



ANNO DECIMO OCTAVO & DECIMO NONO

# VICTORIÆ REGINÆ.

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## *Cap. lxxxi.*

An Act for more effectually supplying with Gas  
the Town of *Weston-super-Mare* in the County of  
*Somerset*. [26th June 1855.]

**W**HEREAS many Years since several Persons formed themselves into a Company for the Purpose of making and vending Gas, Coke, and such other Materials and Substances as usually arise from or are obtained in the making of Gas, within the Town of *Weston-super-Mare* in the County of *Somerset*: And whereas such Company, in this Act called the existing Company, have for some Time past supplied Gas within the Town of *Weston-super-Mare*; but inasmuch as the Population and House Property within such Town have of late Years greatly increased and are still increasing, it is expedient that the Works of the existing Company should be extended and enlarged: And whereas the existing Company would be better able to carry on their Undertaking if they were incorporated, and if certain other Powers were conferred upon them; but these Objects cannot be accomplished 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  
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and Temporal, and Commons, in this present Parliament assembled, and by the Authority of same, as follows; (that is to say,)

Short Title. I. This Act may be cited for any Purpose as “*Weston-super-Mare Gaslight Act, 1855.*”

8 & 9 Vict.  
c. 16. and  
10 & 11 Vict.  
c. 15. incor-  
porated. II. “The Company’s Clauses Consolidation Act, 1845,” “The Lands Clauses Consolidation Act, 1845,” and “The Gasworks Clauses Act, 1847,” are incorporated with this Act: Provided always, that the Incorporation with this Act of “The Lands Clauses Consolidation Act, 1845,” shall not enable the Company to take Lands otherwise than by Agreement.

Construction  
of Terms. III. For the Purposes of this Act, the following Expressions respectively mean as follows; (to wit,)

In “The Companies Clauses Consolidation Act, 1845,” and in “The Gasworks Clauses Act, 1847,” “the Undertaking,” and in “The Lands Clauses Consolidation Act, 1845,” “the Works” or “the Undertaking,” means respectively the Works or the Undertaking, of whatever Nature, by this Act vested in the Company, or which they may be authorized to execute:

In “The Gasworks Clauses Act, 1847,” “the Special Act” means this Act:

“The Undertakers” means the Company:

“The Gasworks” means the Works or the Undertaking, of whatever Nature, by this Act vested in the Company, or which they may be authorized to execute.

Proprietors  
incorporated. IV. The Shareholders of the existing Company, and all such other Persons as shall hereafter subscribe to the Undertaking, and their respective Executors, Administrators, Successors, and Assigns, shall be united into a Company for the Purposes herein-after mentioned, and for such Purposes shall be incorporated by the Name of the “*Weston-super-Mare Gaslight Company*,” and by that Name shall be a Body Corporate, with perpetual Succession, and may have a Common Seal; and every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to any Share or Shares in the Capital of the existing Company shall in respect thereof be possessed of or entitled to the same Number of Shares of equal Amount in the Capital of the Company, and such Shares are hereby vested in such Persons and Corporations accordingly, and shall confer on the Holders thereof the same Rights and Interests as they would have enjoyed in respect thereof if this Act had not been passed, save in so far as such Rights or Interests may be expressly altered by this Act.

V. All



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V. All and every the Lands, Erections, and Buildings purchased by or for the existing Company, or conveyed to that Company, or to any Trustees on their Behalf, for the Purposes of the Undertaking, and now belonging to such Company, and all and every the Gasworks, Gasometers, Retorts, and other Works, Mains, and Pipes, Pillars, Posts, Apparatus, Matters, and Things which have been by them purchased or provided, laid down, erected, or placed in any Street within the Limits of this Act, or which at the Time of the passing of this Act shall be the Property of and belonging to them, and all other Property whatsoever belonging to them, or to any Trustees on their Behalf, shall be and the same are hereby vested in the Company.

Property of  
the existing  
Company  
vested in the  
Company.

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

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

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

Actions not  
to abate.

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

Debts due to  
or by existing  
Company to  
be paid to or  
by Company.

IX. Nothing



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Continuing  
Liability of  
Shareholders  
of existing  
Company,  
and giving  
them a Re-  
medy against  
the Com-  
pany.

