



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. lxxx.

An Act for better lighting with Gas the Town and Borough of *Newport*, and the Neighbourhood thereof, in the County of *Monmouth*.

[26th June 1855.]

WHEREAS by an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act for better lighting with Gas the Town and Borough of Newport* 6 Vict. c. xxxi. in the County of Monmouth, the *Newport Gas Company* were incorporated, and authorized to light with Gas the said Town and Borough of *Newport*, with a Capital of Nine thousand Pounds, divided into Three hundred and sixty Shares of the Amount of Twenty-five Pounds each, and with Power to raise any further Sum of Money not exceeding, together with the said Sum of Nine thousand Pounds, the Sum of Fifteen thousand Pounds, either by new Shares or on Mortgages or Bonds: And whereas the said Company have accordingly raised the further Sum of Three thousand six hundred Pounds by the Creation and Issue of Three hundred and sixty Shares of the Amount of Ten Pounds each, which were allotted among the then Shareholders in the Proportion of One Share of Ten Pounds for each Share of Twenty-five Pounds held by them respectively, and have also raised the Sum of Two thousand four hundred Pounds by Mortgages or Bonds, and have expended such Monies for the Purposes of the said

[*Local.*]

12 T

Act:

The Newport (Monmouthshire) Gas Act, 1855.

Act: And whereas the Population and the Number of Dwelling Houses, Manufactories, and public and other Buildings within the said Town and Borough, and within those Parts of the Parishes of *Saint Woollos, Christchurch, and Malpas* which are not comprised in the said Town and Borough, have of late Years greatly increased, and are still rapidly increasing, and it is expedient that the said Company should be empowered to increase their Supply of Gas within the said Town and Borough, and to extend their Supply of Gas to the whole of the Parishes of *Saint Woollos, Christchurch, and Malpas*, and to raise further Money for those Purposes: And whereas, in order to avoid Confusion arising from the Existence of several Towns and Places of the same Name, it is expedient that the said Company should be empowered to take the Name of "*The Newport (Monmouthshire) Gas Company*" in lieu of their present Name, and it is also expedient that further Powers should be granted to them for the Purpose of more efficiently carrying on their Undertaking: And whereas, in order to avoid the Inconveniences arising from several Acts relating to the same Purposes being in force at the same Time, it is expedient that the recited Act be repealed, and that some of the Powers and Provisions thereof be amended and re-enacted or continued by this Act: And whereas such several Purposes 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:

Recited Act
repealed.

I. The said recited Act shall be and is hereby repealed, but subject to the Provisions contained in this Act.

Short Title.

II. In citing this Act for any Purpose whatsoever, it shall be sufficient to use the Expression "*The Newport (Monmouthshire) Gas Act, 1855.*"

8 & 9 Vict.
cc. 16. & 18.
and
10 & 11 Vict.
c. 15. incor-
porated.

III. "*The Companies Clauses Consolidation Act, 1845,*" "*The Lands Clauses Consolidation Act, 1845,*" and "*The Gasworks Clauses Act, 1847,*" shall be and the same are hereby incorporated with this Act (except so far as any of the Clauses of those Acts may be expressly varied by this Act).

Interpreta-
tion of Terms
in incorpo-
rated Acts.

IV. In construing the said Companies Clauses Consolidation Act, the Lands Clauses Consolidation Act, and the Gasworks Clauses Act, as incorporated with this Act, and also in construing this Act, the Expression "*the Special Act*" shall mean this Act, and the Expressions "*the Works,*" "*the Gasworks,*" and "*the Undertaking,*" respectively shall include as well the now existing Gasworks and
Works

The Newport (Monmouthshire) Gas Act, 1855.

Works connected therewith of the said Company as the Gasworks and Works connected therewith to be made and provided under the Powers of this Act; the Expressions "the Company," "the Promoters of the Undertaking," and "the Undertakers," respectively, shall mean the *Newport (Monmouthshire) Gas Company* constituted by this Act; and the Expression "Quarter Sessions" in the said incorporated Acts shall mean the General or Quarter Sessions or any adjourned Sessions for the County of *Monmouth*, held at *Usk* in the said County.

V. The Limits of this Act shall comprise and include the whole of the Town and Borough of *Newport*, and the whole of the Parishes of *Saint Woollos*, *Christchurch*, and *Malpas*, all in the County of *Monmouth*.

Limits of Act.

