



ANNO DECIMO NONO & VICESIMO

# VICTORIÆ REGINÆ.

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## Cap. lix.

An Act to incorporate “The *West Ham* Gas Company,” to enable them to raise further Money, to confirm a Contract between the said Company and the *Commercial* Gas Company; and for other Purposes. [30th *June* 1856.]

**W**HEREAS by a Deed of Settlement bearing Date the Twenty-sixth Day of *March* One thousand eight hundred and forty-six, several Persons formed themselves into a Company by the Name of “The *West Ham* Gaslight and Coke Company,” for the Purpose of making and producing inflammable Air or Gas from Coals, Oil, or other Materials, and lighting therewith the Parish of *West Ham* and any other Parish or Place within Ten Miles thereof, all in the County of *Essex*, and for selling or disposing of any Coke, Tar, or other Products to be produced therefrom: And whereas the said Company has been duly registered under the Act for the Registration, Incorporation, and Regulation of Joint Stock Companies: And whereas, under the Powers of the said recited Deed of Settlement, the Capital Sum of Thirteen thousand nine hundred and eighty-five Pounds has been subscribed and raised in Two  
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Deed of Settlement dated 26th March 184

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thousand seven hundred and ninety-seven Shares of Five Pounds each: And whereas in pursuance of the Powers of the said Deed, and a Resolution passed at an Extraordinary General Meeting of the Shareholders of the said Company duly held on the Twenty-third Day of *May* One thousand eight hundred and fifty-three, and confirmed by another Extraordinary General Meeting duly held on the Thirteenth Day of *June* following, the Sum of Three thousand Pounds has been borrowed on Mortgage of the Leasehold Premises and Works of the said Company so registered as aforesaid: And whereas, in pursuance of another Resolution passed at an Extraordinary General Meeting of the Shareholders of the said Company duly held on the Twenty-fifth Day of *June* One thousand eight hundred and fifty-five, and confirmed by an Extraordinary General Meeting duly held on the Eleventh Day of *July* following, the several Sums of Five thousand Pounds, Two thousand Pounds, and Three thousand Pounds, have been borrowed by the Directors of the said Company so registered as aforesaid, upon the Security of the joint and several Promissory Notes of the said Directors: And whereas on the Sixteenth Day of *July* One thousand eight hundred and fifty-five a mutual Agreement or Arrangement (a Copy whereof is set forth in the Schedule to this Act annexed) was, in consideration of the Premises therein recited, come to on behalf of the said Company and the *Commercial Gas Company*, for the Sale and Transfer to the said Company of the Mains, Meters, Services, and other Property of every Description belonging to the *Commercial Gas Company*, and being in any Parts of the said Parish of *West Ham* (except at such Part thereof as therein is excepted), for the Sum of Six thousand nine hundred and twenty-four Pounds Nine Shillings, the Sum of Five thousand Pounds Part thereof to be paid on the Delivery of the said Mains, Meters, Services, and other Property to the said Company, and the Residue thereof on the Twenty-fourth Day of *June* One thousand eight hundred and fifty-six, and for an Application to Parliament to carry into effect the said Agreement: And whereas the said Company have paid to the said *Commercial Gas Company* the said Sum of Five thousand Pounds, and have obtained Possession of all the Property of the said *Commercial Gas Company* in the said Parish of *West Ham*, except as aforesaid: And whereas the said Company so registered as aforesaid have at considerable Expense constructed and established Works, and have laid down Pipes and other Apparatus, and have been ever since the Year One thousand eight hundred and forty-six and still are engaged in supplying with Gas the Parishes of *West Ham*, *East Ham*, and *Leyton*, and Parts adjacent thereto, and the Wards, Districts, and Places of *Stratford-Langthorne*, *Upton*, *Plaistow*, *Hudson Town*, and *Holloway Down*, or some or one of them, all in the said County of *Essex*, and such Supply has been attended with great Benefit to the Inhabitants thereof: And whereas, by reason of the

