

**CHAPTER cxv.**

An Act for enabling the Reading Gas Company to raise Additional Capital and to construct New Works; and for other purposes. A.D. 1880.
[2nd August 1880.]

WHEREAS by the Reading Gas Act, 1862, herein-after referred to as "the Act of 1862," the Reading Union Gas Company and the Reading Gaslight Company were amalgamated and incorporated into one Company by the name of the Reading Gas Company, herein-after referred to as "the Company," and the former Acts relating to the two first-named Companies respectively were repealed: 25 & 26 Vict.
c. lxxxiv.

And whereas by the Act of 1862 the capital of the Company was declared to be forty thousand pounds and the Company were authorised to borrow on mortgage any sums not exceeding in the whole ten thousand pounds:

And whereas by the Reading Gas Act, 1870, herein-after referred to as "the Act of 1870," the district supplied by the Company was extended, and the Company were empowered to construct new works, and to raise a further capital of forty thousand pounds by the creation and issue of new shares, and to borrow a further sum of not exceeding ten thousand pounds: 33 & 34 Vict.
c. li.

And whereas the demand for gas in the district which the Company are authorised to supply has increased and is increasing, and it is expedient that the Company should be authorised to erect new and additional works to enable them to meet such demand:

And whereas it is expedient that the Company should be empowered to acquire as a site for such additional works the lands in the parish of Saint Lawrence, Reading, in the county of Berks, which are more particularly described in the First Schedule to this Act, and to construct a new road for affording access to the said lands from their existing works:

And whereas plans showing the lands which the Company are by this Act empowered to acquire, together with a book of reference to

A.D. 1880. — such plans containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of such lands, have been deposited with the clerk of the peace for the county of Berks, and are herein-after referred to as the deposited plans and book of reference :

And whereas the mayor, aldermen, and burgesses of the borough of Reading, as the urban sanitary authority for the district of the said borough, claim to be entitled to certain rights of way over the said lands and over lands adjoining thereto belonging or reputed to belong to Messieurs Huntley and Palmers, and it is expedient that the agreement set forth in the Second Schedule to this Act with reference to the extinguishment of such rights and the substitution of other rights of way, and for other purposes as therein provided, should be confirmed :

And whereas the Company have raised and expended all their authorised capital, with the exception of fourteen thousand pounds, and have borrowed all the money which they are authorised to borrow, with the exception of eight thousand pounds, and it is expedient that the Company should be authorised to raise additional capital, and that their borrowing powers should be proportionately increased :

And whereas the objects of this Act cannot be attained 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 :

Short title.

1. This Act may be cited as the Reading Gas Act, 1880.

Construction of Act.

2. The Act of 1862, as varied by the Act of 1870 and by this Act, and the Act of 1870, as varied by this Act, and this Act shall be construed together as one Act.

Incorporation of general Acts.

3. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 ; the Gasworks Clauses Act, 1847 ;

8 & 9 Vict. c. 18.
23 & 24 Vict.
c. 106.
32 & 33 Vict. c. 18.
10 & 11 Vict. c. 15.
3 & 9 Vict. c. 16.

The clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters ; (that is to say,)

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for nonpayment of calls ;

The remedies of creditors of the Company against the share- A.D. 1880.
holders ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of the right of voting by the shareholders ;

The making of dividends, except as to setting aside a fund for contingencies ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested ;

and Part I. (Cancellation and Surrender of Shares), Part II. (Additional Capital), and Part III. (Debenture Stock) of the Companies Clauses Act, 1863, are, subject to the provisions of this Act, incorporated with and form part of this Act, and the Gasworks Clauses Act, 1871, shall apply to the undertaking of the Company as if the same had been authorised by this Act. 26 & 27 Vict.
c. 118.
34 & 35 Vict.
c. 41.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction : the expression "the corporation" shall mean the mayor, aldermen, and burgesses of the borough of Reading as such urban sanitary authority as aforesaid, and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall for the purposes of this Act be read and have effect as if the debt or demand in respect of which the expression is used were a simple contract debt, and not a debt or demand created by statute. Interpreta-
tion of terms.