VI. Notwithstanding the Repeal of the said recited Act, the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares in the Company incorporated by that Act, and all other Persons and Corporations who have subscribed to the Undertaking of that Company, or who shall hereafter subscribe to the Undertaking of the Company, and their Executors, Administrators, Successors, and Assigns respectively, shall be and continue a Company for the Purpose of making and supplying Gas within the Limits of this Act, and for making and constructing Gasworks for that Purpose, with proper Works and Conveniences connected therewith, according to the Provisions in this Act and the said incorporated Acts contained, but by the Name of "The *Newport (Monmouthshire) Gas Company*," and by that Name shall be and continue One Body Corporate, with perpetual Succession and a Common Seal, and may sue and be sued, and (subject to the Restrictions in this Act and the said incorporated Acts contained) may maintain, use, alter, discontinue, and remove the Gas and Coke Works constructed under the Powers of the said recited Act, and may construct and maintain the Works by this Act authorized, and may supply Gas, and take, purchase, hold, and sell and dispose of Lands and other Property, for the Purposes of the Undertaking, and otherwise for carrying the Purposes of this Act and the said incorporated Acts into execution.

Old Company to continue incorporated for the Purposes of this Act.

VII. Provided always, 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 Six Acres of Land.

Land to be held by the Company limited.

VIII. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered under the recited Act shall be as valid as if the recited Act were not repealed, and the Repeal thereof and

Liabilities of old Company continued.

The Newport (Monmouthshire) Gas Act, 1855.

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 recited Act were not repealed 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 as by this Act continued shall represent the Company by the recited Act incorporated : Provided always, that the Generality of the Provisions contained in this Enactment shall not be confined or restricted by any special Provision contained in this Act.

Company to
continue
entitled to
Property,
although Act
repealed.

IX. Notwithstanding the Repeal of the recited Act, the Company shall be and remain seised and possessed of and entitled to all the Gasworks, Gasometers, Retorts, Apparatus, Machinery, Mains, Pipes, Guages, Meters, Engines, Works, and Conveniences, and all Lands, Tenements, Hereditaments, Buildings, Easements, Appurtenances, prospective and other Rights, Powers, Privileges, Goods, Chattels, Choses in Action, Moneys, Effects, Bonds, Deeds, Books, Writings, Papers, Maps, Plans, and Personal Estate and Property, Claims and Demands whatsoever, of or to which the *Newport Gas Company*, or any Person in trust for them, is or are, or was or were, under or by virtue of the recited Act, or otherwise howsoever, immediately before the passing of this Act, seised, possessed, or in anywise entitled at Law or in Equity, or otherwise howsoever, and that as fully and effectually to all Intents and Purposes whatsoever as if this Act were not passed, subject nevertheless to the Charges, Interests, and Liabilities (if any) to which at the Time of the passing of this Act the same Premises are respectively subject.

Convey-
ances, Con-
tracts, &c.
to remain
in force.

X. Notwithstanding the Repeal of the recited Act, all Purchases, Sales, Conveyances, Grants, Assurances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, Liabilities, Arbitrations, Awards, and other Acts and Things before the passing of this Act done, made, entered into, executed, or instituted under or by virtue of the recited Act, or with reference to the Purposes of the same, shall be and remain as good, valid, and effectual, in favour of or against and with reference to the Company, and may be proceeded on, enforced, and satisfied, in the same Manner to all Intents and Purposes as if the Company by the Name of *The Newport (Monmouthshire) Gas Company* had been Party thereto or referred to therein.

Actions, &c.
not to abate.

XI. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the *Newport Gas Company* 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

The Newport (Monmouthshire) Gas Act, 1855.

favour of and against the *Newport (Monmouthshire)* Gas Company, in the same Manner in all respects as the same would have continued and taken effect in relation to the *Newport* Gas Company if the recited Act had not been repealed, and also all Penalties incurred by or for any Offence against the Provisions of the recited Act previously to the passing of this Act may be sued for, and all Offences which may have been committed before the passing of this Act against the Provisions of the recited Act may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if the recited Act had not been repealed, and the Court in which any such Action, Suit, Prosecution, or other Proceeding by or against the *Newport* Gas Company is pending, or any Judge, may, on the Application in a summary Way of any Party thereto, cause the Name of "The *Newport (Monmouthshire)* Gas Company" to be substituted for the Name of "The *Newport* Gas Company," as Party to such Action, Suit, Prosecution, or other Proceeding, and after such Substitution the Name of "The *Newport (Monmouthshire)* Gas Company" shall be used in such Action, Suit, Prosecution, or other Proceeding in like Manner as if the Company by that Name, instead of by the Name of "The *Newport* Gas Company," had originally been Party thereto.

