

**CHAP. cxcii.**

An Act for incorporating the Watford Gas and Coke Com- A.D. 1871.  
pany, and for enabling them to supply Gas within the  
parishes of Watford and Bushey in the county of Hertford ;  
and for other purposes. [14th August 1871.]

**W**HEREAS the Watford Gas and Coke Company was constituted under a deed of partnership, dated the second day of January one thousand eight hundred and thirty-four, for the purpose of lighting with gas the town of Watford in the county of Hertford :

And whereas the said Company have since been incorporated under a certificate of incorporation issued under the Joint Stock Companies Acts one thousand eight hundred and fifty-six and one thousand eight hundred and fifty-seven :

And whereas the present share capital of the Company consists of three thousand pounds divided into one hundred and twenty-five shares of twenty-four pounds each, and eleven thousand eight hundred pounds divided into eleven hundred and eighty shares of ten pounds each, all of which have been paid up, and the Company have no mortgage or bond debt :

And whereas it is expedient that the limits of the district within which the Company at present supply gas be extended, so as to comprise the parishes of Watford and Bushey, and that the Company be authorised to raise additional share and loan capital :

And whereas it is expedient that the Company be dissolved and reconstituted, and that their deed of partnership and certificate of incorporation be annulled, and that the powers herein-after contained be conferred upon them :

And whereas these objects cannot be accomplished without the consent 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,

- A.D. 1871. and Commons, in this present Parliament assembled, and by the authority of the same, as follows ; (that is to say,)
- Short title. 1. This Act may be cited for all purposes as "The Watford Gas and Coke Company's Act, 1871."
- Provisions of general Acts herein named incorporated. 2. "The Companies Clauses Consolidation Act, 1845," Part I., Part II., and Part III. of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," and "The Gasworks Clauses Act, 1847," are (except where expressly varied by this Act) incorporated with and form part of this Act : Provided always, that the Company shall not be authorised to purchase or take any land except by agreement.
- Interpretation of terms. 3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction ; the expression "the Company" means the Company incorporated by this Act ; the expression "the original Company" means the company as constituted under the said deed of partnership and certificate of incorporation prior to the passing of this Act ; the expression "the works," or "the gasworks," or "the undertaking," mean respectively and include the gasworks and works connected therewith by this Act vested in the Company, or any gasworks they may provide under the powers of this Act ; the expression "the local authority" means the local board of health, highway board, trustees, surveyors, or other bodies or persons intrusted with the control or lighting of the streets or roads within their jurisdiction and within the limits of this Act ; and the expression "superior courts," or "court of competent jurisdiction," or any other like expression, in this Act or the Acts incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.
- Dissolution of original Company. 4. The original company is by this Act dissolved, and their deed of partnership and certificate of incorporation shall henceforth be void and of no effect.
- Incorporation of Company. 5. The present members of or shareholders in that company, and all other persons who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose of making and supplying gas within the limits of this Act, and for doing all acts necessary

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for that purpose, and for other the purposes by this Act and the said incorporated Acts authorised, and for the several purposes aforesaid shall be incorporated by the name of "The Watford Gas and Coke Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, hold, and dispose of lands and other property for the purposes of this Act.

6. Subject to the provisions of this Act, the existing deed of partnership shall, as to any future or prospective operation thereof, but subject and without prejudice to any remedies for antecedent breaches thereof, which remedies may be enforced by the Company, be from and after the passing of this Act wholly void and of none effect; and the several persons who shall have executed the same deed, and their heirs, executors, and administrators, shall, immediately from and after the passing of this Act, stand and be by virtue hereof released and discharged from any future obligation to observe, perform, abide by, fulfil, or conform to the said deed of partnership, or the covenants or agreements therein contained, or any of them respectively.

7. Subject to the provisions of this Act and the Acts incorporated therewith, the Company may make and supply gas within the limits of this Act, and may sell and dispose of coke, coal tar, and all other products, refuse, or residuum arising, remaining, produced by, or obtained from the manufacture of gas by them, or the materials used therein, and may sell such articles as can be produced from or by means of the several matters and things aforesaid, and may (but only for the purposes of the Company within the limits of this Act) contract for, take, and use any license or authority to work, use, exercise, or put in practice any invention or inventions under any letters patent at any time heretofore made or hereafter to be made, granting any right or privilege of working, using, exercising, or vending any invention in relation to the manufacture and distribution of gas, or of the residual products arising from the manufacture of gas, or otherwise in relation thereto, but not so as to acquire an exclusive right to the working, use, exercise, or putting in practice of any such invention or inventions, and may also manufacture and sell, let, or deal 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 generally carry on the business usually carried on by gas companies, or which is or may become incident thereto: Provided that nothing in this Act contained shall prevent the Company from being liable to an indictment

Deed of partnership to be void without prejudice to remedies for antecedent breaches thereof.

General powers of Company.