5. If any omission, mis-statement, or wrong description shall have been made of any land or of the owners, lessees, or occupiers of any land described in the deposited plans or mentioned in the deposited books of reference, the Company, after giving ten days notice to the owners, lessees, and occupiers of the lands affected by such proposed correction, may apply to any two justices for the correction thereof ; and if it appear to such justices that such omission, mis-statement, or wrong description arose from mistake they shall certify the same accordingly, and they shall in such certificate state the particulars of any such omission, mis-statement, or wrong description, and such certificate with the other documents to which it relates shall be deposited with the clerk of the peace for the county of Berks, and such certificate shall be kept by such clerk of the peace with the other documents to which it relates, and thereupon such plans or books of reference shall be deemed Errors and
omissions
in plans, &c.
may be
corrected by
justices.

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to be corrected according to such certificate, and the Company may take any land in accordance with such certificate as if such omission, mis-statement, or wrong description had not been made.

Power to
raise addi-
tional capital.

6. The Company may from time to time raise (in addition to their present capital) any further capital, not exceeding in the whole eighty thousand pounds, by the creation and issue of new ordinary shares or stock, or new preference shares or stock, or wholly or partly by one or more of those modes respectively; but the Company shall not issue any share of less nominal value than ten pounds, nor shall any such share or stock vest in the person or corporation accepting the same unless and until the full nominal amount of such share or stock, together with any premium obtained upon the sale thereof, shall have been paid in respect thereof: Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of eighty thousand pounds: Provided also, that the Company shall not create and issue within the year following the passing of this Act any greater nominal amount of capital than shall be sufficient to produce in manner aforesaid thirty thousand pounds, or within any subsequent year fifteen thousand pounds.

If authorised
capital for
any year not
raised the
amount may
be made up.

7. If in any year or years the Company have not created and issued capital to the full amount herein-before prescribed in relation to such year or years, they may in any subsequent year create and issue, in addition to the amount prescribed for such year, such a nominal amount of capital as shall be sufficient, together with the amount then raised, to produce in manner aforesaid thirty thousand pounds in respect of the year following the passing of this Act, and fifteen thousand pounds in respect of every subsequent year then expired.

Profits of the
Company
limited.

8. Except as in this Act provided, the Company shall not in any one year make out of their profits any larger dividend on the additional share capital to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as preference capital.

Deficiency in
prescribed
rate of
dividends on
new ordinary
shares.

9. If in any year ending on the thirty-first day of December there are not profits available for the payment of the full amount of the prescribed dividend of seven pounds in respect of every one hundred pounds actually paid of the new capital raised under this Act on ordinary shares, no part of the deficiency shall be made

good at any time after the expiration of two years from the period when the same occurred. A.D. 1880.

10. In case in any half year the net revenues of the Company applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary stock or shares in the capital of the Company, a proportionate deduction shall be made in the dividend of each class.

Dividends on different classes of stock or shares to be paid proportionately.

11. Notwithstanding anything in this Act contained the Company shall, when any shares or stock created under the powers of this Act are to be issued, and before offering the same to the holder of any other shares or stock in the Company, and whether the ordinary shares or ordinary stock of the Company are or is at a premium [or not, offer the same for sale by public auction within the borough of Reading, in such manner, at such times, and subject to such conditions of sale, not inconsistent with the provisions of this Act, as the Company shall from time to time determine: Provided that at any such sale, no single lot shall comprise more than one hundred pounds nominal value of shares or stock, and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof; and notice of the amount of such reserved price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction, and such letter may be opened after such day of auction and not sooner.

New shares to be offered by auction.

12. It shall be one of the conditions of any sale of shares or stock under this Act that the whole nominal amount thereof, together with any premiums given by any purchaser at such sale, shall be paid to the Company within three months after such sale.

Purchase money of capital sold by auction to be paid within three months.

13. The intention to sell any such shares or stock by auction shall be communicated in writing to the town clerk of the borough of Reading, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction, and notice of such intention shall be duly advertised once in each of three consecutive weeks in one or more local newspapers circulated within the said borough.

Notice to be given as to sale, &c. of shares.

14. When any shares or stock created under the powers of this Act have been offered for sale by auction and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of sale by auction, to the holders of ordinary shares or ordinary stock of the Company, in manner provided by the Companies Clauses Act, 1863: Provided always, that any shares or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction, in the

Shares not sold by auction to be offered to shareholders.

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manner and subject to the provisions of this Act with respect to the sale of shares and stock created under the powers of this Act.

Application
of premium
arising on
issue of
shares or
stock.