XII. Notwithstanding the Repeal of the recited Act, all Gas Rates, Rents, and Charges, which immediately before the passing of this Act were due and payable, or accruing due or payable, to the *Newport* Gas Company under or by virtue of the said recited Act, shall be and remain due and payable to the Company, and shall and may be collected and recovered and enforced by the same Ways and Means, and under the same Restrictions and Regulations, and with the same Penalties in respect thereof, as any Rates, Rents, or Charges may be collected, recovered, or enforced under this Act.

Gas Rates,
&c. to be
recovered.

XIII. Notwithstanding the Repeal of the recited Act, all Persons and Corporations who immediately before the passing of this Act owed any Sum of Money to the *Newport* Gas Company, or to any Person on their Behalf, shall pay the same, together with all Interest (if any) due and to accrue due for the same, to the Company, and the same shall be recoverable by the Company; and all Debts and Moneys which immediately before the passing of this Act were due or owing or recoverable from the *Newport* Gas Company, or for the Payment of which the *Newport* Gas Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company, and all Securities for the same shall be and continue in force accordingly.

Debts due
to and by
the Com-
pany to be
paid to and
by them.

XIV. Notwithstanding the Repeal of the recited Act, all Register Books, and other Books, Copy Orders and Certificates, Notes, Minutes, [Local.] 12 U or Books, &c. to be Evidence.

The Newport (Monmouthshire) Gas Act, 1855.

or Entries, Plans, Writings, and other Documents, by that Act directed or authorized to be kept, and which, if that Act were not repealed, would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Certificates
and Trans-
fers to re-
main in
force.

XV. Notwithstanding the Repeal of the recited Act, all Certificates, Sales, Transfers, Deeds, Declarations, and Dispositions before the passing of this Act made or executed under the recited Act, of or with respect to any Shares in the *Newport Gas Company*, shall remain in full Force and continue and be available in all respects for, against, and with reference to the Company.

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

XVI. Notwithstanding the Repeal of the recited Act, all Resolutions, Rules, Notices, Regulations, and Orders made under the said recited Act shall continue in force until the same be repealed, altered, or varied under this Act; and such Resolutions, Rules, Notices, Regulations, and Orders, and all Penalties and Forfeitures thereby respectively imposed, may and shall be enforced, recovered, and applied by the Company in the same Manner in all respects as if the same had been made and imposed respectively under this Act.

Officers to
continue
until re-
moved.

XVII. Notwithstanding the Repeal of the said recited Act, all Clerks, Officers, and Persons appointed by virtue of or acting under the Authority of the recited Act shall hold and enjoy their respective Offices and Employments, together with the Salaries and Emoluments thereunto annexed, until they shall be removed therefrom, and all such Clerks, Officers, and Persons shall have the like Powers and Authorities for the Purposes of this Act, and of carrying the same into execution, and all such Clerks, Officers, and Persons, and their respective Sureties, shall be subject and liable to the like Conditions, Obligations, Pains, and Penalties, and to the like Powers of Removal, and to the like Rules, Restrictions, and Regulations, in all respects whatsoever, as if they had been appointed and such Sureties had become bound respectively under this Act.

Capital.

XVIII. The Capital of the Company shall (subject to Augmentation as herein-after mentioned) be Twelve thousand six hundred Pounds, and shall be divided into Three hundred and sixty Shares of Thirty-five Pounds each, and those Shares shall be distinguished as the *Newport (Monmouthshire) Gas Company's Class A. Shares*, and shall be appropriated to and shall belong to the several Persons and Corporations who immediately before the passing of this Act were the Shareholders of the *Newport Gas Company*, in the Proportion of One Class A. Share for One existing Share of Twenty-five Pounds, and One existing Share of Ten Pounds in the Capital of the *Newport Gas Company*, held by them respectively immediately before the passing of this Act; and
every

The Newport (Monmouthshire) Gas Act, 1855.

every Share so appropriated shall be deemed paid up to the Extent of the aggregate Amount paid up upon the Two Shares for which it is substituted.

XIX. The Holders of Shares in the *Newport Gas Company* existing before the passing of this Act shall not be entitled to any Certificates of Proprietorship under this Act until they shall have delivered up to the Company for Cancellation the Certificates of Proprietorship issued to them previously to the passing of this Act, or shall have proved, to the reasonable Satisfaction of the Company, the Loss or Destruction thereof.

Old Certificates to be delivered up before new ones granted.