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the Extension of Buildings and of the great Increase of Population within the Parishes, Wards, and Districts and Places aforesaid, and of the Demand for Gas occasioned thereby, the said Company have found it necessary to raise Money by way of Mortgage and Loans as herein-before recited, and also to increase and extend their Works, but the same have been found insufficient to provide adequately for the increased and still rapidly-increasing Population and Buildings, and the Demand for Gas within the said Parishes, Wards, and Districts, and Places; and it is expedient that the said Company should be enabled to extend their Supply of Gas, and that a further Outlay should be made upon the Company's Works, and that they should be empowered to alter and increase their Capital, and the Number and nominal Amount of the existing Shares, and to raise further Money: And whereas it is desirable to confirm the said Agreement or Arrangement of the Sixteenth Day of *July* One thousand eight hundred and fifty-five, and the said Company would be better able to carry on their Undertaking if they were incorporated, and if certain other Powers were conferred upon them, but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; that is to say,

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

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

III. Provided always, That nothing herein or in the said "Lands Clauses Consolidation Act, 1845," contained shall authorize the Company to take or use any Land, unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof. Nothing to authorize the Use of Lands without Consent.

IV. That in construing the said "Companies Clauses Consolidation Act," the said "Lands Clauses Consolidation Act," and the said "Gasworks Clauses Act," as incorporated with this Act, the Expression "the Special Act," shall mean this Act, and the Expression "the Works" or "the Undertaking" shall mean the Gasworks and Works connected therewith by this Act vested in the Company incorporated by this Act, or which they may be authorized to execute; the Expression Interpretation of Terms.

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sion "the Promoters of the Undertaking" or "the Undertakers" shall mean the Company incorporated by this Act; and the Expression "Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the said Company, or which they may construct under the Authority thereof; and the Expression "Quarter Sessions" shall be construed to mean the Quarter Sessions for the County of *Essex* holden at *Chelmsford* in the said County.

Short Title. V. That in citing this Act it shall be sufficient to use the Expression "The *West Ham Gas Company's Act, 1856.*"

Agreement with the Commercial Gas Company confirmed.

VI. And with respect to the Sale and Transfer to the Company of the Property and Business of the *Commercial Gas Company*, be it enacted as follows, That the said recited Agreement or Arrangement of the Sixteenth Day of *July* One thousand eight hundred and fifty-five, a Copy of which is set out in the said Schedule to this Act annexed, be and the same is hereby confirmed, and shall be binding on the said Company and the *Commercial Gas Company* respectively, and shall be carried into effect accordingly.

As to Payment of the Money to the Commercial Gas Company.

VII. That the Company shall pay to the *Commercial Gas Company* on the Twenty-fourth Day of *June* One thousand eight hundred and fifty-six the Sum of One thousand nine hundred and twenty-four Pounds Nine Shillings, together with Interest thereon at the Rate of Five Pounds *per Centum per Annum* from the Sixteenth Day of *July* One thousand eight hundred and fifty-five; and thereupon the *Commercial Gas Company* shall make and execute to the Company a Deed of Conveyance under their Common Seal of the Property and Business in the said recited Agreement mentioned, in which Conveyance the Consideration Money shall be stated and expressed, and shall be duly stamped with the full Amount of the Stamp Duty in respect of such Consideration Money; and such Conveyance shall be produced, duly stamped as aforesaid, to the Commissioners of Inland Revenue within Six Months next after the passing of this Act, or in default thereof the said Stamp Duty shall be recoverable from the Company, with full Costs of Suit, and all Charges attending the same.

Limitation of Supply of Gas by Commercial Gas Company.

VIII. The *Commercial Gas Company* shall not at any Time hereafter, directly or indirectly, supply Gas either for private or public Use, or for any other Purpose whatsoever, to any Parish, Ward, Hamlet, Township, District, or Place in any Part of the County of *Essex*, with the Exception of such Part of the said County as is comprised within a Segment of a Circle, of which the Radius is a straight Line One thousand Yards in Length, measured from any Point of the *Essex* Extremity of the Bridge known as the *Iron Bridge* over the River *Lea* in the *Barking Road, Plaistow*, in the said County of *Essex*.

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IX. The Company shall not at any Time hereafter, directly or indirectly, supply Gas either for private or public Use, or for any other Purpose whatsoever, to any Parish, Ward, Hamlet, Township, District, or Place in any Part of the County of *Middlesex*.

