



CHAPTER xxxi.

An Act for incorporating and conferring powers on the Nuneaton Gaslight and Coke Company Limited. A.D. 1886.

[4th June 1886.]

WHEREAS under a deed of settlement dated the 23rd day of January 1851 certain persons formed themselves into a gas company under the name of the Nuneaton Gaslight and Coke Company herein-after referred to as "the original Company" for the purpose of supplying with gas the town and neighbourhood of Nuneaton in the county of Warwick and generally for carrying on the business usually carried on by gas companies and such Company was on the 17th day of April 1851 duly registered under the provisions of the Act 7 and 8 Victoria intituled "An Act for the registration incorporation and regulation of Joint Stock Companies":

And whereas the present share capital of the original Company consists of fifteen thousand seven hundred and fifty-two pounds divided into one thousand nine hundred and sixty-nine shares of eight pounds each the whole of which have been subscribed and fully paid up and the Company have borrowed the sum of two thousand seven hundred pounds on mortgage:

And whereas the original Company purchased the lands described in the schedule to this Act and erected gasworks thereon and have from time to time improved and enlarged the same and have supplied and are now supplying with gas the town of Nuneaton and other places in the neighbourhood thereof:

And whereas the demand for gas in the district supplied by the original Company has increased and is increasing and it is expedient that the works of the original Company should be improved and their mains extended and that additional capital should be provided for such improvement and extension:

And whereas it is expedient that the original Company should be dissolved and re-incorporated with further powers:

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And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. This Act may be cited as the Nuneaton Gas Act 1886.

Incorporation of Acts.

2. The Companies Clauses Consolidation Act 1845 Part I. (cancellation and surrender of shares) Part II. (additional capital) and Part III. (debenture stock) of the Companies Clauses Act 1863 the Lands Clauses Consolidation Act 1845 and the Lands Clauses Consolidation Acts Amendment Act 1860 (except the provisions of the former Act with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and the Gasworks Clauses Act 1847 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 existing undertaking of the original Company as if the same had been authorised by this Act.

Interpretation.

3. 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 Company" shall mean the Company incorporated by this Act.

The expressions "the works" "the gasworks" and "the undertaking" shall respectively mean and include the gasworks and works connected therewith by this Act vested in the Company and any improvement thereof which they may make under the powers of this Act and the lands buildings estate right title property privileges effects and undertaking of the Company and every part thereof respectively.

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 common simple contract debt and not a debt or demand created by statute.

Limits of Act.

4. The limits of this Act for the supply of gas shall be and include the parishes of Nuneaton Chilvers-Coton Weddington Caldecote and Hartshill all in the county of Warwick.

5. From and after the passing of this Act the original Company shall be dissolved and the several persons and corporations who immediately before the passing of this Act were shareholders of that Company and all other persons and corporations who have subscribed to or who shall hereafter become proprietors in the undertaking of the Company and their executors administrators successors and assigns respectively shall be and they are hereby united into a company for the purposes herein-after mentioned and shall be incorporated by the name of the Nuneaton Gas Company and by that name shall be a body corporate with perpetual succession and a common seal with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

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Incorporation of
Company.

6. The Company shall be established for the purpose of manufacturing gas and for supplying gas within the limits of this Act for public and private purposes of light heat or motive power and for cooking food and for any other purposes for which gas is suitable and may make sell and dispose of coke coal lime tar pitch asphaltum and ammoniacal liquor oil and all other products refuse or residuum arising remaining produced by resulting or obtained from the manufacture of gas or the materials used therein and may manufacture convert utilise and sell such articles as can be produced from or by means of the several matters and things aforesaid or any of them and may manufacture purchase or hire and sell let or deal in and fit up meters pipes gasfittings engines machinery stoves and other like things and generally carry on the business usually carried on by gas companies or which is or may be incident thereto.

General
purposes of
the Com-
pany.

7. Subject to the provisions of this Act all the lands gasworks erections buildings property 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 to which the original Company were in anywise entitled and all mains and pipes plant plugs lamps irons retorts gauges meters lamp-posts syphons machinery apparatus stock effects matters and things which have been by them purchased 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 the original Company and all moneys securities credits choses in action books papers plans effects and other property whatsoever which immediately before the passing of this Act belonged to the original Company or to any trustee or trustees on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the original Company and immediately before the passing of this Act in force 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

Present
property of
original
Company
vested in
Company
incorporated
by this Act.

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were previously to the passing of this Act vested in the original Company or any trustee or trustees on their behalf and may according to the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed dealt with and disposed of by the Company as they think fit.

Deed of settlement of original Company to be void without prejudice to remedies for antecedent breaches thereof.