Nothing to exempt Company from

A.D. 1871. for nuisance or to any other legal proceeding to which they may be liable in consequence of any such operations.

being in-  
dicted for a  
nuisance.

Property of  
original  
Company  
vested in  
Company  
incorporated  
by this Act.

8. Subject to the provisions of this Act, all lands, works, erections, buildings, rights, and easements which immediately before the passing of this Act were vested in the original company, or any person or persons in trust for them or on their behalf, or to which the original company were in anywise entitled at law or in equity, and all mains and pipes, plant, plugs, lamps, irons, retorts, gauges, meters, lamp-posts, apparatus, stock, effects, matters, and things, which have been by them purchased or provided, laid down, erected, or placed, in any place or house within the limits of this Act, or which immediately before the passing of this Act were the property of or belonging to the same company, and all moneys, securities, credits, effects, and other property whatsoever belonging to the original company, or to any trustees on their behalf, for the purposes of such company, shall be and the same are hereby vested in the Company, to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the original company, or any trustees on their behalf, and may, according to the provisions of this Act, be held and enjoyed, sued for, and recovered by the Company.

Saving pre-  
vious rights  
and liabili-  
ties.

9. Notwithstanding the incorporation of the Company, and except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the original company, or the shareholders therein in that capacity, shall be as valid as if the Company had not been incorporated and the said deed had not been avoided by this Act; and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which, if the Company were not incorporated and the said deed and certificate of incorporation were not avoided by this Act, and this Act were not passed, would be incident to or consequent on any and every thing so done and suffered; and with respect to all such rights, liabilities, claims, and demands, the Company shall to all intents and purposes represent the original company and the shareholders therein in their capacity of shareholders: Provided always, that the generality of this enactment shall not be restricted by any of the other provisions of this Act.

Contracts  
prior to the  
passing of  
this Act to  
be binding.

10. Except as by this Act otherwise specially provided, all purchases, conveyances, grants, assurances, deeds, contracts, bonds, and agreements entered into or made before the passing of this Act by, to, or with the original company, or any trustees or persons acting



on behalf of such company, by or with any other person to whose rights and liabilities they have succeeded as assigns, and now in force, shall be as binding and of as full force and effect in every respect against or in favour of the Company, and may be enforced as fully and effectually, as if, instead of the original company, or the trustees or persons acting on behalf of the original company, the Company had been a party thereto.

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11. Nothing in this Act contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which was pending by or against the original company or any member thereof in relation to the affairs of the original company, or to which the original company or any member thereof in relation to such affairs were parties immediately before the passing of this Act; but any such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by, in favour of, or against the original Company or any member thereof if this Act had not been passed, the Company being in reference to the matters aforesaid in all respects substituted for the original company.

Actions, &c.  
not to abate.

12. If any judgment, decree, or order be at any time after the passing of this Act obtained against the Company in respect of any debt or liability owing or incurred or in respect of any contract made or tort committed by the original company before the passing of this Act, and be not fully satisfied out of the property of the Company, then and in every such case the judgment, decree, or order may be enforced and execution thereon issued against the property, effects, and persons of any person who was a member of the original company immediately before the passing of this Act, or at the time when the contract was made or the tort was committed in respect of which the debt or liability accrued or was incurred, and legally responsible in respect of such debt or liability, to the same extent as if this Act had not been passed.

Judgments  
in respect of  
existing lia-  
bilities may  
be enforced  
against indi-  
vidual share-  
holders.

13. Every person against whom or against whose property or effects any such judgment, decree, or order is enforced shall be entitled to recover against the Company all loss, damage, costs, and charges which he incurs by reason of the execution, and shall be entitled to contribution for so much thereof as remains unsatisfied from the several other persons against whom execution on the judgment, decree, or order might in accordance with this Act have

Reimburse-  
ment of  
shareholders  
in such case.

A.D. 1871. — been issued, and the contribution may be recovered in like manner as contribution in ordinary cases of copartnership.

Trustees of original Company to be indemnified.

**14.** Every trustee or other person in whom or in whose name any works, lands, buildings, easements, rights, property, or effects belonging to the original company were vested immediately before the passing of this Act, and who (being duly authorised so to do) entered into any bond, covenant, contract, or engagement in respect of the same, or otherwise on behalf of the original company, shall be indemnified and saved harmless out of the property of the Company from and against loss, costs, charges, and expenses under or by reason of every such bond, covenant, contract, or engagement.

Gas rates, &c. to be recovered.

**15.** All gas rates, rents, and sums of money which immediately before the passing of this Act were due and payable or accruing to the original company shall be payable to and may be collected and recovered by the Company in like manner as the gas rates, rents, and sums of money under this Act.

As to payment of debts owing before the passing of this Act.