XX. Every Share so appropriated shall vest in the Person entitled thereto, upon the same Trusts, and subject to the same Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances, as those which immediately before the passing of this Act affected the Shares in respect of which it is appropriated, and so as to give Effect to and not to revoke any Will or Testamentary Disposition of or affecting such last-mentioned Shares.

Shares to be held upon the same Trusts.

XXI. Subject to the Provisions of this Act, the Company may from Time to Time, with the Consent of Three Fifths at least of the Votes of the Shareholders present, in Person or by Proxy, at any General Meeting of the Company specially convened for that Purpose, raise for the Purposes of the Company, by the Creation and Issue of new Shares, any further Sums of Money, not exceeding in the whole (together with the said Sum of Twelve thousand six hundred Pounds) the Sum of Forty thousand Pounds, and may create the new Shares either of One Class and with the like Privileges, or of several Classes and with different Privileges, and of the same or different Amounts respectively, and with any fixed, fluctuating, contingent, guaranteed, preferential, perpetual, terminable, or other Dividend or Interest as the Company from Time to Time shall think fit, and may from Time to Time (subject to the Provisions of this Act) fix, as they think fit, the Amounts and Times of Payment of the Calls on the new Shares: Provided always, that all the Shares of the same Class shall be of like Amount, and all the Shares of the same Class shall confer like Privileges, and bear the like Dividend or Interest; provided also, that any such fixed, guaranteed, or preferential Dividend or Interest shall not exceed the Rate of Six Pounds in the Hundred by the Year on the Amount for the Time being paid up on the Shares to which the same shall be attached; but this present Provision shall not prevent the Company from admitting the Holders of such Shares to participate (to such Extent, if any, as shall be authorized by Three Fifths of the Votes of the Shareholders present, personally or by Proxy, at such Meeting, or at any other General Meeting of the Company specially convened

Power to raise additional Capital by Creation of new Shares.

The Newport (Monmouthshire) Gas Act, 1855.

convened for the Purpose of authorizing such Participation) in such Part of the Profits of the Company as shall remain applicable to Dividend, after paying or providing for all fixed, guaranteed, or preferential Dividends or Interest payable by the Company, and also a Dividend on the ordinary Shares or Stock of the Company at a Rate equal to the highest Rate of fixed guaranteed or preferential Dividend or Interest for the Time being payable by them.

New preferential Shares not to prejudice previous Shares.

XXII. Provided always, That any Preference or Priority in the Payment of Interest or Dividend which may from Time to Time be granted in respect of any new Shares in pursuance of this Act shall not prejudice or affect any Preference or Priority in the Payment of Interest or Dividend on any other Shares which may have been previously granted by the Company by or in pursuance of this Act, or which may be otherwise lawfully subsisting.

Amount of new Shares.

XXIII. The Share Capital to be raised by new Shares shall be divided into Shares of such Amount as will conveniently allow the same to be disposed of in accordance with the Provisions of this Act.

New Shares to be sold by Auction.

XXIV. The Directors shall cause One Half of the new Shares to be from Time to Time created under the Powers of this Act, when and as the same shall from Time to Time be issued, to be offered for Sale by Public Auction, in such Manner, at such Times, and subject to such Conditions as they shall from Time to Time determine; and shall, One Month at least previously to every such Sale, cause Notice thereof to be given by Advertisement in One Daily Newspaper published in *London*, and in One or more Newspapers published or circulating within the said Borough of *Newport*.

Premiums on Sales not to bear Dividend.

XXV. All Moneys received upon such Sales by way of Premium shall (except as regards Dividends) be computed and taken as Part of the additional Capital which the Company are by this Act authorized to raise, and shall be expended in paying the Expenses of this Act, in extending or improving the Works of the Company, or in paying off Money borrowed or owing by the Company, but shall not be considered as Part of the Capital of the Company entitled to Dividend.

Remainder of new Shares to be offered to present Shareholders at Par.

XXVI. The Remainder of such new Shares, and such of the new Shares so offered for Sale by Auction as cannot be sold at such Sale at a Price exceeding the nominal Value of such Shares, shall be offered to the then Shareholders at Par, in proportion to the Number of Shares in the Capital of the Company held by them respectively at the Time of the Creation of such new Shares, and such Offers shall be made by Letter, under the Hand of the Secretary or Chief Clerk of the Company,

The Newport (Monmouthshire) Gas Act, 1855.

pany, given to or sent by Post, addressed to each Shareholder according to his Address in the Books of the Company, or left for him at his usual or last known Place of Abode in *England* or *Wales*; and every such Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter, in the ordinary Course of Delivery, ought to reach the Place to which it is addressed.