8. Subject to the provisions of this Act the deed of settlement of the original Company shall as to any prospective operation thereof be wholly void and the Company and the holders of stock therein shall be exempted from all the provisions restrictions and requirements of any Act which applied to the original Company and the shareholders thereof as such but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said deed of settlement incurred before the passing of this Act but such liability or obligation in respect of any such breach shall continue and save as in this Act otherwise provided may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the original Company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

9. 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 thereof as such shall be as valid as if the Company had not been incorporated and the said deed of settlement 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 of settlement 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 or suffered and with respect to all such rights liabilities claims and demands the Company and its shareholders and property shall to all intents and purposes represent the original Company and the shareholders thereof as such and the property of the original Company as the case may be and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to Act to be binding.

10. Except as is by this Act otherwise specially provided all purchases sales conveyances grants assurances mortgages 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 the original Company or by to or with any other person to whose rights and liabilities they have succeeded

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As to pay-
ment of debts
owing before
passing of
Act.

15. 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 or accruing upon the same to the Company and all mortgages and other debts and moneys which immediately before the passing of this Act were due 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 accruing upon the same by or be recoverable from the Company.

Certificates
&c. to
remain in
force.

16. Notwithstanding the avoidance of the said deed of settlement all certificates (until cancelled under the powers of this Act) sales transfers and dispositions heretofore made or executed under the said deed for and with respect to any shares in the original Company shall remain in full force and continue and be available in all respects as if they had not been avoided.

Books &c.
continued
evidence.

17. All documents books and writings which if the said dissolution and avoidance had not taken place would have been receivable in evidence shall be admitted as evidence in all courts of law and equity and elsewhere notwithstanding such dissolution and avoidance.

Officers to
continue
until
removed.

18. 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 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.

Present
registers of
members
to be
continued.

19. The books kept by the original Company for entering the names and designations of the shareholders thereof with the numbers of their shares and the proper distinguishing number of such shares shall and may continue to be kept for the same purpose by the Company and shall until some other register of share or stock holders shall be provided by the Company be taken and considered as the register of shareholders required to be kept by the Companies Clauses Consolidation Act 1845.

Capital.

20. The capital of the Company shall be thirty-one thousand seven hundred and fifty-two pounds being the aggregate of the following sums:—

A. Capital stock to the amount of fifteen thousand seven hundred and fifty-two pounds being the share capital of the original

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. A.D. 1886.

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 shareholder thereof in relation to the affairs of the original Company or to which the original Company or any shareholder thereof in relation to such affairs were parties immediately before the passing of this Act but 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 or in favour of or against the original Company or any shareholder thereof if this Act had not been passed the Company and the holders of stock therein being in reference to the matters aforesaid in all respects substituted for the original Company and its shareholders respectively. Actions &c.
not to abate.

12. Every trustee or other person in whom or in whose name any lands works buildings easements rights property or effects belonging to the original Company were vested immediately before the passing of this Act and who (being 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 out of the funds and property of the Company against all liability (including costs charges and expenses) which he may sustain or incur or be put unto by reason of his having entered into such bond covenant contract or engagement. Trustees of
original
Company
to be indem-
nified.

13. From and after the passing of this Act and except as is by this Act otherwise expressly provided the Company shall in all respects be subject to and shall discharge all mortgages obligations and liabilities to which the original Company immediately before the passing of this Act were subject and shall indemnify the shareholders directors officers and servants of the original Company and their respective representatives from all such mortgages obligations and liabilities and from all expenses and costs in that behalf. Company
to satisfy
liabilities of
original
Company.

14. All gas rents and sums of money which immediately before the passing of this Act were due or accruing to the original Company shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable for the like matters supplied or done under this Act. Recovery
of gas rents
&c.

Company which shall be deemed fully paid up and is in this A.D. 1886.
Act called the original stock of the Company.

B. Capital stock to the amount of sixteen thousand pounds by this Act authorised to be created as herein-after mentioned and herein-after called the new stock of the Company.

21. The original stock is by this Act appropriated to and vested in the several persons who immediately before the passing of this Act were the registered shareholders of the original Company in substitution for the existing shares of the original Company and such stock shall be distributed between such persons in proportion to the number of shares to which such persons were then entitled and so that every holder of one of such shares shall receive original stock to the amount of eight pounds and so on in proportion and such stock shall be subject and liable to the same trusts powers provisions declarations and agreements charges liens and incumbrances as immediately before the passing of this Act affected the share for which the same is substituted and so as to give effect to and not revoke any deed will or other instrument affecting the same and every such deed will or other instrument shall take effect with reference to the amount of the stock so substituted.

Vesting of
original stock
in present
share-
holders.

