this Act, the said Deed of Settlement, and all registered Alterations of the same, shall, as to any future or prospective Operations 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 Deed, or any Deed accessory thereto, and their Heirs, Executors, and Administrators, shall immediately from and after the passing of this Act stand and be  
by



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by virtue thereof 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 registered Alterations of the same or any or either of them respectively.

IX. That, notwithstanding the Incorporation of the Company, and the Avoidance of the said Deed of Settlement and of the registered Alterations thereof by this Act, and except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the original Company or the Shareholders therein, in that Capacity, shall be as valid as if the Company had not been incorporated, and the said Deed and Alterations had not been avoided by this Act, and such Incorporation and Avoidance and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the Company were not incorporated, and the said Deed and Alterations were not avoided by this Act, and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and with respect to all such Rights, Liabilities, Claims, and Demands, the Company shall to all Intents and Purposes represent the original Company and the Shareholders therein, in their Capacity of Shareholders.

Saving  
previous  
Rights and  
Liabilities.

X. That all Deeds, Contracts, Bonds, and Agreements entered into or made before the passing of this Act by or with the original Company, or any Trustees or any Persons acting on behalf of the original Company and now in force, shall be as binding and of as full Force and Effect in all respects against or in favour of the Company, and may be enforced, as fully and effectually as if, instead of the original Company, or the Trustees or Persons acting in behalf of the original Company, the Company had been a Party thereto; and all Bodies Politic or Corporate, and all Persons whosoever, who immediately before the passing of this Act owed to the original Company any Rents or Remuneration for Gas or for Meters, any Calls upon Shares, or any other Sums of Money, shall be liable for the Payment thereof to the Company; and in case of Nonpayment thereof or of any Part thereof the Company may proceed for the Recovery thereof, and recover the same, in such and the same Manner, and shall and may exercise the same Remedies in respect thereof, as if the same were due to the Company under the Provisions of this Act.

Contracts  
prior to Act  
to be binding.

XI. Provided always, That nothing in this Act contained shall release, discharge, or suspend any Action, Suit, or other Proceeding at Law or in Equity which shall be pending by or against the original Company or any Member thereof in relation to the Affairs of the

Actions, &c.  
not to abate.

[Local.]

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original



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original Company, or to which the original Company or any Member thereof, in relation to such Affairs, shall be Parties, immediately before the passing of this Act; but any such Action, Suit, or other Proceeding may be maintained, prosecuted, or continued by, in favour of, or against the Company, as the Case may be, in the same Manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by, in favour of, or against the original Company, or any Members thereof, if this Act had not been passed, the Company being, in reference to the Matters aforesaid, in all respects substituted for the original Company or the Members thereof.

As to Recovery of Debts of original Company.

XII. That all Debts owing by the original Company immediately before the passing of this Act may be enforced against the Company in the same Manner as if such Debts had been incurred by the Company after the passing of this Act.

Judgments in respect of existing Liabilities may be enforced against individual Shareholders.

XIII. Provided always, That if any Judgment, Decree, or Order shall at any Time after the passing of this Act be obtained against the Company in respect of any Debt or Liability owing or incurred, or in respect of any Contract made or Tort committed, by the original Company, before the passing of this Act, and such Judgment, Decree, or Order shall not, after due Diligence for that Purpose shall have been used, be fully satisfied out of the Property and Effects of the Company, then and in every such Case such Judgment, Decree, or Order may be enforced, and Execution thereof issued, against the Person, Property, and Effects of any Person who shall have been a Member of the original Company immediately before the passing of this Act, or at the Time at which the Contract shall have been made or Tort committed in respect of which such Debt or Liability shall have accrued or have been incurred, in the same Manner in all respects as if this Act had not been passed.

Shareholders against whom Execution issued in respect of existing Liabilities to be reimbursed.

XIV. Provided also, That every Person against whom, or against whose Property or Effects, Execution upon any such Judgment, Decree, or Order as aforesaid shall have been issued, shall be entitled to recover against the Company all Loss, Damages, Costs, and Charges which such Person may have incurred by reason of such Execution, and that after due Diligence used to obtain Satisfaction thereof against the Property and Effects of the Company such Person shall be entitled to Contribution for so much Loss, Damages, Costs, and Charges as shall remain unsatisfied from the several other Persons against whom Execution upon such Judgment, Decree, or Order obtained against the Company, might also have been issued under the preceding Section, and that such Contribution may be recovered from such Persons as aforesaid in the same Manner as Contributions in ordinary Cases of Copartnership.