XXVII. The new Shares so offered to the Shareholders shall vest in and belong to the Shareholders who shall accept the same, and who shall pay the Calls thereon, at the Times and by the Instalments which shall be fixed by the Company.

New Shares to vest in Acceptors on Payment of Calls.

XXVIII. Provided always, That if any Shareholder fail for One Month after such Offer of new Shares to accept the same, and to pay the Instalments called for in respect thereof, the Company may dispose of such Shares in accordance with the other Provisions of this Act.

Disposition of Shares not accepted by Shareholders.

XXIX. Subject to the Provisions of this Act, the Company may from Time to Time dispose of the new Shares undisposed of by the Means aforesaid in such Manner, to such Persons, and on such Terms as the Company may think fit.

General Power to dispose of new Shares.

XXX. If, after having created any new Shares, the Company determine not to issue the whole of such new Shares, they may cancel the unissued new Shares, and may from Time to Time thereafter create in lieu thereof other new Shares of an aggregate Amount not exceeding that of the new Shares so cancelled.

Unissued Shares may be cancelled.

XXXI. Every Person or Corporation who becomes entitled to any new Share shall, in respect of the same, be a Shareholder in the Company, and shall (unless the Rate of Dividend or Interest thereon be at the Time of the Creation thereof otherwise fixed by the Company) be entitled to a Dividend with the other Shareholders proportioned to the whole Amount for the Time being paid up on such Share.

Dividend on new Shares.

XXXII. With reference to the Clauses of "The Gasworks Clauses Act, 1847," with respect to the Amount of Profit 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 shall, as regards the additional Capital to be raised by the Creation of new Shares under the Powers of this Act, be Seven Pounds Ten Shillings in the Hundred by the Year on the Capital for the Time being paid up on those new Shares.

Limiting Rate of Dividend.

XXXIII. No Person who is or shall be a Shareholder of the Company incorporated by this Act, shall, by reason of his being such

[Local.] 12 X Shareholder,

Shareholders not to be disqualified from acting

The Newport (Monmouthshire) Gas Act, 1855.

as Commis-
sioners under
the 7 Geo. 4.
c. 6.

Shareholder, be disqualified from acting as a Commissioner or as a Member of the Local Board of Health, for carrying into execution the Powers of the "Act for lighting, watching, paving, cleansing, and improving the Streets, Highways, and Places within the Town and Borough of *Newport* in the County of *Monmouth*," or any of them; or any of the Powers and Provisions of "The Public Health Act, 1848," in case such Person shall in all other respects be duly qualified according to the true Intent and Meaning of the said Acts, or either of them, but such Shareholder shall not vote as a Member of such Local Board of Health in any Question in which the Company may be interested, or in any Question respecting the lighting the said Town with Gas under the Powers of the Acts aforesaid or either of them.

Calls on
new Share-
holders.

XXXIV. No One Call to be made upon or in respect of any new Share created under the Powers of this Act shall exceed One Fourth of the Amount or nominal Value of such Share, and the Interval between successive Calls shall be not less than Two Months, and not more than Three Fourths of the nominal Amount of a Share shall be called up in any One Year.

Receipts for
Moneys pay-
able to
Minors,
Idiots, and
Lunatics.

XXXV. If any Money be payable to any Shareholder, being a Minor, Idiot, or Lunatic, the Receipt of his respective Guardian or Committee shall be a sufficient Discharge to the Company for the same.

Scale of
voting.

XXXVI. At all General Meetings of the Company every Shareholder holding Stock or Shares in the Capital of the Company of the aggregate nominal Value of Thirty-five Pounds or upwards shall be entitled to One Vote for every entire Sum of Thirty-five Pounds, (calculated according to the aggregate nominal Value) held by him in the Capital of the Company up to and inclusive of Seven hundred Pounds (calculated as aforesaid), and an additional Vote for every entire Sum of Three hundred and fifty Pounds (calculated as aforesaid) in the Capital of the Company held by him beyond the first Seven hundred Pounds so held by him.

Power to
borrow on
Mortgage
or Bond.

XXXVII. When and so soon as the whole of the Capital of Forty thousand Pounds is subscribed for, and One Half thereof is paid up, it shall be lawful for the Company from Time to Time to borrow on Mortgage or Bond, for the Purposes of the Undertaking, any Sums of Money not exceeding in the whole, together with the Sums previously borrowed by them and then remaining due, the Sum of Ten thousand Pounds.