**16.** All persons who immediately before the passing of this Act owed any money to the original company, or to any person on their behalf, shall pay the same, with all interest (if any) due, payable, or accruing upon the same, to the Company; and all debts and moneys which immediately before the passing of this Act were due or owing or recoverable from the original company, or for the payment of which the original company were or but for this Act would be liable, shall be paid, with all interest (if any) due or payable or accruing upon the same, by or be recoverable from the Company.

Shareholders to pay calls.

**17.** Notwithstanding the passing of this Act, the several persons who immediately before the passing of this Act were shareholders in the original company, their heirs, executors, administrators, and assigns respectively, shall pay the amount subscribed by them respectively, or so much thereof as at the time of the passing of this Act had not been paid, with all interest (if any) due or to accrue due thereon, to the Company when and as the same shall be called up or otherwise demanded by the Company.

Certificates, &c. to remain in force.

**18.** All certificates of shares in the undertaking of the original company (until cancelled under the powers of this Act), sales, transfers, and dispositions, heretofore made or executed with respect to any shares in the original company, shall remain in full force and continue and be available in all respects as if this Act had not passed.

Books, &c. continued evidence.

**19.** All documents, books, and writings which, if the dissolution had not happened, would be receivable in evidence shall be

admitted as evidence in all courts of law and equity and elsewhere accordingly. A.D. 1871.

**20.** All officers and servants of the original company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereunto annexed, until they shall resign the same or be removed therefrom by the Company, and shall have the like powers and authorities for the purposes of this Act, and for carrying the same into execution, and 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 under this Act. Officers to continue until removed.

**21.** The capital of the Company shall be twenty-five thousand pounds, whereof fourteen thousand eight hundred pounds is in this Act called the original capital, and ten thousand two hundred pounds is in this Act called the additional capital, which shall be raised in manner herein-after mentioned, and of the original capital the sum of three thousand pounds shall be divided into one hundred and twenty-five shares of twenty-four pounds each, and be distinguished as Class A shares, and the sum of eleven thousand eight hundred pounds shall be divided into eleven hundred and eighty shares of ten pounds each, and be distinguished as Class B shares. Capital.

**22.** The original capital shall be appropriated and belong to the several persons and corporations who immediately before the passing of this Act were the registered shareholders in the original Company, in the proportions of one share Class A for every share of twenty-four pounds, and one share Class B for every share of ten pounds fully paid up, and in substitution for the said existing shares respectively. Appropriation thereof.

**23.** The original capital so appropriated shall be subject and liable to the same trusts, powers, provisos, declarations, agreements, charges, liens, and encumbrances as immediately before the passing of this Act affected the then existing share in the original company for which the original capital is substituted, and so as to give effect to and not to revoke any testamentary disposition of or affecting such existing share. Original capital to be subject to the same trusts, &c. as old shares.

**24.** The directors may call in and cancel the existing certificates of shares in the original company, and issue in lieu thereof certificates of proprietorship under this Act in the form and under the conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship under this Company may call in and cancel existing share certificates, and issue new certificates in lieu thereof.

A.D. 1871. Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act, or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof.

Power to raise additional capital.

**25.** The Company may from time to time raise the additional capital, or any part thereof, by the creation of new ordinary and preference shares or stock, or (at the option of the Company) by either of those modes, but no such share shall be of less amount than ten pounds.

Shares not to issue until one fifth paid up.

**26.** The Company shall not issue any such new share, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one fifth part of the amount of such share is paid up in respect thereof.

Limit of dividends on preference capital.

**27.** The Company shall not, in respect of any one year, pay out of their profits any larger dividend on any part of their capital raised or to be raised by preference shares or stock than six pounds in respect of every hundred pounds actually paid of such capital.

Limiting dividends on ordinary capital.

**28.** The prescribed rate of the profits to be divided amongst the shareholders or stockholders in any year upon the ordinary shares or stock of the Company's capital shall be as follows; (that is to say,)

The rate of ten pounds in the hundred by the year on the amount paid upon the original capital of the Company;

The rate of seven pounds in the hundred by the year on the amount from time to time paid upon the additional capital of the Company, so long as the Company's maximum charge for gas shall exceed four shillings and sixpence per one thousand cubic feet;

The rate of eight pounds in the hundred by the year so long as such maximum charge shall not exceed four shillings and sixpence per one thousand cubic feet;

The rate of nine pounds in the hundred by the year so long as such maximum charge shall not exceed four shillings per one thousand cubic feet; and

The rate of ten pounds in the hundred by the year so long as such maximum charge shall not exceed three shillings and ninepence per one thousand cubic feet.

Receipts of guardians, &c. to be sufficient discharge.

**29.** If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt of his or her respective guardian or committee shall be a sufficient discharge to the Company for the same.