XV. That



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XV. That every Trustee or other Persons in whom and in whose Name any Lands, Works, Erections, Buildings, or Property belonging to the original 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 original Company, shall be indemnified and saved harmless out of the Funds or Property of the Company 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 Com-  
pany to be  
indemnified.

XVI. That the Capital of the Company for the Purposes of this Act be Twenty-five thousand Pounds, with Power to increase the same to the Amount herein-after mentioned.

Capital.

XVII. That the Number of Shares into which the said Capital shall be divided shall be Two thousand five hundred, and the Amount of each Share shall be Ten Pounds.

Number and  
Amount of  
Shares.

XVIII. That, in addition to the before-mentioned Capital of Twenty-five thousand Pounds, the Company may raise any further Sum not exceeding Eleven thousand Pounds by the Creation of One thousand one hundred new Shares of Ten Pounds each.

Capital may  
be increased.

XIX. That while the Number of Shares actually issued shall not exceed Two thousand no Person or Corporate Body shall hold more than Fifty Shares, and if the Number of Shares shall exceed Two thousand, any Shareholder may hold a further Number of Shares not exceeding in the whole Seventy-five Shares, the new Shares to be offered to the then existing Shareholders in the first instance in proportion to the Number of old Shares held by each of them, and any new Shares not taken by the then existing Shareholders may be granted to new Shareholders.

Limiting  
Number of  
Shares to be  
held by any  
One Person.

XX. That, except as otherwise provided in this Act, every Subscriber towards raising such further Capital of Eleven thousand Pounds shall have the same Rights, Powers, and Advantages, and be subject to the same Liabilities and Restrictions, to all Intents and Purposes, as if such further Capital had originally been Part of the said Capital of Twenty-five thousand Pounds.

Rights and  
Liabilities of  
Subscribers  
to further  
Capital.

XXI. That the said *Isaac Booth*, his Heirs, Executors, or Administrators, shall make and complete to the Company, and the Company shall accept and take, a Transfer and Assurance of the said

For Pur-  
chase of  
Mr. Booth's  
Works.

Gasworks

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Gasworks belonging to the said *Isaac Booth*, and of all his Estate, Right, and Interest in the Land upon which the same are erected and made, together with all Retorts, Gasometers, Mains, Pipes, Works, and Conveniences connected therewith, belonging to the said *Isaac Booth*, upon and according to the Terms and Provisions of the said Agreement of the Seventeenth Day of *March* One thousand eight hundred and fifty-five, and as may be settled by Arbitration in pursuance thereof.

Transfer to  
be stamped.

XXII. That the Transfer shall be by Deed duly stamped, in which the true Consideration shall be set forth.

Payment  
of Debts of  
Mr. Booth.

XXIII. That all Debts and Liabilities contracted or incurred by and all Rents and other Sums of Money due by the said *Isaac Booth* with respect to his Gasworks up to the Twenty-sixth Day of *March* One thousand eight hundred and fifty-five shall be paid and discharged by and enforced against the said *Isaac Booth*; and the said *Isaac Booth* shall indemnify and save harmless the Company from all Debts and Liabilities incurred or contracted by him on or previous to the said Twenty-sixth Day of *March*, with respect to the Supply of Gas, and from all Claims and Demands arising or existing previous to that Day in respect of his said Gasworks; and the Company shall indemnify and save harmless the said *Isaac Booth* from all Debts and Liabilities incurred or contracted by the Company subsequently to that Day in respect of the Undertaking of the Company, and all Rents and other Sums of Money due in respect of such Gasworks for Lands occupied for such Purpose shall as from the said Twenty-sixth Day of *March* be paid by the Company, and such Rents and other Liabilities shall, as between the Company and the said *Isaac Booth*, be apportioned accordingly; and all Monies due to the said *Isaac Booth* up to the said Twenty-sixth Day of *March* in respect of a Supply of Gas previous to that Day shall be recoverable by or for and shall be paid to the said *Isaac Booth* for his own Benefit, as if no such Transfer by the said *Isaac Booth* as aforesaid had been made or agreed to be made.

For Sale of  
superfluous  
Lands Parts  
of Sites of  
Gasworks.