15. Any sum of money which shall arise from the issue of any such shares or stock by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Company, but shall be expended in extending or improving the works of the Company, or in paying off money borrowed or owing on mortgage by the Company, and shall not be considered as part of the capital of the Company entitled to dividend.

Privileges
&c. of the
holders of
new capital.

16. The new capital from time to time raised by the Company under this Act by shares or stock shall be part of the general capital of the Company, and, save as in this Act otherwise provided, the holders of shares or stock in the additional capital by this Act authorised to be raised shall be entitled to the like rights of voting, and other rights, qualifications, and privileges, in proportion to the amount of their shares or stock from time to time paid up, and be subject to the like provisions, forfeitures, and liabilities, as the holders of shares or stock in the capital of the Company under the Acts of 1862 and 1870.

Receipts on
behalf of
incapacitated
persons.

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

Prescribed
sum for
reserved
fund.

18. Section 16 of the Act of 1870 is hereby repealed, and the prescribed sum for the reserved fund to be formed under section 31 of the Gasworks Clauses Act, 1847, is and is hereby declared to be twelve thousand pounds.

Power to
borrow on
mortgage.

19. The Company may from time to time, subject to the provisions of this Act, borrow on mortgage, in respect of the additional capital of eighty thousand pounds by this Act authorised to be raised by shares or stock, any sums not exceeding in the whole twenty thousand pounds; and the Company may, as each sum of twenty thousand pounds of such additional capital has been issued and accepted and one half of the amount of each such sum has been paid up, borrow on mortgage, in respect of each such sum of twenty thousand pounds, any sum or sums not exceeding in the whole five thousand pounds, but in no case shall any part of the said respective sums be borrowed until the Company have proved to the justice who is to certify under section 40 of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for so much of the capital in respect of which such borrowing powers are sought to be exercised as is to be raised by means of shares have been issued and accepted, and that one half of such

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capital 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 stock for one half of so much of the capital in respect of which such borrowing powers are sought to be exercised as is to be raised by means of stock is fully paid up, and that such shares or stock, as the case may be, were or was issued *bonâ fide*, and are or is held by the persons or corporations to whom the same were or was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or 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.

20. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage, or any part thereof, by the creation of shares or stock instead of borrowing, or to convert into capital the amount borrowed under the provisions of this Act, unless in either case all dividends upon such shares or stock, whether ordinary or preferential, are limited to a rate not exceeding five pounds per centum per annum.

Conversion
of borrowed
money into
capital.

21. Section 22 of the Act of 1870 is hereby repealed, and in lieu thereof be it enacted as follows:—

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

The mortgagees for the time being of the Company may from time to time enforce the payment of arrears of interest or principal, or principal and interest, due to any such mortgagees by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom application for the appointment of such receiver shall be made shall not be less than five thousand pounds in the whole.

22. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Debenture
stock.

23. All mortgages and bonds granted by the Company in pursuance of the powers of the Acts of 1862 and 1870 respectively before the passing of this Act, and subsisting at the passing hereof,

Existing
mortgages to
have priority.

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Application of moneys.

24. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied for the purposes of this Act and for the general purposes of the Company.

Power to purchase lands.

25. Subject to the provisions of this Act, the Company may enter upon, take, and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference, and such lands shall be in addition to any lands which the Company have acquired or are authorised to acquire under the Acts of 1862 and 1870, or either of them.

Period for compulsory purchase of lands.

26. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing thereof.

Agreement set forth in Second Schedule confirmed, &c.

27. The agreement which is set forth in the Second Schedule to this Act is hereby confirmed and made binding on the parties thereto respectively, and may and shall be carried into effect accordingly.

Powers as to construction and maintenance of gasworks, &c.

28. In addition to the lands described in Schedules A. and B. to the Act of 1870, and the existing gasworks of the Company on those lands, the Company may, subject to the provisions of this Act, from time to time erect, lay down, provide, and from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue, upon the lands described in the Schedule to this Act, additional and other gasworks, retorts, gasometers, receivers, drains, sewers, mains, pipes, meters, lamps, lamp-posts, burners, stopcocks, machinery, and other works and apparatus and conveniences, and may do all such acts as they may think proper for making and storing gas, and for supplying gas within the limits of this Act, and may make, store, and supply gas accordingly, and may manufacture, sell, provide, supply, and deal in coke, tar, pitch, asphaltum, ammoniacal oil, and all other products or residuum of any materials employed in or resulting from the manufacture of gas, and also meters, fittings, tubes, pipes, and other articles and things in any way connected with gasworks or with the supply of gas as they may from time to time think fit.