XXXVIII. All

The Newport (Monmouthshire) Gas Act, 1855.

XXXVIII. All Mortgages or Bonds granted by the *Newport Gas* Existing Mortgages and Bonds to have Priority.
Company before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall, during the Continuance thereof, have Priority over all Mortgages and Bonds granted by the Company by virtue of this Act.

XXXIX. If the Company pay off any Sums owing by them on Mortgage or Bond they may again borrow the Sums so paid off, and so from Time to Time as often as Occasion shall require. Power to re-borrow.

XL. Subject to the Provisions herein-before contained, all Money to be raised under the Provisions of this Act, whether by means of Shares, or by Exercise of the Powers of borrowing or otherwise, shall be applied to the Purposes of the Undertaking by this Act authorized, and to no other Purpose. Application of Money.

XLI. The Ordinary Meetings of the Company shall be held half-yearly in the Second Week in *July* and the Second Week in *January* in every Year, or at such other stated Periods as shall from Time to Time be appointed for that Purpose by an Order of a General Meeting, at such Places in *Newport* as the Company shall from Time to Time appoint. Ordinary Meetings.

XLII. The Number of Shareholders on whose Requisition an Extraordinary Meeting shall be convened shall be Ten or more Shareholders holding Shares in the Capital of the Company amounting in aggregate nominal Value to One thousand Pounds at the least. Extraordinary Meetings.

XLIII. The Number of the Directors (until reduced under the Power herein-after contained) shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Shares in the Undertaking of the aggregate nominal Value of Two hundred Pounds at the least. Directors.

XLIV. The Company may from Time to Time, by Vote of any General Meeting, reduce the Number of Directors, provided that the Number when so reduced be not less than Five. Number of Directors may be reduced.

XLV. The Quorum of a Meeting of Directors shall be Three. Quorum of Directors.

XLVI. The several Persons who were Directors of the *Newport Gas* Company immediately before the passing of this Act shall be the First Directors of the Company, and they shall continue in Office until the First Ordinary Meeting in *July* held after the passing of this Act; and Present Directors continued.

The Newport (Monmouthshire) Gas Act, 1855.

and in connexion with this Act the Eighty-third and subsequent Sections of "The Companies Clauses Consolidation Act, 1845," shall be read and construed as if in that Eighty-third Section the Words "First Ordinary Meeting to be held in the Month of *July* after the passing of the Special Act" were substituted for the Words "First Ordinary Meeting to be held in the Year next after that in which the Special Act shall be passed," and the Words "the Ordinary Meeting to be held in the Month of *July* in every Year thereafter" were substituted for the Words "the First Ordinary Meeting to be held every Year thereafter."

Number of
a Committee
of Directors.

XLVII. The Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three or more than Five, of whom any Two in the Absence of the others shall be competent to act.

Advertise-
ments re-
lating to the
Company.

XLVIII. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some One or more Newspaper or Newspapers published in the Town or Borough of *Newport* in the County of *Monmouth*.

Power to
purchase
Lands.

XLIX. Subject to the Provisions of this Act, the Company may, for the Purposes of their Undertaking, enter upon, purchase, take, and use the Lands and Hereditaments in the Schedule to this Act particularly described, or such Part thereof as the Company may from Time to Time require for the Purposes of the Works and Undertaking.

Limiting
Period for
compulsory
Purchases.

L. The Powers by this Act granted to the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after Two Years from the passing of this Act.

Power to
construct
Gasworks.

LI. 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, Gasometers, Receivers, Drains, Sewers, Mains, Pipes, Machinery, and other Works and Apparatus, Houses, Buildings, and Approaches, and to do all such other Acts as they shall think necessary, consistently with the Provisions of this Act, for making and storing Gas, and for supplying Gas within the Limits of this Act, and to make, store, and supply Gas accordingly, and to sell, manufacture, and dispose of Coke and other Residuum arising or to be obtained from the Materials used in the Manufacture of Gas, in such Manner as the Company may think proper.

LII. Pro-

The Newport (Monmouthshire) Gas Act, 1855.

LII. Provided always, That (except as regards the Erection of other Works in substitution for and on the Site of existing Works) nothing in this Act contained shall authorize the Company to erect any Works for the Manufacture of Gas elsewhere than on the Lands described in the Schedule to this Act.

Restricting
Erection
of future
Works.

LIII. Subject to the Provisions in this and the said 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.

Power to
Company
to lay Pipes
for lighting
Buildings.