Company not to supply Gas to any Part of the County of Middlesex.

X. That the Company shall not erect any further Works for the Manufacture of Gas, except upon Land adjoining to the Lands which at the Time of the passing of this Act maybe vested in the Company and occupied by them with Works for the Manufacture of Gas: Provided always, that when a Road bounds the said present Works, the Lands immediately on the other Side of such Road shall be considered adjoining Lands for the Purposes of this Act.

Power for erecting further Gas-works limited.

XI. That all the Works, Mains, Services, Meters, Apparatus, Property, and Effects of the *Commercial Gas Company* in any Part of the Parish of *West Ham*, except as aforesaid, shall henceforth form Part of the Undertaking and general Property and Effects of the Company, and that the Powers, Rights, and Privileges for the Manufacture, Sale, and Supply of Gas of the said *Commercial Gas Company*, so far as the same are applicable to the said County of *Essex*, or any Part or Parts thereof, except as aforesaid, shall cease.

Property of the Commercial Gas Company situate in West Ham to form Part of Company's Property.

XII. That the Limits of this Act shall comprise the several Parishes, Wards, Districts, Hamlets, and Places following; that is to say, *West Ham, Stratford-Langthorne, Plaistow, Upton, Forest Gate, Hudson Town, East Ham, Wanstead, Holloway-Down, Leyton, Leytonstone, Little Ilford, Walthamstow, Woodford, and Snaresbrook*, and the Suburbs and Vicinities thereof and Parts adjacent, all in the said County of *Essex*, except such Part of the same County as is comprised within a Segment of a Circle, of which the Radius is a straight Line One thousand Yards in Length, measured from any Point of the *Essex* Extremity of the Bridge known as the *Iron Bridge* over the River *Lea* in the *Barking Road, Plaistow*, in the said County of *Essex*.

Limits of Act.

XIII. That the several Persons and Corporations who immediately before the passing of this Act were the Proprietors of Shares in the Company so registered as aforesaid, and all other Persons and Corporations who have subscribed or shall hereafter subscribe to the Undertaking of the Company, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and supplying Gas within the Limits of this Act, and for selling and disposing of any Coke, Tar, or other Products to be produced therefrom, and for making and extending Gasworks for that Purpose, with proper Works and Conveniences connected therewith, according to the Provisions in this Act and the

Company incorporated.

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said incorporated Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *West Ham Gas Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and may sue and be sued, and shall have a Common Seal, and Powers to purchase and hold Lands, Hereditaments, and Gasworks, with proper Works and Conveniences connected therewith, for the Purposes of the Undertaking.

Company to remain entitled to Property possessed before passing of Act.

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

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

XV. That, subject to the Provisions of this Act, the said Deed of Settlement of the said Company shall, as to any future or prospective Operation thereof, from and after the passing of this Act be wholly void and of none effect, and that the several Persons who shall have executed the same, and their Heirs, Executors, and Administrators, shall immediately from and after the passing of this Act be released and discharged from any future Obligation to observe, perform, abide by, fulfil, or conform to the said Deed of Settlement, or the Covenants or Agreements therein contained, or any or either of them: Provided always, that nothing herein contained shall release or discharge any Person from any Liability or Obligation in respect of any Breach of the Provisions of the said Deed which may have been incurred prior to the Date of the passing of this Act, but such Liability or Obligation shall subsist and continue, and may be enforced accordingly, under and according to the Provisions of the said Deed.

Conveyances, &c. to remain in force.

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

XVII. That

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XVII. That any Action, Suit, Prosecution, or other Proceedings commenced either by or against the 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 of and against the Company, in like Manner in all respects as the same would have continued and taken effect if this Act had not passed.

Actions not to abate.

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

Gas Rates due at passing of Act to be recoverable.

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

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

XX. That the said several Sums of Five thousand Pounds, Two thousand Pounds, and Three thousand Pounds borrowed by the Directors of the Company as herein-before recited, and all Interest due and to accrue due thereon, shall be paid by the Company; and as between the said Directors and the Company, they the said Directors shall not be personally responsible for the same or any Part thereof, nor for or in respect of any Act, Deed, Neglect, or Default made, done, committed, or omitted by them, or any of them, as Directors of the Company so registered as aforesaid, but they the said Directors shall be indemnified by the Company against the Payment of the said several Sums of Money, and the said Acts, Deeds, Neglects, and Defaults, all and every of them.