Power to make road.

29. Subject to the provisions of this Act, and of the said agreement set forth in the Second Schedule to this Act respectively, the

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Company may make and maintain upon the lands shown on the deposited plans, and in the line and according to the levels prescribed or provided for by the said agreement, a new road, commencing in the parish of Saint Giles, Reading, in the county of Berks, by a junction with the King's Road, at or near the entrance to the Company's works from that road, and terminating in the parish of Saint Lawrence, in the same county, at or near the south-west corner of the said lands described in the Schedule to this Act, and they may carry the said road over the River Kennet by a bridge: Provided always, that if the said road is not completed within ten years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

30. Section 29 of the Act of 1870, limiting the price of gas, is hereby repealed.

Repeal of
section 29 of
33 & 34 Vict.
c. li.
Limit of
price of gas.

31. The highest charge of the Company for gas supplied by them shall not at any time exceed the following respective rates; (that is to say,)

For gas supplied within the borough of Reading, the sums specified in the first column of the following table: for gas supplied without the borough, but within one mile of the boundary of the borough, the sums specified in the second column: for gas supplied beyond one mile from that boundary, the sums specified in the third column:

	First Column.		Second Column.		Third Column.	
	s.	d.	s.	d.	s.	d.
TABLE.						
To consumers of less than twenty thousand cubic feet half-yearly - -	4	3	5	3	5	6
To consumers of twenty thousand but less than forty thousand cubic feet half-yearly - - - -	4	0	5	0	5	3
To consumers of forty thousand cubic feet or upwards half-yearly - -	3	9	4	9	5	0
For gas supplied to public lamps - -	3	5	4	5	4	8

Provided always, that if less than the maximum rate is charged within the borough a similar reduction shall be made in the charges outside the borough.

32. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six tenths of an inch, and

Pressure of
gas

A.D. 1880. — from sunset to midnight not less than eight tenths of an inch, in height at the main, as near as may be to the junction therewith of the service-pipe supplying such consumer; and any gas examiner appointed under the Gasworks Clauses Act, 1871, may, subject to the terms of his appointment, from time to time test the pressure at which the gas is supplied, and may for that purpose open any street, road, passage, or place vested in or under the control of any local or road authority, and the provisions of the Gasworks Clauses Act, 1871, with reference to testing of gas and to penalties shall, *mutatis mutandis*, apply to such testing of pressure, and two hours previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Quality of
gas.

33. The prescribed number of candles shall be fourteen.

Testing-
place.

34. The prescribed testing-place for the purpose of section twenty-eight of the Gasworks Clauses Act, 1871, shall be some place to be approved of by the Company within the municipal buildings of the corporation.

Burner.

35. The prescribed burner shall be Sugg's London Argand Burner Number One, with a six-inch by one-and-three-quarter-inch glass chimney, but if at any time and so long as the gas flame rises above the top of that glass a six-inch by two-inch chimney shall be used.

Protection
of the con-
servators of
the River
Thames.

36. The several provisions of the Thames Navigation Act, 1866, with respect to the pollution of water shall be held to apply to this Act; and, except as herein expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the estates, rights, interests, liberties, privileges, or franchises of the conservators of the River Thames, or to prohibit, defeat, alter, or diminish any power, authority, or jurisdiction which at the time of the passing of this Act the said conservators did or might lawfully claim, use, or exercise.

Saving rights
of urban
sanitary
authority.
7 Geo. 4.
c. lvi.

37. All rights, powers, authorities, and privileges which by the Acts of 1862 and 1870, or either of them, or by the Act passed in the seventh year of His late Majesty King Geo. IV., intituled "An Act for better paving, lighting, cleansing, watching, and otherwise improving the Borough of Reading in the County of Berks," so far as the provisions of the last-mentioned Act relate to lighting, and are unrepealed, were conferred upon or vested in the local board of health for the district of the borough of Reading, shall be deemed to be and the same are hereby transferred to and vested in the mayor, aldermen, and burgesses of the borough of Reading, as the urban sanitary authority for the district of the said borough, and nothing in this Act contained shall repeal, alter, abridge, or pre-

judice such rights, powers, authorities, and privileges, or any of them, or any rights, powers, authorities, and privileges conferred upon or vested in the said authority by the Public Health Act, 1875. A.D. 1880.
38 & 39 Vict.
c. 55.