LIV. Every private Consumer of Gas supplied by the Company shall, upon Request in Writing by the Company, consume Gas by Meter, to be found and provided by the Company at the Expense of the Consumer, or (at the Option of the Consumer) to be provided by the Consumer and approved by the Company.

Power to
Company
to require
Consumers
to consume
Gas by
Meter.

LV. The maximum Price at which Gas shall be sold by the Company to all Persons who shall burn the same by Meter within the Limits of the Borough of the said Town as defined by an Act of Parliament passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to settle and describe the Divisions of Counties and the Limits of Cities and Boroughs of England and Wales, so far as respects the Election of Members to serve in Parliament*, shall not exceed Five Shillings *per* One thousand Cubic Feet, and to all Persons who shall burn the same by Meter without such Limits, shall not exceed Six Shillings *per* One thousand Cubic Feet.

Limiting
Charge for
Gas supplied
by Meter.
2 & 3 W. 4.
c. 64.

LVI. All the Gas to be supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven Inch Chimney, or other approved Burner and Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Ten Wax Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour.

Asto Quality
of Gas.

LVII. The Company shall, within Six Months after the passing of this Act, erect or cause to be erected in some convenient Part of their Works, an experimental Meter, furnished with an Argand Fifteen Hole Burner and a Seven Inch Chimney, or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas

Experimen-
tal Meter to
be provided.

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The Newport (Monmouthshire) Gas Act, 1855.

by the Hour, with other necessary Apparatus for estimating the illuminating Power, and for testing the Purity of the Gas.

Providing
Test of Gas.

LVIII. If at any Time and as often as the Corporation shall wish to test the illuminating Power and Purity of the Gas, the Corporation may, under the Hand of their Clerk, and at their own Expense, and after giving to the Company Three clear Days Notice of their Intention so to do, apply to the Judge for the Time being of the County Court for the *Newport* District to appoint some Person for that Purpose, and such Judge may, by Writing under his Hand, appoint some competent and indifferent Person to proceed to the Works of the Company, and such Person so appointed may, at all reasonable Times in the Daytime, and on Three Hours previous Notice in Writing given to the Company, and on the Production of such written Authority, enter the Works of the Company for the Purpose of making, and forthwith in the Presence of the Superintendent or other Officer of the Company make, Experiments on the Power and Purity of the Gas by means of the experimental Meter and other Apparatus herein-before mentioned, and in such Experiments the Company, their Officers and Servants, shall render all necessary Assistance; and if it shall be proved to the Satisfaction of any Two Justices, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company when consumed in an Argand Fifteen Hole Burner and a Seven Inch Chimney, or other approved Burner and Chimney consuming Five Cubic Feet of Gas *per* Hour, did not equal the illuminating Power of Ten Wax Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour, then and in every of such Cases the Company shall forfeit such Sum not exceeding Five Pounds, as of the said Justices shall seem fit, together with all Costs and Expenses of the Proceedings before such Justices.

For prevent-
ing fraudu-
lent Con-
sumption.

LIX. Every Person who shall knowingly and wilfully prevent any Meter supplied or approved by the Company from duly registering the Quantity of Gas supplied, shall for every such Offence forfeit and pay to the Company any Sum not exceeding Twenty Pounds; and the Existence of artificial Means for causing such Prevention shall, where the Meter is under the control of the Consumer, be *primâ facie* Evidence that the same has been knowingly and wilfully caused by the Consumer using such Meter.

Rent for
Gas and
Fittings
under 20l.

LX. In addition to the Power given by "The Gasworks Clauses Act, 1847," for the Recovery of Rent due, if less than Twenty Pounds, the Company may recover the Rent of any Gas, or the Price or Rent of or Remuneration for any Pipe, Burner, Meter, Lamp, or Fitting supplied, sold, delivered, or let to Hire by the Company, together
with

The Newport (Monmouthshire) Gas Act, 1855.

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.

LXI. All Gas Rates or Rents, or the Prices or Rents of or Remuneration for any Pipe, Burner, Meter, Lamp or Fitting let to Hire by and due to the Company, and all Damages, Costs, and Expenses by this Act or any Act incorporated herewith directed to be paid, and the Amount whereof shall not be disputed, may be recovered by Distress, and any Justice, on Application, may issue his Warrant accordingly.

Gas Rates may be recovered by Distress.

LXII. Any Number of Names and Sums may be included in any Warrant of Distress or Notice obtained or given by the Company for any of the Purposes of this Act, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

Several Names in One Warrant.