Directors not to be personally responsible.

XXI. That nothing in this Act contained shall be held or construed to exonerate or release any of the Shareholders of the Company so registered as aforesaid in respect of any Debt or 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 new Company, and shall be recoverable against such Company by Action or Plaint in any Court of competent Jurisdiction; provided, that any Shareholder

Liability of Shareholders of old Company continued, but giving them a Remedy against the new Company.

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holder paying or satisfying any Debt, Obligation, or Damages shall be entitled to Contribution from the other Shareholders in the same Manner as he would have been in case this Act had not passed.

Resolutions,  
&c. to remain  
in force.

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

Former  
Officers to  
continue.

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

Capital.

XXIV. That the Capital of the Company shall be Eighty thousand Pounds, and shall be divided into Sixteen thousand Shares of Five Pounds each.

Shares  
vested in  
Persons un-  
der Deed of  
Settlement to  
remain so.

XXV. That the Two thousand seven hundred and ninety-seven Shares of Five Pounds each already granted by the Company, representing the Sum of Thirteen thousand nine hundred and eighty-five Pounds, shall form Part of the said Capital of Eighty thousand Pounds, and shall remain vested in the several Persons and Corporations who immediately before the passing of this Act were possessed of or entitled to the same, and such Shares shall confer on the Holders thereof the same Rights and Interests as they would have enjoyed if this Act had not been passed, saving so far as such Rights and Interests may be expressly altered by this Act.

Certificates  
of old Shares  
to apply to  
new Shares.

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

Shares to be  
held upon the  
same Trusts.

XXVII. That all Persons and Corporations in whom any of such Shares are or may be vested as aforesaid shall stand possessed thereof, upon the same Trusts and subject to the same Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances

as



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as the said Shares were subject and liable to immediately before the passing of this Act.

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

Power to raise additional Capital by Creation of new Shares.

XXIX. The Profits of the Company to be divided amongst the Shareholders in any Year shall not exceed the Sum of Seven Pounds and Ten Shillings *per Centum* on the paid-up Capital of the Company, unless a larger Dividend be at any Time necessary to make up the Deficiency of any previous Dividend authorized under the Powers of this Act.

Limitation of Dividend on Capital.

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

Registration Shares.

XXXI. That Two Pounds and Ten Shillings shall be the greatest Amount of any One Call which the Company may make in respect of any new Shares which may be created under the Act, and that Two Months at the least shall intervene between successive Calls.

Calls.

XXXII. That, for the Purpose of enabling the Company to discharge and pay off the several Sums of Money borrowed by the Company so registered as aforesaid, the Directors of the Company may borrow on Mortgage of the Undertaking or on Bond any Sum or Sums of Money not exceeding in the whole the several Sums of Money so borrowed as aforesaid; and that when and so soon as the Company shall have repaid such Monies, and the whole of the said Capital of Eighty thousand Pounds shall have been duly subscribed for, and One Half thereof actually paid up, then it shall be lawful for the Directors of the Company from Time to Time to borrow on Mortgage of their Undertaking, or on Bond, any Sum or Sums of

Power to borrow on Mortgage.

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Money not exceeding in the whole the Sum of Nineteen thousand nine hundred and ninety-nine Pounds.

Application  
of Money.

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

Priority of  
existing  
Mortgages.

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

Number and  
Qualification  
of Directors.

XXXV. That, subject to the Provisions herein contained for reducing the Number of Directors, the Number of Directors of the Company shall be Eleven, and the Qualification of a Director shall be the Possession by him in his own Right of Fifty Shares in the Undertaking.

Power to  
reduce the  
Number of  
Directors.

XXXVI. That it shall be lawful for the Company, by Vote of any General Meeting, from Time to Time to reduce, and the Company shall within Three Years reduce, the Number of Directors to any Number being not greater than Six.

First Direc-  
tors.

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

Quorum.