38. Nothing in this Act contained shall exempt the Company or their gasworks from the provisions of any present or future general Act relating to gas companies or gasworks established before the passing thereof, or from any present or future general Act relating to the public health. Company not
exempt from
provisions of
general Acts.

39. All the costs, charges, and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Company. Expenses of
Act.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

A triangular piece of land situate in the parish of St. Lawrence in the borough of Reading in the county of Berks, bounded on the north by the South-eastern Railway, on the south-east by the River Kennet, and on the west by a line drawn at right angles to the southern fence of the said railway from a point in that fence four hundred and eighty yards or thereabouts, measured along the fence in a westerly direction from the said river, and which said piece of land contains twelve acres two roods and twenty-five perches or thereabouts.

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SECOND SCHEDULE.

AN AGREEMENT made and entered into this fourth day of May one thousand eight hundred and eighty, between WILLIAM ISAAC PALMER, of Reading, in the county of Berks, biscuit manufacturer, of the first part, GEORGE PALMER, SAMUEL PALMER, and the said WILLIAM ISAAC PALMER, all of Reading aforesaid, carrying on business as biscuit manufacturers under the firm of HUNTLEY AND PALMERS, and herein-after referred to as "The said Messieurs HUNTLEY AND PALMERS," of the second part, THE READING GAS COMPANY of the third part, and the MAYOR, ALDERMEN, AND BURGESSES OF THE BOROUGH OF READING acting as the urban sanitary authority within and for the district of the said borough, and herein-after referred to as the sanitary authority, of the fourth part.

WHEREAS the Gas Company are promoting a Bill in Parliament for enabling them to raise additional capital and construct new works, including the new road and bridge herein-after mentioned, and for other purposes. And whereas the plan hereunto annexed numbered 1 (and which is intended to be signed by the said William Isaac Palmer, for himself and for the said firm of Huntley and Palmers, and by the town clerk of the said borough, and the secretary of the Gas Company), is, with the exception of the colouring thereon, a copy of the deposited plan referred to in the said Bill. And whereas the said William Isaac Palmer (herein-after referred to as the vendor) is the owner for an estate in fee simple in possession free from incumbrances of (1) the piece of land which on the said plan is marked "site of new gasworks," including the site of a proposed road from the termination thereof, marked on the same plan, to the River Kennet, and which said piece of land and site of proposed road is thereon edged round with the colour blue, and (2) the triangular piece of land which is bounded on the east side thereof by the sewage pumping station, on the north-westerly side thereof by the proposed road, and on the south-westerly side thereof by the River Kennet, and which said last-mentioned piece of land is on the said plan hereunto annexed edged round with the colour red. And whereas the land lying on the west side of the piece of land firstly described in the last recital, and on which the biscuit manufactory of the said Messieurs Huntley and Palmers is situate, belongs to the said Messieurs Huntley and Palmers and the vendor, or to some or one of them. And whereas the sanitary authority are the owners for an estate in fee simple in possession free from incumbrances of the piece of land and the buildings thereon which on the said plan numbered 1, hereunto annexed, is marked "sewage pumping station," and is edged round with the colour grey. And whereas the said sanitary authority, as owners of the said sewage pumping station, and by virtue of their statutory powers, are entitled not only to the sewers which are carried through the aforesaid lands of the vendor, and of the said firm of Huntley and Palmers, or divers portions thereof, but also to certain rights of way over the same lands, and over other lands which lie to the west thereof between the said last-mentioned lands and the Forbury Road, in the said borough. And whereas the access to the said sewage pumping station will be seriously interfered with by the construction of the said proposed road, and the sanitary authority and the Gas Com-

pany are desirous of preventing the inconvenience that would result from such interference, and the said sanitary authority are also desirous of acquiring further land immediately adjoining their said sewage pumping station, with a view to the future extension thereof, and also of acquiring a new and improved means of access thereto. Now these presents witness that it is hereby mutually agreed as follows ; (that is to say,)

1. The vendor shall sell, and the Gas Company shall purchase, all that piece of land situate in the parish of Saint Lawrence in Reading, in the county of Berks, and containing thirteen acres thirty-eight perches, or thereabouts, which on the said plan hereunto annexed numbered 1 is marked "site of new gasworks" and "proposed road" from the termination thereof, as shown on the said plan, down to the River Kennet, and which on the said plan is edged round with the colour blue, and the inheritance thereof in fee simple in possession free from incumbrances.