**30.** The Company may from time to time after the passing of this Act borrow on mortgage any sum not exceeding in the whole three thousand pounds, and may also from time to time borrow on mortgage any further sum not exceeding in the whole two thousand pounds, but no part of that further sum shall be borrowed until the whole of the additional share capital of ten thousand two hundred pounds by this Act authorised is subscribed for, issued, and accepted, and one half of that share capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such share capital has been subscribed for, issued, and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued *bonâ fide*, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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 Power to  
borrow on  
mortgage.

**31.** The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and in order to authorise the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole.

 Arrears may  
be enforced  
by appoint-  
ment of a  
receiver.

**32.** All moneys raised under this Act by the Company, whether by shares or by borrowing, shall be applied only to the purposes by this Act authorised.

 Application  
of moneys.

**33.** In lieu of the account prescribed by the thirty-eighth section of "The Gasworks Clauses Act, 1847," an account as near as may be in the form and containing the particulars specified in the Second Schedule to this Act shall be made up to the thirtieth day of June in each year, and in the month of October following a copy of the said account, signed by the chairman or secretary of the Company, shall be transmitted, free of charge, to the clerk of the Watford local board of health, under a penalty of five pounds for each default; and the copies so sent shall be kept by the said clerk, and shall be open to inspection by all persons, and at all reasonable hours, on payment

 Providing  
for deposit,  
&c. of an-  
nual ac-  
counts.

A.D. 1871. of one shilling for each inspection, but no other fee of any kind shall be chargeable in respect of the said account.

First ordinary meeting.

**34.** The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Quorum of general meetings.

**35.** The quorum of general meetings (whether ordinary or extraordinary) of the Company shall be seven shareholders present in person or by proxy, holding in the aggregate not less than two thousand pounds in the capital of the Company.

Extraordinary meetings may be convened by shareholders.

**36.** The number of shareholders who may convene extraordinary meetings of the Company shall not be less than three, holding together not less than nine hundred pounds in the capital of the Company.

Number and qualification of directors.

**37.** The number of directors shall be twelve, and the qualification of every director shall be the possession in his own right of not less than one hundred pounds in the capital of the Company.

Power to reduce the number of directors.

**38.** The Company may reduce the number of the directors, so that the reduced number be not less than seven.

First directors.

**39.** The persons who at the time of the passing of this Act are directors of the original company shall be the first directors of the Company.

As to retention of office by first directors.

**40.** The first directors of the Company shall continue in office until the first general meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first general meeting to be held in every year after the first general meeting the shareholders present in person or by proxy shall, subject to the power herein-before contained for reducing the number of directors, elect persons to supply the places of the directors then retiring from office, agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at such meeting, being neither removed or disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Quorum.

**41.** The quorum of a meeting of directors shall be five, or if the number of directors is reduced to seven the quorum of a meeting of directors shall be three.

**42.** The Company may appoint only one auditor for the purposes of this Act, who need not hold shares in the Company.

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Auditor need not hold shares.

**43.** In all the proceedings against the estate of any bankrupt, or under any sequestration, any person appointed for that purpose by the directors of the Company may represent the Company and act in their behalf in all respects as if the claim or demand of the Company against such estate were the claim or demand of such person and not of the Company.

Representa-  
tion of the  
Company in  
cases of  
bankruptcy,  
&c.

**44.** The limits of this Act shall be and include the parishes of Watford and Bushey in the county of Hertford: Provided always, as regards the parish of Bushey, the limits shall not extend beyond an imaginary line drawn from south-west to north-east in the said parish, bisecting a public-house known as "The Crown and Sceptre," and situate on Clay Hill.

Limits of  
Act.

**45.** The Company may from time to time, for the purposes of this Act, purchase by agreement any lands in addition to the lands by this Act vested in them, and may hold the same, not exceeding in the whole at one time five acres.

Power to  
take addi-  
tional lands  
by agree-  
ment.

**46.** Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1860," grant to the Company any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the last-mentioned Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Power to  
take ease-  
ments, &c.  
by agree-  
ment.

**47.** The Company may at any time hereafter sell and dispose of any lands which are by this Act vested in them, or which they may hereafter acquire, and which shall not be required for the purposes of the Company; and the provisions of "The Lands Clauses Consolidation Act, 1845," sections one hundred and twenty-eight to one hundred and thirty-two (both sections inclusive), shall apply to any such sale; and the Company may also from time to time sell and dispose of any works, buildings, or erections on any lands belonging to them which shall not be required for the purposes of the Company.

Sale of  
superfluous  
lands.

**48.** On the lands described in the First Schedule to this Act the Company may maintain and from time to time alter and enlarge retorts, gasholders, receivers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible

Power to  
maintain and  
erect gas-  
works.

A.D. 1871. therefrom, and all proper approaches and conveniences for the purposes of such works.

Prohibition  
against erect-  
ing gas-  
works, &c.

**49.** Provided always, that the Company shall not manufacture gas, or any such residual products aforesaid, except upon the lands described in the First Schedule to this Act, and the Company shall not store gas, except upon those lands, without the previous consent in writing of the owner, lessee, and occupier of every dwelling-house situate within three hundred yards of the limits of the site where such gas is intended to be stored.