XXXVIII. That a Quorum of a Meeting of the Directors shall be Three.

First Meet-  
ing and  
Quorum.

XXXIX. That the First Ordinary Meeting of the Company shall be held in the Month of *August* next after the passing of this Act, and that Fifteen Shareholders present at such Ordinary Meeting or at any General or Extraordinary Meeting shall form a Quorum.

Extraordi-  
nary Meet-  
ings may be  
called.

XL. That the Number of Proprietors on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be Twenty or more Shareholders holding in the aggregate not less than Five thousand Pounds in the Capital of the Company.

Scale of  
acting.

XLI. The Scale of voting at all General Meetings of the Company shall be as follows: Every Shareholder holding Five Shares or a less Number than Five shall have One Vote; holding Six Shares and not more than Ten Shares, Two Votes; holding Eleven Shares  
and

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and not more than Fifteen Shares, Three Votes; holding Sixteen Shares and not more than Twenty Shares, Four Votes; and shall have an additional Vote for every Five Shares beyond the First Twenty Shares.

XLII. That, subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company from Time to Time to make, construct, lay down, and maintain, alter and discontinue, such Retorts, Gas Meters, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and also such Houses and Buildings, and Approaches thereto, upon the Lands belonging to the Company, or which they shall at any Time hereafter, pursuant to the Powers of this Act and the said incorporated Acts, purchase, take on Lease, or receive in exchange, and to do all such other Acts as they shall think necessary, consistently with the Provisions of this Act, for supplying Gas within the Limits of this Act, and to sell, manufacture, and dispose of Coke, and other Residuum arising or to be obtained from the Materials used in the Manufacture of Gas, in such Manner as the Company may think proper.

Power to  
construct  
Works.

XLIII. That, subject to the Provisions in this Act and the said incorporated Acts contained, it shall be lawful for the Company to lay down any Main Pipe, Branch, or other necessary Apparatus, from any Main or Branch Pipes, into, through, or against any Building, for the Purpose of lighting the same, and to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Company  
empowered  
to lay Pipes  
for lighting  
Buildings.

XLIV. That every private Consumer of Gas of the Company shall, upon Request in Writing by the Company, consume Gas by Meter.

Consumers  
of Gas may  
be required  
to consume  
Gas by  
Meter.

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

Limiting  
Charge for  
Gas supplied  
by Meter.

XLVI. That in addition to the Power given by "The Gasworks Clauses Act, 1847," in this Behalf, the Company may recover the Rate, Rent, or Price for any Gas, or the Price or Rent of any Pipe, Burner, Meter, Lamps, or Fitting, supplied, sold, delivered or let by the Company, together with the Expense of cutting off the Service Pipe or Gas, by Action in any Court of competent Jurisdiction, although the Demand in respect thereof may be less than Twenty Pounds; and the Register of the Meter shall be *primâ facie* Evidence of

As to Re-  
covery of  
Rent for Gas  
and Fittings  
under 20*l.*

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of the Quantity of Gas consumed by any Customer of the Company, and in respect of which any Rent is charged and sought to be recovered by the Company.

Gas Rates may be recovered by Distress.

XLVII. That all Gas Rates or Rents which shall at any Time be due to the Company, and the Amount whereof shall not be disputed, may be recovered by Distress, and any Justice on Application shall issue his Warrant accordingly.

Costs of Distress.

XLVIII. That any Justice who issues such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of such Rate or Rent shall be paid by the Person liable to pay such Rate or Rent; 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 Rent.

Justice not disqualified to act, being a Shareholder.

XLIX. That no Justice shall be disqualified from acting in the Execution of this Act by reason of his being a Shareholder of the Company, or being liable to the Payment of any Rate or Charge under this Act.

Contracts, &c. to be binding, although not under the Seal of the Company.

L. That all Contracts and Agreements for and concerning the making or supply of Gas, or for or concerning the Purchase or Sale of any Goods, Wares, or Merchandises, shall be binding upon and between the said Company and any Person or Persons or Bodies Corporate or Politic, notwithstanding such Contracts or Agreements may not be under the Seal of the said Company, or of such Person or Persons or Bodies Corporate or Politic.