XXIV. That the Powers and Provisions relating to the Sale and Disposal of superfluous Land contained in the "Lands Clauses Consolidation Act, 1845," shall extend and be applicable to any Part of the Lands herein-before described as the Sites of the said Gasworks.

Company  
may pur-  
chase exist-  
ing Pipes.

XXV. That the Company shall also have Power to purchase from any other Person any Mains, Pipes, Meters, Apparatus, Fixtures, Articles, and Things which at the Time of the passing of this Act shall be used or provided by him for manufacturing or supplying Gas in any of the several Townships or Places within the Limits of this Act,  
upon



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upon such Terms as shall be agreed upon between such Person and the Company.

XXVI. That One Pound *per* Share shall be the greatest Amount of Calls. any One Call which the Company may make upon the Shareholders, and that Thirty Days at the least shall intervene between the making of any Two successive Calls, and not more than Three Fourths of the nominal Amount of a Share shall be called up in any One Year.

XXVII. That (with reference to the Clauses of 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 among the Undertakers in any Year shall be Ten Pounds in the Hundred by the Year on the Capital in the Undertaking for the Time being paid up, until the Capital so paid up exceeds Twenty-five thousand Pounds; and when the Capital so paid up exceeds Twenty-five thousand Pounds the prescribed Rate shall be Ten Pounds in the Hundred by the Year on the Twenty-five thousand Pounds first paid up, and Seven Pounds and Ten Shillings in the Hundred Pounds by the Year on the Residue of the Capital so paid up.

As to Rate  
of Dividends.

XXVIII. That it shall be lawful for the Company to borrow on Mortgage or Bond for the Purposes of this Act any Sum of Money not exceeding in the whole the Sum of Nine thousand Pounds, at the respective Periods herein-after mentioned; that is to say, when the Capital of Twenty-five thousand Pounds has been subscribed for, and One Half thereof paid up, the Company may borrow any Sums of Money not exceeding Five thousand Pounds; when the whole of the said Sum of Twenty-five thousand Pounds has been paid up, the Company may borrow the further Sum of One thousand Pounds; when the additional Capital of Eleven thousand Pounds shall have been subscribed for, and One Half thereof paid up, the Company may borrow the further Sum of Three thousand Pounds.

Power to  
borrow on  
Mortgage.

XXIX. That all Money raised under the Powers of this Act by Shares or borrowing shall be applied only to the Purposes of the Undertaking by this Act authorized.

Application  
of Money.

XXX. That (subject to the Provisions herein contained for reducing the Number of Directors) the Number of Directors shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares at least in the Undertaking, and that no Director shall continue in Office after he shall cease to be the Holder of Ten Shares at least in the Capital of the Company.

Number and  
Qualification  
of Directors.

[*Local.*]

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XXXI. That



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Power to  
vary the  
Number of  
Directors.

XXXI. That it shall be lawful for the Company from Time to Time to reduce the Number of Directors, but the whole Number of Directors after any such Reduction as aforesaid shall not be less than Five.

First Di-  
rectors.

XXXII. That the Persons who at the Time of the passing of this Act are the Directors of the original Company shall be the First Directors of the Company.

Quorum of  
Directors.

XXXIII. That a Quorum of a Meeting of Directors shall be Three.

Officers to  
continue.

XXXIV. That every Secretary, Clerk, Treasurer, and Officer appointed by the original Company, and in Office at the Time of the passing of this Act, shall hold and enjoy his Office and Employment, with the Salary or other Remuneration thereunto annexed, and be deemed an Officer of the Company, until he be removed from such Office, and 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 were appointed under this Act.

Company  
may appoint  
and remove  
Officers.

XXXV. That the Company may from Time to Time appoint and remove any Secretary and other Officers and Servants for the Purposes of their Undertaking.

First and  
other Meet-  
ings.

XXXVI. That with respect to the General Meetings of the Company, the First General Meeting of the Shareholders of the Company shall be held within Three Months after the passing of this Act, and a General Meeting shall be held in the Month of *May* in each Year, and at such other stated Periods as shall be appointed for that Purpose by an Order of any General Meeting or by the Directors; and all Meetings, whether ordinary or extraordinary, shall be held within the said Township of *Hyde*; and the Quorum for every Meeting of the Company shall be Six Shareholders.