Power to  
supply gas.

**50.** Subject to the provisions of this Act, the Company may supply and sell gas for public and private consumption within the limits of this Act, and light or contract for the lighting of streets and public buildings within those limits, and sell and dispose of, at the works and elsewhere, coal, coke, tar, ammoniacal liquor, and other residual products obtained in the manufacture of gas and matters producible therefrom, but the Company shall not be exempt from liability to indictment or to any other legal proceedings to which they may be liable in consequence of anything done by them under this Act.

Power to  
supply gas  
fittings, &c.

**51.** The Company may manufacture, purchase, supply, hire, sell, let, lay down, place, and maintain gas fittings, meters, pipes, pillars, lamp-posts, lamps, burners, and other articles and things connected with gasworks, or with the supply of gas for public or private consumption, in such manner as they think proper, and generally may carry on such operations and business as are for the time being usually carried on by gas companies.

Power to lay  
pipes against  
buildings.

**52.** The Company, with the consent of the owner and occupier of any building, may lay any pipe, branch, or other necessary apparatus from any main or branch pipe into, through, or against such buildings for the purpose of lighting, and may, with the like consent, provide and set up any apparatus necessary for securing to such building a proper and complete supply of gas, and for measuring and ascertaining the extent of such supply, and may from time to time, with the like consent, repair, replace, alter, or discontinue and remove any such pipe, branch, or apparatus.

Limiting  
price of gas.

**53.** The price to be charged by the Company for gas supplied to persons who shall burn the same by meter shall not exceed five shillings per one thousand cubic feet.

Price for  
lighting pub-  
lic lamps.

**54.** The price to be charged by the Company and to be paid to them by any local board for the gas supplied to the public lamps within the limits of this Act shall always be calculated and fixed



at a price not exceeding the lowest price for the time being charged by the Company to any private consumer within the limits of this Act. A.D. 1871.

**55.** Every consumer of gas supplied by the Company shall, on being required by the Company to do so, consume such gas by meter, and the public lights supplied by the Company shall also, at the option of the Company or of the local authority, consume by meter; and unless such meters shall be subject to the provisions of the Act for regulating measures used in sales of gas, and shall be examined and stamped under the provisions of that Act, no meter shall be used by such consumer or in connexion with the public lights until it shall have been approved by the Company; and it shall be lawful for the Company from time to time to examine and test any meter, and every consumer may in like manner require the Company to allow him to consume the gas by meter. Consumer may be required to consume by meter.

**56.** If the gas be supplied to the public lamps by meter, the average amount of the indicators of all the meters attached to the public lamps under the control of the local authority shall be deemed to be the amount consumed by each lamp. As to meters for public lamps.

**57.** If either the Company or the local authority shall dispute the accuracy of the registration of any meter, then such meter shall be tested in the manner provided by this Act. As to testing accuracy of meters.

**58.** The Company shall, whenever required, supply meters to any consumer, and shall be entitled to charge for the use of such meters a rental not exceeding the rates or sums following; (that is to say,) for— Company shall, when required, supply meters at a rental.

Two-light meters, ninepence per quarter :

Three-light meters, one shilling per quarter :

Five-light meters, one shilling and threepence per quarter :

Ten-light meters, two shillings and sixpence per quarter :

Twenty-light meters, three shillings and sixpence per quarter :

Thirty-light meters, four shillings and sixpence per quarter :

Forty-light meters, six shillings and sixpence per quarter :

Forty-five-light meters, seven shillings per quarter :

Fifty-light meters, eight shillings per quarter :

One hundred-light meters or more, eighteen shillings per quarter.

**59.** All the gas supplied by the Company to a private customer shall (except in case of accident or repairs) be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height, at the main, as near as may be to the junction Pressure of gas.

A.D. 1871.      therewith of the service pipe supplying the customer's house, building, or lands; if the Company fail in any case to comply with this section they shall for each day on which they so fail be liable to a penalty not exceeding ten pounds.

Notice to  
Company of  
altering me-  
ters.

**60.** Before any person shall connect or disconnect any meter through which any of the Company's gas is intended to be or has been registered he shall give not less than twenty-four hours notice in writing to the Company of his intention so to do.

Repair of  
meters.

**61.** Every consumer of gas supplied by the Company shall at all times, at his own expense, keep all meters belonging to him whereby any gas of the Company is registered in proper order for correctly registering such gas, in default whereof the Company may cease to supply gas through such meters; and the Company shall at all reasonable times have access to, and be at liberty to take off, remove, test, inspect, and replace, any meter belonging to a consumer, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Company if the meter be found in proper order, but otherwise at the expense of the consumer.

Power to the  
Company to  
let meters.