Company to light the public Lamps, &c.;

LI. That the said Company, their Successors and Assigns, shall light, and they are hereby required well and effectually to light, all public Lamps in all Streets, Lanes, Roads, Squares, Alleys, Highways, and other public Passages and Places within the Limits of this Act, which they may be required by any Trustees, Commissioners, or other Persons having or exercising Jurisdiction in or over any such Streets, Lanes, Roads, Squares, Alleys, Highways, and other public Passages to light; and in case the said Company and the said Trustees, Commissioners, or other Persons shall not agree upon the Rent or Rate to be charged for such lighting, then such Rent or Rate shall be fixed and determined upon by the Directors for the Time being of any Two incorporated Gas Companies, lighting public Lamps within a Radius of Six Miles from the General Post Office in the City of *London*, to be mutually named by the Company and such Trustees, Commissioners, or other Persons: Provided always, that the Company shall not be required or compelled to light any Streets, Lanes, Roads, Squares, Alleys, Highways, and other public Passages and Places,

but not beyond a certain Distance.

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Places, if the same are situate and being beyond the Distance of One hundred Yards from any Main or Pipe of and belonging to the Company.

LII. That in the event of any Disagreement between the Directors of the said Two incorporated Gas Companies referred to in the preceding Clause, the said Companies may appoint an Umpire to determine the Differences arising from such Disagreement, whose Decision shall be final and conclusive on the Company; and in case either of the said Companies, after being served with a Notice by the other of them for that Purpose, shall not within the Period of Seven Days next after the Service of such Notice appoint such Umpire, then it shall be lawful for the Board of Trade to appoint an Umpire to determine such Differences, whose Decision thereon shall be binding upon the Company.

In the event of Disagreement, Board of Trade to appoint an Umpire.

LIII. All the Gas 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 Twelve Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per Hour*.

Quality of Company's Gas.

LIV. The Company shall within Six Months after the passing of this Act 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 *per Hour*, with other necessary Apparatus for testing the illuminating Power of Gas.

Company to erect a Meter to test Purity of Gas.

LV. It shall at any Time be lawful for any Two Justices of the Peace acting in and for the Half Hundred of *Becontree* in the County of *Essex*, not being Directors or Shareholders of the Company, on receiving a Requisition signed by not less than Five Consumers of the Gas of the Company, complaining that the Gas supplied to them is not in their Judgment and Belief of the full illuminating Power prescribed by this Act, if they shall think fit, by Order in Writing under their Hands, to appoint some competent Person to proceed to the Works of the Company; and the Person so appointed, on giving Six Hours previous Notice in Writing to the Company, may, at any reasonable Hour in the Daytime, on producing the said Order, enter on the Premises of the Company, and in the Presence of the Superintendent or other Officer of the Company make Experiment of the illuminating Power of the Gas of the Company by means of the Experimental Meter and other Apparatus

Power to Justices, on Requisition, to authorize testing of Gas.

[*Local.*]

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before

*The West Ham Gas Company's Act, 1856.*

before mentioned, and the Company and their Officers shall afford all reasonable Facilities and Assistance to the making of such Experiment; and if it shall thereupon be proved to the Satisfaction of the said Two Justices, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company did not when so tested as aforesaid equal the illuminating Power by this Act prescribed, or that the Company or their Officers refused to afford such reasonable Facilities as aforesaid, or hindered or prevented the making of such Experiment, in any such Case the Company shall forfeit such Sum, not exceeding Twenty Pounds, as the said Justices shall determine.

Cost of Experiment to be paid according to the Event.

LVI. The Costs of and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Costs of the Proceedings before the Justices, shall be ascertained by such Justices, and in the event of any Penalty being imposed on the Company, shall be paid, together with such Penalty, by the Company; but in the event of the Gas being found when tested to be of not less illuminating Power than is by this Act prescribed, such Costs shall be awarded to be paid by the several Persons making such Requisition as aforesaid to the Company, and shall be paid or levied accordingly.

Saving Rights of Commissioners of Sewers.