2. The consideration to be paid by the Gas Company for the purchase of the said hereditaments shall be the sum of five thousand pounds, with an additional sum of five hundred pounds for the old boatbuilding sheds which occupy part of the site of the "proposed road."

3. The vendor shall also sell and convey to the sanitary authority, their successors and assigns, for the sum of three hundred pounds, all that triangular piece of land, also situate in the same parish, bounded on the east side thereof by the sewage pumping station of the sanitary authority, on the north-westerly side thereof by the said proposed road, and on the south-westerly side thereof by the River Kennet, which said last-mentioned piece of land is on the said plan hereunto annexed numbered 1, edged round with the colour red, and the inheritance thereof in fee simple in possession free from incumbrances.

4. The several purchases shall be completed on the twenty-ninth day of September next at the offices of Messieurs Blandy and Witherington, the vendor's solicitors, and upon payment at the time and place aforesaid of the several purchase-moneys the vendor and all other necessary parties (if any) shall execute proper assurances of the said several lands and hereditaments to the respective purchasers, such assurances to be prepared by the purchasers; and the whole of the costs of and incident to the deduction and verification of the vendor's title, and of and incident to the preparation of such assurances and the approval and execution thereof, as well by the vendor as by the purchasers, and of and incident to the preparation and execution of any formal release of the aforesaid rights of way, as provided for by Clause 11 of this agreement, shall be borne by the Gas Company.

5. The title of the vendor consists of a grant from the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, dated the twelfth day of December one thousand eight hundred and sixty-five, and the purchasers shall not make any objection or requisition in respect of the earlier title, or require any other title to be deduced, and shall also admit the identity of the lands purchased upon a comparison of the plan on the aforesaid deed of grant with the said plan hereunto annexed, numbered 1.

6. The several lands and hereditaments are sold subject to all rights and easements now affecting the same, except only such rights of way as are intended to be surrendered by the sanitary authority.

7. The vendor will retain possession of the said lands and hereditaments and discharge all outgoings in respect thereof until the time fixed for com-

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pletion of the said purchases, and as from that time the several purchasers shall be entitled to the possession of the said premises respectively, and shall discharge all outgoings in respect thereof. For the purposes of this stipulation such outgoings shall be apportioned between the vendor and respective purchasers.

8. The vendor will retain the said deed of the twelfth day of December one thousand eight hundred and sixty-five, and will enter into the usual defeasible covenants for the production thereof to the respective purchasers, such covenants to be prepared by and at the expense of the Gas Company.

9. The Gas Company shall make and for ever maintain, in the line shown on the said plan hereunto annexed and numbered 1, according to the levels shown on the section hereunto annexed and numbered 2 (and which is intended to be signed in the same manner as the said plan number 1), a new road commencing in the parish of Saint Giles, Reading, by a junction with the King's Road at or near to the entrance of the present works of the Gas Company from that road, and terminating in the parish of Saint Lawrence, Reading, aforesaid, at the point marked "termination of road" on the said plan hereunto annexed numbered 1, and shall carry the said road over the River Kennet by a bridge.

10. The sanitary authority shall, upon the completion of the said new road and bridge, and upon the due fulfilment by the Gas Company of the stipulations on their part contained in the two next succeeding clauses of this agreement, pay to the Gas Company the sum of three hundred pounds, but the whole cost of making and constructing the said new road and bridge, and of maintaining the same respectively, shall be borne by the Gas Company.