**62.** The Company may let for hire any meter for ascertaining the quantity of gas consumed or supplied, and any fittings thereto, for such remuneration in money, and on such terms with respect to the repair of such meters and fittings, and for securing the safety and return to the Company of such meter, as may be agreed upon between the hirer and the Company, and such remuneration shall be recoverable in the same manner as the rents or sums due to the Company for gas; and such meters and fittings shall not be subject to distress or to the landlord's remedy for rent of the premises where the same may be used, nor to be taken in execution under any process of a court of law or equity, or any proceedings in bankruptcy against the persons in whose possession the same may be.

Register of  
gas meter to  
be primâ fa-  
cie evidence.

**63.** The register of the meter shall be primâ facie evidence 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.

Company to  
supply gas  
in certain  
events at re-  
quest of  
owner or  
occupier.

**64.** The Company shall, at the request in writing of the owner or occupier of any house, building, factory, or premises, or any public body or private company, having premises within the limits of this Act, and within twenty yards of which premises any main gas pipe of the Company shall be then laid, furnish to such owner or occupier, public body or private company, a sufficient supply of gas for such house, building, factory, or premises, together with a meter and so much of the service pipe as shall be necessary to com-

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municate between the main pipe of the Company and such meter; provided that the expense of so much of the service pipe as shall be laid upon private property, or in any other case as shall be laid beyond sixty feet in length, shall be defrayed by such owner or occupier, public body or private company; and if the Company shall by their wilful default fail to supply the gas within ten days after such request, then, on proof of such failure, the Company shall be subject to a penalty not exceeding five pounds.

**65.** Any person requesting to have a supply of gas from the Company shall, if and when so required in writing by them, before he is entitled to have such service pipes and meter provided and fixed, or to have a supply of gas, give to them such security for the payment of the rate for the gas to be supplied to him as he and the Company agree on, or as, in default of agreement, shall be determined as by this Act provided; and the Company shall be liable to a penalty not exceeding five pounds if they shall discontinue the supply of gas to any person then having a supply, unless such person shall have failed to give to them such security for seven days after the same shall have been demanded by the Company.

Security for  
payment of  
rates.

**66.** Where any person and the Company do not agree on the security to be given, the same shall be determined by a justice, and any single justice shall, on the application of the person and the Company, or either of them, determine the nature and amount of the security to be given, and the security may, as the justice thinks fit, be the deposit with the Company of a sum of money, or any other security which the justice thinks sufficient and reasonable, and the determination of the justice shall be binding on all parties.

Justice may  
determine  
the nature of  
security.

**67.** The Company shall and they are hereby required from time to time, and at such times as they may be called on so to do by the local authority within the limits of this Act, to supply gas to all public lamps or burners within a distance of fifty yards from any of the mains of the Company, and that may be required for lighting any street or place within the limits of this Act, for such price, upon such terms, and during such hours as shall be settled by agreement between the Company and the local authority: Provided always, that the price per thousand cubic feet shall not exceed the lowest price for the time being charged by the Company to any private consumer; and provided also, that in case any dispute shall arise between the Company and such local authority on any such matters the same shall be settled by arbitration, under the provisions contained in "The Companies Clauses Consolidation Act, 1845," with respect to settlement of disputes by arbitration: Provided that the gas supplied to the public lamps or burners within

For the sup-  
ply of gas to  
public lamps.

A.D. 1871.      the district of the local authority shall and may be consumed either by meter or otherwise, at the option from time to time of the local authority.

Local authority to provide lamp-posts, &c.      **68.** The local authority shall provide and keep in repair their own public lamp-posts and lamps, and apparatus connected therewith, and, in case of their electing to burn by meter, light and extinguish the lamps and defray the expenses thereof.

Power to the Company to contract for lighting streets, &c.      **69.** It shall be lawful for the Company or their directors from time to time to enter into or make any contract or agreement with any local authority or persons having the control, direction, or management of any highway, street, or bridge, or the lighting thereof, within the limits of this Act, for lighting and supplying the same or any of them or any part thereof with gas, for providing the same with meters, for ascertaining by average meter indication the uniformity of consumption between metered and unmetered lamps, and lamp pillars and posts, lamp brackets, lamps, service pipes, burners, stopcocks, and glasses, and for the repair and maintenance thereof respectively, and for lighting, cleaning, and extinguishing all public lamps to which the Company shall supply gas; and the Company may also from time to time make and enter into any contract or agreement with any body corporate or person for lighting or supplying with gas any church, chapel, college, shop, inn, tavern, dwelling-house, manufactory, railway, railway station, market, warehouse, or other public or private building or place, in such manner, under such conditions, and upon such terms as shall be mutually agreed upon between the Company and the respective body or bodies corporate, board, local authority, or other person or persons respectively.