LVII. Provided always, That nothing in this Act contained shall take away, control, suspend, prejudice, or interfere with any of the Rights, Privileges, Jurisdictions, Powers, and Authorities vested in or belonging to any Commissioners of Sewers within the Limits of this Act, and that all such Rights, Privileges, Jurisdictions, Powers, and Authorities shall be as valid and effectual as if this Act had not passed.

Saving Rights of Trustees of the Middlesex and Essex Turnpike Roads.

LVIII. Provided always, That nothing in this Act contained shall extend, or be construed, adjudged, deemed, or taken to extend, alter, vary, repeal, limit, or interfere with any of the Powers, Provisions, Jurisdictions, or Authorities of the Trustees of the *Middlesex and Essex* Turnpike Roads, or of the Act passed in the Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to continue, alter, and amend an Act of the Fourth Year of the Reign of His late Majesty King George the Fourth, for more effectually repairing and improving the Middlesex and Essex Turnpike Roads, to provide for the re-building of Bow Bridge in the Counties of Middlesex and Essex, the improving of the several other Bridges upon the said Roads, and for other Purposes relating thereto*; but that all and every the Powers, Authorities, Provisions, and Jurisdictions contained in such Act shall continue, be, and remain in full Force and Effect with respect to the said Trustees and the said Turnpike Roads.

LIX. Pro-

*The West Ham Gas Company's Act, 1856.*

LIX. Provided always, That nothing in this Act contained shall extend or be construed, adjudged, deemed, or taken to invest the Company, or their Successors, with any Powers or Authorities to lay down Pipes in or upon or to encroach upon, break up, alter, or interfere with any or either of the Roads or Branches of Road, or the Sewers or Gutters, Cesspools, Sinks, Drains, and Watercourses thereunto respectively belonging, under the Control or Management of the Trustees acting under and by virtue of "The *Commercial Roads Act, 1828*," "The *Commercial Roads Continuation Act, 1849*," and "The *Commercial Roads Amendment Act, 1855*," or to authorize and empower the said Company, or their Successors, to light with Gas the said Road and Branches of Road, any or either of them, or to prejudice, prohibit, defeat, alter, annul, or take away any Power, Authority, or Jurisdiction given to or vested in the Trustees or other Persons acting under or by virtue of the said Acts, without the special Licence and Consent in Writing of the Trustees of the said Road and Branches of Road being first obtained at a Meeting to be held for any or either of the Purposes aforesaid respectively.

Saving  
Rights of the  
Trustees of  
the Commer-  
cial Roads.

LX. Provided always, That nothing in this Act contained shall take away, diminish, alter, or affect any of the Rights, Privileges, Powers, or Authorities vested in the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, or authorize or empower the Company to lay down Pipes in or upon the Turnpike Roads under the Control or Management of the same Commissioners, or any of such Roads, or any Part thereof, or to encroach upon, break up, alter, or interfere with such Roads or any of them, or any Part thereof, or the Sewers or Gutters, Cesspools, Sinks, Drains, and Watercourses thereunto respectively belonging, without the Consent in Writing of the said Commissioners, or of their General Surveyor for the Time being, for that Purpose first had and obtained.

Saving  
Rights of  
Commis-  
sioners of the  
Metropolis  
Turnpike  
Roads.

LXI. Provided always, That nothing in this Act contained shall extend, or be construed, adjudged, deemed, or taken to extend, to alter, vary, repeal, limit, or interfere with any of the Powers, Jurisdictions, or Authorities vested in the Surveyors, the Board for Repair of the Highways in the Parish of *West Ham*, and their Assistant Surveyor, under the Provisions of an Act of Parliament, passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William the Fourth*, Chapter Fifty, to consolidate and amend the Laws relating to Highways in that Part of *Great Britain* called *England* (except so far as the Company are hereby authorized by the Gasworks Clauses Act, 1847, incorporated herewith, and subject to the Powers and Provisions in that Act contained).

Saving  
Rights of the  
Surveyors,  
&c. for Re-  
pair of High-  
ways in the  
Parish of  
West Ham,  
Essex.

LXII. That

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*The West Ham Gas Company's Act, 1856.*

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Expenses of  
Act.

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

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The SCHEDULE referred to by the foregoing Act.