LXIII. Any Justice who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of such Rate or Sum shall be paid by the Person liable to pay such Rate or Sum; and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Rate or Sum.

Costs of Distress.

LXIV. No Justice shall be disqualified for acting in the Execution of this Act by reason of his being liable to the Payment of any Rate or other Charge under this Act.

Liability to Gas Rate not to disqualify Justice.

LXV. And whereas by certain Provisions still in force of the Local and Personal Act, 7 *George IV.* Chapter 6, passed for lighting, watching, paving, cleansing, and improving the Streets, Highways, and Places within the Town and Borough of *Newport* aforesaid, all Bodies Politic or Corporate, and Persons making, furnishing, or supplying Gas used, burnt, or consumed within the Limits of that Act, are subject to the Payment of Penalties, Costs, and Charges for certain Offences, for which the Company will also be liable to other Penalties, Costs, and Charges under "The Gasworks Clauses Act, 1847," and it is just that the Company should not be punished twice for the same Offence: Therefore if any Action, Suit, Information, or other legal Proceeding shall be brought, laid, or commenced against the Company, either under the said Local and Personal Act, 7 *George IV.* Chapter 6, or under "The Gasworks Clauses Act, 1847," or this Act, for any Offence, Act, Matter, or Thing committed or omitted by the Company, such Action, Suit, Information, or other Proceeding shall be a Bar to all other Actions, Suits, Informations, or other Proceedings against

Penalties under certain Acts not to be cumulative.

The Newport (Monmouthshire) Gas Act, 1855.

against the Company for or in respect of the same Offence, Matter, or Thing under any other of the said Acts.

Expenses of
Act.

LXVI. All the Costs, Charges, and Expenses of applying for and obtaining this Act and incident thereto shall be paid by the Company.

The Newport (Monmouthshire) Gas Act, 1855.

SCHEDULE referred to in the foregoing Act.

A Piece or Parcel of Land or Ground, now or late in the Occupation of James Jamieson Cordes and Company, or their Tenants, and used as Garden Ground, lying on the North and West Sides of the present Gasworks and Premises of the Company, in the said Borough of Newport, and extending in Depth, from East to West, along the whole of the present Western Boundary Wall of the said Company's Premises (except the Roadway leading from Mill Street into the Gasworks) at the Southern Extremity of such Western Boundary Wall, One hundred and fifteen Feet, and at the Northern Extremity of such Western Boundary Wall Eighty-nine Feet, and extending on the North and North-west of the present Northern Boundary Wall of the said Gas Company's Premises in Depth from South to North One hundred and ninety-five Feet or thereabouts, and in Length from East to West Two hundred and fifty-seven Feet or thereabouts; and which said Piece or Parcel of Land contains in the whole One Acre One Rood and Fourteen Perches or thereabouts, and is bounded on the North thereof by a Watercourse and other Lands in the Occupation of the said James Jamieson Cordes and Company or their Tenants, on the South partly by the Gas Company's Premises, and partly by Lands or Premises of Frederick Fradsham, and on the East partly by the Monmouthshire Railway and Canal Company's Canal, and partly by the Gas Company's Premises, and on the West by other Lands in the Occupation of the said James Jamieson Cordes and Company or their Tenants.

Certain other Pieces or Parcels of Land or Ground and Premises (upon which or upon Parts whereof certain Messuages or Tenements and Dwelling Houses are now erected), lying to the South of and adjoining to the present Gasworks and Premises of the Company, in the said Borough of Newport, and which said last-mentioned Pieces or Parcels of Land or Ground and Premises are bounded on the North thereof by the present Southern Boundary Wall of the said Gas Company's Premises, on the South thereof by Mill Street in the said Borough of Newport, on the East thereof by Land and Premises of the Monmouthshire Railway and Canal Company, and on the West thereof by the Land and Premises of the said Gas Company; and the said Pieces or Parcels of Land or Ground, Messuages

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The Newport (Monmouthshire) Gas Act, 1855.

or Tenements, and Dwelling Houses and Premises together contain One Rood and Thirty-seven Perches or thereabouts, and are now or late were in the respective Occupations of Lewis Lloyd, Frank Burley, Thomas Stephens, John Francis David Mosley, John Rixon, Mary Griffiths, and Thomas Stephens the younger; and which said Pieces or Parcels of Land or Ground herein-before particularly described are delineated on a Plan thereof deposited with the Clerk of the Peace for the County of Monmouth.

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