Power to remove meters and fittings.      **70.** The Company may, after forty-eight hours notice in writing under the hand of the secretary or some other officer of the Company to the occupier, or if unoccupied, then to the owner and lessee, of any land, house, or building in which any pipes, mains, meters, or fittings belonging to the Company are laid or fixed, and through or in which the supply of gas shall from any cause other than the neglect or default of the Company be discontinued, enter such land, house, or building between the hours of nine in the morning and four in the afternoon for the purpose of removing and remove such pipes, meters, or fittings, repairing all damages caused by such entry or removal; and every such notice shall be served by being delivered to the person for whom it is intended, or left at his usual or last known place of abode in England, or if such person or his address be not known to the Company after due inquiry, then



by being affixed on some conspicuous part of such land, house, or building. A.D. 1871.

**71.** Every person who shall wilfully, fraudulently, or by culpable negligence injure or suffer to be injured any meter or fittings belonging to the Company, or shall fraudulently alter the index to any meter, or shall prevent the index of any meter from duly registering the quantity of gas supplied, shall, without prejudice to any other right or remedy for the protection of the Company or the punishment of the offender, for every such offence forfeit and pay to the Company a sum not exceeding five pounds; and the Company may, in addition thereto, recover the amount of any damages by them sustained, and the Company may also discontinue the supply of gas to the person so offending until the injury is remedied and the amount of the damages is paid, and notwithstanding any contract previously existing; and the existence of artificial means for causing such alteration or prevention, when such meter shall be under the custody or control of the consumer, shall be *primâ facie* evidence that the same has been fraudulently, knowingly, and wilfully caused by the consumer using such meter. Fraudulently  
injuring me-  
ters, &c.

**72.** If and whenever any person supplied with gas by the Company wilfully does or causes or suffers to be done anything in contravention of any of the provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for the prevention of the waste, misuse, or undue consumption of the Company's gas, the Company may cut off or stop any pipe by or through which gas is supplied to him, and cease to supply him with gas so long as the cause of injury remains or is not remedied, and also may recover in any court of competent jurisdiction from every person so offending the amount of all loss, damage, or injury which the Company may sustain by reason of any such thing or failure; and the remedies of the Company under this enactment shall be in addition to their other remedies in that behalf. For prevent-  
ing frauds  
and waste of  
gas.

**73.** In case any person who shall have been supplied with gas by the Company, or who shall be liable to payment in respect of a supply of gas under or by virtue of the provisions of this Act, shall neglect or refuse to pay the amount due in respect of such supply for the space of fourteen days after demand thereof by the Company, their agent or collector, any justice may issue his summons to such person, requiring him to appear at a time and place named therein, and then and there to show cause why the sum so demanded should not be paid; and if on the appearance of such person, or in default of appearance after proof of the service of the summons either personally or at the last known place of abode or Recovery of  
charges for  
gas.

A.D. 1871.      of business of such person in England, no sufficient cause can be shown to the contrary, any justice may issue his warrant of distress for the seizure and sale of the goods and chattels of such person for the recovery of the amount which may be proved before such justice to be due from such person, together with such costs, including the cost of cutting off the gas, if the same shall have been cut off by the Company, as to such justice shall be just and reasonable.

Contents of  
warrant.

**74.** Any one summons or warrant issued for any of the purposes of this Act may contain in the body thereof, or in a schedule thereto, several names and several sums.

Warrant  
shall include  
costs.

**75.** Any justice who issues a warrant of distress for any of the purposes of this Act may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Recovery of  
sums due to  
the Com-  
pany.

**76.** Whenever any person neglects to pay any rent or sum due and payable by him to the Company, the Company may recover the same in any court of competent jurisdiction for the recovery of debts of the like amount, and the remedies of the Company under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Incoming  
tenant not  
liable to pay  
arrears of  
gas rents, &c.

**77.** In case any consumer of the gas of the Company shall leave the premises where such gas has been supplied to him without paying to the Company the gas rent or meter rent due from him, the Company shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant shall have undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Quality of  
Company's  
gas.

**78.** 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 fourteen sperm candles of six in the pound, burning one hundred and twenty grains per hour.

Company to  
maintain me-  
ter to test  
illuminating  
power of gas.

**79.** The Company shall always maintain at their works an experimental meter furnished with an argand fifteen-holes burner and a seven-inch chimney, capable of consuming five cubic feet of gas per hour, with other necessary apparatus for testing the illuminating power of all the gas of the Company, and so situate as to test

the whole of the gas from time to time supplied by the Company, and the Company shall at all times keep and maintain the experimental meter and apparatus in good repair and working order.

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**80.** Any local board within the limits of this Act, or any person authorised by any such local board in writing, shall at all reasonable times in the daytime have access to the testing place, and may test there the illuminating power of the gas supplied by the Company, in the presence of an officer of the Company, if attending for that purpose, and if not, then in the absence of any such officer, and the Company and their officers shall afford all reasonable facilities and assistance for such testing.

Power for  
local board  
to test.