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THIS Indenture, made the Sixteenth Day of July One thousand eight hundred and fifty-five, between the West Ham Gaslight and Coke Company, herein-after called "The West Ham Company," being a completely registered Joint Stock Company, constituted by a Deed of Settlement dated the Twenty-sixth Day of March One thousand eight hundred and forty-six, of the one Part, and the Commercial Gas Company, herein-after called "The Commercial Company," incorporated by the Commercial Gas Act, One thousand eight hundred and fifty-two, of the other Part: Whereas both the said Companies supply with Gas the Parish of West Ham, and the West Ham Company supplies Gas also in the Parish of Leyton, both of such Parishes being situate in the County of Essex: And whereas the said Companies being independent, a double Set of Pipes, a double Staff, and a double Capital are necessary, and in addition thereto, a double Leakage of Gas is incurred, whereby the Expense of supplying Gas to the Consumers is greatly enhanced: And whereas the West Ham Company is a local Company, established by the Consumers of the District, and it is expedient that such Company should continue to supply Gas throughout the whole District of West Ham and Leyton, with the Exception of such Portion thereof as is comprised within such Segment of a Circle as is herein-after mentioned, and shall also supply Gas throughout any adjoining Districts in Essex that may require the same: Now this Indenture witnesseth, That it is hereby agreed by the said Companies in manner following; that is to say,

1. The Commercial Company shall sell to the said West Ham Company the Mains, Meters, Services, and other Property of every Description belonging to the Commercial Company, and being within any Part of the Parish of West Ham, with the Exception of the said Portion comprised within such Segment of a Circle as is herein-after mentioned, at the Price of Six thousand nine hundred and twenty-four Pounds Nine Shillings.

2. Possession



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*The West Ham Gas Company's Act, 1856.*

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2. Possession of the said Property so sold shall be delivered to the West Ham Company on the Day of the Date hereof.

3. Upon the Delivery of such Possession the West Ham Company shall pay to the Commercial Company the Sum of Five thousand Pounds, Part of the said Price, and shall pay the Remainder on the Twenty-fourth Day of June One thousand eight hundred and fifty-six, together with Interest thereon, such Interest to be calculated at the Rate of Five Pounds per Cent. from the Day of the Date hereof up to the Time of Payment thereof.

4. The Commercial Company shall not, after the Day of the Date hereof, directly or indirectly supply Gas to any Part of the County of Essex, with the Exception of such Part of the said County as is comprised within a Segment of a Circle, of which the Radius is a straight Line One thousand Yards in Length, measured from any Point at the Essex Extremity of the Iron Bridge over the River Lea, at Barking Road, Plaistow, and known by the Name of the Iron Bridge.

5. The West Ham Company shall not, after the Day of the Date hereof, directly or indirectly supply Gas in the County of Middlesex.

6. The West Ham Company shall in the next Session of Parliament, and if unsuccessful, in the following Session of Parliament, use every Endeavour to obtain an Act of Parliament incorporating such Company, and there shall be contained in such Act a Clause to the Effect that the West Ham Company shall not be authorized to supply Gas in the County of Middlesex; and that the Commercial Company shall not be authorized to supply Gas within any Part of the County of Essex other than such excepted Part as aforesaid, and all such other Clauses as may be necessary for carrying the Arrangement into effect.

7. The Commercial Company shall do all such Things as may be reasonably required by the West Ham Company with a view to promoting any Bill that may be brought forward for the above Purposes by such last-mentioned Company.

8. All legal, parliamentary, and conveying Expenses incurred in carrying this Arrangement into effect, whether the same shall or shall not be carried into effect, shall be borne by the West Ham Company.

9. For the due Observance and Performance of the Covenants and Agreements herein-before contained, and by them to be respectively

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observed

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*The West Ham Gas Company's Act, 1856.*

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observed and performed, each of the Companies Parties hereto bind themselves to the other of them in the penal Sum of Five thousand Pounds.

L. S.

The Common Seal of the Commercial Gas Company,  
affixed in the Presence of

JAMES H. WILSON, D. Chairman.

JOHN JONES.

I. SOLOMONS.

ROBT. BEETON.

This 16th July 1855.

Witness, G. JAQUES, Sec.

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