IX. Nothing in this Act contained shall be held or construed to exonerate or release any of the Shareholders of the existing Company; from Liability in respect of any Debt, Obligation, Tort, Misfeasance, or Nonfeasance of that Company; and if any such Debt or Obligation or Damages in respect of any Tort, Misfeasance, or Nonfeasance shall be recovered against any such Shareholder, the Amount thereof, together with the Costs and Expenses incurred by him in reference thereto, shall be repaid to him by the Company, and shall be recoverable against such Company by Action or Plaint in any Court of competent Jurisdiction.

Deeds of  
Settlement  
to be void,  
without Pre-  
judice to Re-  
medies for  
antecedent  
Breaches  
thereof.

X. Any Deed of Settlement for regulating the Affairs of the Company shall, as to any future or prospective Operation thereof, be wholly void and of Noneffect, and the several Persons who shall have executed the same, and their Heirs, Executors, and Administrators, shall be released and discharged from any future Obligation to observe, perform, abide by, fulfil, or conform to any such Deed, 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 Provisions of any such Deed which may have been incurred prior to 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 such Deed.

Capital.

XI. The Capital of the Company shall be Eight thousand Pounds, divided into Four hundred Shares of Twenty Pounds each.

Calls.

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

Amount of  
Profits that  
may be di-  
vided on  
additional  
Capital.

XIII. The Amount of Profits of the Undertaking which may be divided amongst the Undertakers or Shareholders in the Company in any Year on any Amount of Capital of the Company which they may raise under the Authority of this Act beyond the Sum of Four thousand Pounds, the present Amount of the Capital of the existing Company, and which shall be from Time to Time paid up, is after the Rate of Seven Pounds and Ten Shillings in the Hundred by the Year on such paid-up Capital.

Power to  
borrow on  
Bond.

XIV. After the whole of such Capital of Eight thousand Pounds shall have been subscribed, and Three Fourths of the same shall have been



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been paid up, the Company may borrow on Bond any Sum not exceeding in the whole the Sum of Two thousand Pounds.

XV. If the Company pay off any Sums borrowed by them, they may again borrow the Sum so paid off, and so from Time to Time as often as Occasion shall require. Power to re-borrow.

XVI. All Money raised under the Provisions of this Act, whether by means of Shares or by Exercise of the Powers of borrowing, shall be applied to the Purposes of the Undertaking, and to no other Purpose. Application of Money.

XVII. The Number of Directors shall be Five, and the several Persons who at the Time of the passing of this Act are Directors of the existing Company shall remain in Office until the First Ordinary Meeting to be held in the Year One thousand eight hundred and fifty-six; and the Qualification of a Director shall be the Possession of Five Shares in the Undertaking. Number and Qualification of Directors.

XVIII. The First Ordinary Meeting of the Company shall be held within Three Months after the passing of this Act. First Ordinary Meeting.

XIX. In order to constitute a General Meeting of the Company there shall be present, either personally or by Proxy, not less than Five Shareholders holding in the aggregate not less than One hundred Shares in the Capital of the Company; and at every such General Meeting each Shareholder shall have One Vote for every Share he may have in the Undertaking. Quorum for General Meetings of Shareholders.

XX. The Company is established for the Purpose of making and supplying Gas within the Limits of this Act, and for selling and disposing of Coke, and of every Product, Refuse, or Residuum arising or to be obtained from the Materials used in the Manufacture of Gas, and of the manufacturing and selling or dealing in Gas Fittings, Tubes, Meters, Pipes, and all other Articles and Things in any way connected with Gasworks, or with the Supply of Gas to the Consumers thereof, in such Manner as the Company may think proper; and for such Purpose the Company may, subject to the Restrictions in this Act contained, on that Parcel of Land and Premises commonly called "The Gasworks" and the Police Station, situate in *Oxford Street* and *Gas Street*, and on certain Premises adjoining, belonging to one *James Norville*, situate in *East Row*, measuring from East to West in the widest Part Eighty Feet, and in the narrowest Part Thirty-five Feet and Nine Inches, and from North to South in the widest Part One hundred and seventy-one Feet, and in the narrowest Part Ninety-three Feet Nine Inches, all in the Town of *Weston-super-Mare* in the County of *Somerset*, and also on that Parcel of Land in the Occupation

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of

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of *Horatio Francis Parsley*, bounded on the North by the *Bristol and Exeter* Railway, on the South and East by Lands in the Occupation of the said *Horatio Francis Parsley*, and on the West by the Road leading from *Uphill* to *Ashcombe*, all in the Parish of *Weston-super-Mare* in the said County, from Time to Time continue, make, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses and Buildings upon the Lands and Premises herein-before described, and do all other Acts necessary and convenient, as they shall think proper for supplying the Inhabitants within the Limits of this Act with Gas.