**81.** Two justices, on the written application of any local board within the limits of this Act, or on the requisition in writing of any consumers of the gas of the Company, not being less than five in number, may by order in writing appoint some competent person to proceed to the works of the Company, and the person so appointed 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, if attending for that purpose, or if not, then in the absence of any such officer, make experiment of the illuminating power of the gas by means of the experimental meter and other apparatus before mentioned, and the Company and their officers shall afford all reasonable facilities and assistance for the making of such experiment.

As to testing  
the quality of  
gas.

**82.** If it shall be proved to the satisfaction of any two justices not being shareholders of the Company, after hearing the parties, that the illuminating power of the gas supplied by the Company did not, when so tested aforesaid, equal the illuminating power by this Act prescribed, or that the Company or their officers, on being thereunto reasonably requested, wilfully refused to afford such reasonable facilities aforesaid, or wilfully hindered or prevented the making of such experiment, in any such case the Company shall forfeit and pay to the consumers who made the requisition such sum not exceeding twenty pounds as the justices shall determine under the circumstances of the case.

Penalty upon  
Company if  
gas not of  
proper illu-  
minating  
power, &c.

**83.** 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 no penalty being imposed the costs shall be paid

Cost of ex-  
periment to  
be paid ac-  
cording to  
event.

A.D. 1871. by the local board or consumers on whose application or requisition the experiment was ordered.

Company to  
make map of  
mains.

**84.** The Company shall, within one year after the passing of this Act, cause a map to be made of the district in which their mains then lie, on a scale of not less than two feet to a mile, and shall cause to be marked thereon the lines of all their existing mains, and shall once in every year correct such map, and make such additions thereto as will show the lines of all their mains.

As to custody  
and inspec-  
tion of map.

**85.** Every map so made by or for the Company, or a copy thereof, with the date of the last time when it was corrected expressed thereon, shall be kept by the Company at their principal office, and shall at all reasonable times be open to the inspection of the local authority and their officers respectively, who may take copies or extracts from the same between the hours of ten o'clock in the forenoon and four o'clock in the afternoon of any working day; and the secretary of the Company may charge and take the sum of one shilling for every inspection of such map, and the further sum of two shillings and sixpence for every extract from or copy taken of such map.

Penalty on  
Company on  
default.

**86.** If the Company wilfully fail to comply with any of the requirements of this Act with respect to the map, they shall for every such offence forfeit a sum not exceeding forty shillings.

Penalties not  
cumulative.

**87.** Penalties imposed upon the Company for one and the same offence by several Acts of Parliament shall not be cumulative, and for such purpose this Act and the Acts incorporated herewith shall be deemed several Acts.

As to works  
affecting in-  
terests of  
London and  
North-west-  
ern Railway  
Company.

**88.** Any works to be constructed, laid down, or executed in exercise of the powers conferred by this Act, in any way affecting any railway belonging to or worked by the London and North-western Railway Company, or any of the bridges or works thereof, or any lands or property belonging to that company or in which they are interested, shall be done under the superintendence and to the reasonable satisfaction of their principal engineer, and according to plans to be reasonably approved by him before any such works are begun, but in all things at the expense of the Company, and so as to cause no injury to or interference with any such railway, bridges, works, lands, or property, or the passage or conduct of traffic over any such railway or at any station thereof; and if any such injury or interference shall arise to any such railway, bridges, works, lands, or property, or with any such traffic, the Company shall make full compensation to that company in respect of such injury or interference.



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**89.** No justice or judge of any county court or quarter session shall be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any gas rent or other charge under this Act. Liability to gas rent not to disqualify justices.

**90.** All the costs, charges, and expenses of and incidental to the passing of this Act, and preparatory thereto, shall be paid by the Company. Expenses of Act.

A.D. 1871.  

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**SCHEDULES** referred to in the foregoing Act.  

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**The FIRST SCHEDULE.**  

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Lands on which the gasworks of the original Company have been erected, and belonging or claimed to belong to that Company, situate in the parish of Bushey and county of Hertford, and bounded towards the north by the river Colne; towards the east by land reputed to belong to Joseph Hill and Mary Ann his wife, and in the occupation of the said Joseph Hill; towards the south by an occupation road leading to the said land of the said Joseph Hill and Mary Ann his wife; towards the south-west by property reputed to belong to William Beeson; and towards the west by the turnpike road from Watford to London.

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**The SECOND SCHEDULE.**  

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Annual Statement of Accounts, showing the actual State and Condition of the Concerns of the Watford Gas and Coke Company for the Twelve Months ending the thirtieth day of June.

**I. CAPITAL.—State of Account at the end of the above Twelve Months.**

Statute or Authority under which raised.	Number of Shares.	Amount per Share.	Paid up per Share.	Total paid up.	Total Capital.
Borrowed moneys			Rate per cent.	Amount	
				Total Capital £	