11. As soon as the said new bridge, which is intended to be constructed and completed as soon as practicable after the passing of the said Act, shall have been completed, the sanitary authority shall be entitled to a full and free right of footway for themselves, their successors and assigns, their agents, servants, and workmen, and all persons duly authorised by them, at all reasonable times, through the works of the said Gas Company, and over the said bridge and site of the said new road to their sewage pumping station and land adjoining: And the sanitary authority shall also be entitled to use temporarily, as a means of access for horses, carts, and carriages to the said sewage pumping station and land, until the said new road shall have been completed (but at such times only as the arrangements of the Gas Company for the carrying on of their present works will allow), the said bridge, and also any roadway or approach thereto through the present works of the Gas Company which may from time to time be used by the Gas Company as a roadway or approach to the said bridge for horses, carts, and carriages. The said sanitary authority, so soon as they shall be in the enjoyment of such right of footway, and upon the payment to them by the said William Isaac Palmer and Messieurs Huntley and Palmers, or by one of them, of the sum of one hundred and fifty pounds, shall effectually surrender to the said William Isaac Palmer and Messieurs Huntley and Palmers, their heirs or assigns, all their rights of way over the aforesaid lands of the said William Isaac Palmer and Messieurs Huntley and Palmers: Provided always, that the surrender of such rights of way shall in nowise prejudice or affect such rights as the sanitary authority now have, and may lawfully exercise, in respect of any sewers carried through such lands, or any part thereof: Provided also, that the sanitary authority shall not be required to

show their title to the rights of way which are to be surrendered by them pursuant to this clause, or to covenant for the production of any deeds or documents relating thereto. A.D. 1880.

12. As soon as the said new road shall have been completed, which, so far as it is intended to pass through the Gas Company's works, cannot be completed until they shall have removed their works to the said lands marked "site of proposed new gasworks," on the said plan numbered 1, and upon payment of the last-mentioned sum of three hundred pounds, the Gas Company shall by deed grant to the sanitary authority, their successors and assigns, their agents, servants, and workmen, and all persons duly authorised by them, full, free, and perpetual right and liberty at all times, with or without horses, carts, carriages, appliances, or other materials, to pass and repass over and along the said proposed new road and bridge throughout the entire length thereof to and from their said sewage pumping station, and any land adjoining or near thereto.

13. When the said proposed new road and bridge shall have been completed the Gas Company shall, by deed, grant to the said William Isaac Palmer, and to the said Messieurs Huntley and Palmers, their heirs and assigns respectively, full, free, and perpetual right and liberty, at all times, with or without horses, carts, carriages, appliances, or other materials, to pass and repass over and along the said proposed new road and bridge, throughout the entire length thereof, to and from any lands of the said William Isaac Palmer and Messieurs Huntley and Palmers respectively, and until the completion of the said proposed road the said William Isaac Palmer and the said Messieurs Huntley and Palmers, their agents, servants, and workmen, shall have full and free right of footway through the works of the said Gas Company, and over the said bridge, as soon as the same shall be completed, to such lands respectively: Provided always, that nothing in this or in the last preceding clause contained shall render the Gas Company liable to complete the said road over the site of their present works until they shall have removed their said works to the land hereinbefore firstly described, or until the expiration of any other earlier period which may be prescribed by Parliament for the construction and completion of the proposed road and bridge.

14. If any dispute shall arise between the said parties to these presents, or their respective successors in title, or any of them, as to whether the said new road and bridge have been made or constructed in conformity with the stipulations of these presents and the requirements of the said intended Act, or as to the maintenance and repair thereof, the matter so in dispute shall be referred to the sole arbitrament of such person as shall be nominated for this purpose by the president for the time being of the Board of Trade, and the decision of such person acting in the arbitration shall be final and conclusive on all persons interested in the dispute.

15. All the costs of and incident to the preparation and execution of this agreement shall be borne and paid by the Gas Company.

16. This agreement is made subject to the confirmation thereof by Parliament, and to such alterations as Parliament may think fit to make therein: Provided always, that if any material alteration shall be made therein by the Committee on the Bill, any of the parties hereto shall be at liberty to withdraw from the same. In witness whereof, the said parties hereto of the first and second parts have hereunto set their hands and seals, and the Gas Company

A.D. 1880. — and the said mayor, aldermen, and burgesses have hereunto affixed their respective common seals, the day and year first above written.

WILLIAM I. PALMER.

L.S.

GEORGE PALMER.

L.S.

SAMUEL PALMER.

L.S.

Signed, sealed, and delivered by the above-named William Isaac Palmer and Samuel Palmer, in the presence of

CHAS. BLOOMFIELD,

Clerk to Messrs. Blandy & Witherington,
Solicitors, Reading.

Signed, sealed, and delivered by the above-named George Palmer, in the presence of

D. H. WITHERINGTON,
Solicitor, Reading,

Seal of
the Reading
Gas
Company.

HENRY B. BLANDY,
Mayor.

Seal of
Corporation
of
Reading.