Furnaces,  
&c. to con-  
sume Smoke.

XXI. Every Furnace, Fireplace, or Stove used or employed by the Company within the Town of *Weston-super-Mare* for the Purpose of making and supplying Gas shall so consume or burn the Smoke arising from such Furnace, Fireplace, or Stove that no Nuisance or Annoyance shall be occasioned to the Neighbourhood; and if at any Time after the Twenty-ninth Day of *September* One thousand eight hundred and fifty-six it shall be proved to the Satisfaction of Two Justices that the Company are using or employing any such Furnace, Fireplace, or Stove which does not so consume or burn its own Smoke, or so negligently use or employ any such Furnace, Fireplace, or Stove as that the Smoke arising therefrom is not consumed, and if the Company are not using the best practicable Means for preventing or counteracting such Smoke, or are doing or suffering to be done anything in the Course of their Business which shall occasion any Nuisance, or otherwise annoy the Neighbourhood or Inhabitants of the Town of *Weston-super-Mare*, the Company shall forfeit for every such Offence a Sum not exceeding Ten Pounds, as the Justices think fit, together with all Costs and Expenses, and in addition to such Penalty the Sum of Five Pounds for each Day during which such Offence shall continue.

As to the  
Quality of  
the Gas.

XXII. 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, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Ten Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour.

Experimen-  
tal Meter to  
be provided,

XXIII. The Company shall, within Three Months after the passing of this Act, erect or cause to be erected in some convenient Part of their said Works an Experimental Meter, furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, capable of consuming Five Cubic Feet of Gas *per* Hour, with other necessary Apparatus for



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for estimating the illuminating Power and for testing the Purity of the Gas.

XXIV. If at any Time and as often as the Commissioners of the Town of *Weston-super-Mare* shall wish to test the illuminating Power and Purity of the Gas, the said Commissioners, under the Hand of their Clerk, may appoint some competent Person, not being a Member or an Officer or a Servant of the said Commissioners, to proceed to the Works of the Company, and such Person so appointed may at all reasonable Times in the Day, and on Six 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, consuming Five Cubic Feet of Gas *per* Hour, did not equal the illuminating Power of Ten Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour, then and in any of such Cases the Company shall forfeit such Sum, not exceeding Five Pounds, as to the Justices shall seem fit, together with all Costs and Expenses.

Providing  
Test of Gas.

XXV. The Company may from Time to Time agree with the Owners of any Lands specified and defined as aforesaid which they may think requisite or proper for, any of the Purposes of the Undertaking, for the absolute Purchase of the same for a Consideration in Money, on such Terms as are agreed on; provided that the Company shall not hold for the Purposes of their Undertaking more than Four Acres of Land; provided always, that the Company shall not erect any Works for the Manufacture of Gas upon any Lands other than and except upon such Lands specified and defined as aforesaid.

Power to  
purchase  
Lands.

XXVI. The Limits of this Act shall be the Town of *Weston-super-Mare* in the Parish of *Weston-super-Mare* in the County of *Somerset*.

Limits of  
Act.

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

Company  
empowered  
to lay Pipes  
for lighting  
Buildings.

XXVIII. The

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Limiting the  
Price of Gas.

XXVIII. The Company shall not demand or receive for the Supply of Gas any greater Sum than a Sum after the Rate of Six Shillings *per* One thousand Cubic Feet of such Gas ; and from and after the Expiration of any existing Contract for the Supply of Gas for lighting the public Streets and other Places in the said Town of *Weston-super-Mare* the Company shall afford such Supply at a Price not exceeding the lowest Price charged by the Company to their private Consumers.

Rent for Gas  
and Fittings  
under 20l.  
how to be  
recovered.

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

Saving of  
Rights.

XXX. Provided always, That nothing in this Act contained shall alter, lessen, or abridge any Power or Authority given or granted to any Commissioners, Trustees, or Body Politic or Corporate under or by virtue of any Act of Parliament for the Control and Management of the Streets within the Town, or for supplying the same with Water.

Expenses of  
Act.

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

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