Scale of  
voting.

XXXVII. That each Shareholder shall have One Vote in respect of each Share held by him.

Remunera-  
tion of  
Auditors.

XXXVIII. That the Company may from Time to Time allow to the Auditors such Remuneration as the Company may think fit.

Company  
may main-  
tain Works.

XXXIX. That, subject to the Provisions in this Act and the incorporated Acts contained, the Company may hold and use Lands already purchased or held by or in trust for the original Company, and may manufacture Gas, and may supply Gas within the Limits of  
this



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this Act, and may sell, manufacture, and dispose of the Coke and other Residuum arising, remaining, or to be obtained from the Materials used in the Manufacture of Gas, in such Manner as the Company may think fit, and may provide, do, and perform all Acts, Matters, and Things requisite or desirable for those Purposes.

XL. That every Consumer of the Gas supplied by the Company shall, upon being required by the Company by Notice in Writing so to do, 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.

XLI. That the maximum Price of Gas charged to the Consumers of Gas by Measure shall not exceed Six Shillings *per* Thousand Cubic Feet.

Limiting Price of Gas.

XLII. That every Person who shall wilfully, fraudulently, or by culpable Negligence injure or suffer to be injured any Meter or Fittings belonging to the Company, or shall fraudulently alter the Index to any Meter, shall forfeit to the Company a Sum not exceeding the Sum of Five Pounds; and the Company may, in addition thereto, recover the Amount of any Damages by them sustained; and the Company may also take off or discontinue the Supply of Gas to or for the Use of the Person so offending, notwithstanding any Contract which may have been previously entered into.

Recovery of Damages.

XLIII. That, 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 Buildings 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 down Pipes for lighting Buildings.

XLIV. That nothing in this Act contained shall extend or be construed to extend to abridge, alter, prejudice, or take away any of the Remedies, Rights, Privileges, Powers, or Authorities of or belonging or given to or vested in *Thomas Mottram*, of *Hyde* aforesaid, Gentleman, his Heirs, Executors, Administrators, or Assigns, under or by virtue of an Act of Parliament made and passed in the First Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for better supplying with Water the several Townships*

Saving Rights of Mr. Mottram under 1 W. 4. c. lii.



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*Townships of Hyde, Werneth, and Newton, in the County Palatine of Chester.*

For Protec-  
tion of Man-  
chester,  
Sheffield,  
and Lin-  
colnshire  
Railway  
Company.

XLV. That the Powers of the Company, under the "Gasworks Clauses Act, 1847," for entering upon any Land dedicated to Public Use, or of laying down Pipes or constructing other Works therein, shall not be exercised with respect to any Land belonging to the *Manchester, Sheffield, and Lincolnshire* Railway Company, whether used as a Railway, Canal, Towing Path, Road, Station, or otherwise, without the Consent of that Company for that Purpose first had and obtained, which Consent the Directors of that Company at any Meeting of such Directors are hereby empowered to give.

Undisputed  
Rates, &c.  
may be re-  
covered by  
Distress.

XLVI. That all Gas Rates or Rents or Remuneration for Gas due to the Company, and all Damages, Costs, and Expenses by this Act or any Act incorporated herewith directed to be paid, and all Costs of furnishing and fixing any Gas Meters or Pipes, and the Amount of which shall not be disputed, may be levied by Distress, and any Justice, on Application, shall issue his Warrant accordingly.

Costs of  
Proceedings  
may be in-  
cluded in  
Warrant of  
Distress.

XLVII. That any Justice who shall issue any Warrant of Distress for the Recovery of any Money payable under this Act or any Act incorporated herewith shall order that the Costs of the Proceedings for the Recovery of such Money shall be paid by the Person liable to pay such Sum of Money, and such Costs shall be ascertained by such Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Sums of  
Money may  
be recovered  
by Action.

XLVIII. That nothing in this Act or any Act incorporated herewith contained shall prevent the Company from recovering any Sums of Money which shall be due to them for Gas Rates or Rents, Damages, Costs, or Expenses, or for the furnishing or fixing of any Gas Meter or Pipes, by Action or Proceeding in such Manner as is by Law provided for the Recovery of Debts or Damages.

Expenses of  
Act.

XLIX. That all Costs, Charges, and Expenses incident to the applying for and passing of this Act shall be paid by the Company.

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LONDON :

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