22. The Company shall call in and cancel the existing certificates of shares in the original Company and issue in lieu thereof certificates 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 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.

Company to
call in and
cancel exist-
ing share
certificates
and issue
new stock
certificates.

23. The Company may from time to time raise additional capital not exceeding in the whole sixteen thousand pounds by the creation and issue of new ordinary stock or new preference stock or wholly or partially by one or both of those modes but no such new stock shall vest in the person or corporation accepting the same unless and until the full nominal amount together with any premiums 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 sixteen thousand pounds Provided also that the Company shall not create and issue within the year following the passing of this

Power to
Company to
raise addi-
tional
capital.

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Act any greater nominal amount of capital than shall be sufficient to produce in manner aforesaid four thousand pounds or within any subsequent year three thousand pounds.

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

24. 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 four thousand pounds in respect of the year following the passing of this Act and three thousand pounds in respect of every subsequent year then expired.

Profits of Company limited.

25. Except as by this Act otherwise provided the Company shall not in any year make out of their profits any larger dividend on the original stock than ten pounds in respect of every one hundred pounds of such stock nor any larger dividend on the additional capital in new stock 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 may be issued as preference capital and such dividends (subject to the reduction and increase thereof hereinafter mentioned) are in this Act referred to as the standard rates of dividend.

Dividends on different classes of stock to be paid proportionately.

26. In case in any half year the funds 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 in the capital of the Company a proportionate deduction shall be made in the dividend of each class.

Receipt in case of persons not sui juris.

27. If any money be payable to a shareholder being a minor idiot or lunatic the receipt of the guardians or committee of his estate shall be a sufficient discharge to the Company.

New stock to be offered by auction or tender.

28. Notwithstanding anything in this Act contained the Company shall when any of the new stock created under the powers of this Act is to be issued and before offering the same to the holder of any other stock in the Company and whether the original stock of the Company is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale 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 stock and that the reserved price put upon such 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 or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of stock in the Company except that if any bid or offer by tender of any holder or holders of stock in the Company be the same in amount as any bid or offer made by any other person the bid or offer of such holder or holders of stock shall be accepted in preference.

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

Time for paying purchase money of capital sold by auction.

30. The intention to sell any such stock by auction or by tender shall be communicated in writing to the clerk to the local board of Nuneaton and to the secretary of the Committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulated within the district of the said local board.

As to notice to be given as to sale &c. of stock.

31. When any stock created under the powers of this Act has been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same for the purpose of sale by auction or tender to the holders of ordinary stock of the Company in manner provided by the Companies Clauses Act 1863 Provided always that any stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of stock created under the powers of this Act.

Stock not sold by auction or tender to be offered to stock-holders.

32. Any sum of money which shall arise from the issue of any such 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.

Application of premium arising on issue of stock.

33. If the clear profits of the undertaking of the Company after allowing for reasonable depreciation in any year amount to a larger sum than is sufficient to pay the standard rates of dividend on the

If profits exceed the amount limited

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excess may
be invested
and form an
insurance
fund.

ordinary capital and the dividend on the preference capital if any the excess beyond the sum necessary for that purpose may from time to time be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-tenth of the paid-up capital of the Company which sum shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Company from accidents strikes or other circumstances which in the opinion of a justice due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction shall happen. Provided that when and so often as the said fund shall reach one-tenth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend. Provided also that resort may from time to time be had to the insurance fund to meet any extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-tenth as aforesaid.

Application
of excess of
profits over
standard
rates of
dividend.

34. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the standard rates of dividend on the ordinary stock of the Company the excess or such portion of it as is not carried to the insurance fund shall be carried to the credit of the divisible profits of the undertaking for the next following year.

Power to
create a
reserve fund
out of
dividends in
excess of
the standard
rates and
application
thereof.

35. When in any year the amount of the dividends on the ordinary stock of the Company shall exceed the standard rates by reason of the price charged by the Company for gas in such year or any part thereof being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such increase the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and any reserve or other fund of the Company existing at the passing of this Act may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Company shall be insufficient to enable the Company in such year to pay the authorised rates of dividend on the ordinary stock of the Company and save as in this

Act otherwise provided no sum shall in any year be carried by the Company to any reserve fund. A.D. 1886.

36. The Company may at any time and from time to time after the passing of this Act borrow on mortgage of the undertaking in respect of the original capital of fifteen thousand seven hundred and fifty-two pounds any sums not exceeding in the whole five thousand pounds inclusive of the sum of two thousand seven hundred pounds borrowed on mortgage by the original Company.

Power to borrow in respect of original capital.

37. The Company may from time to time subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-fourth part of the amount of the additional capital in new stock by this Act authorised to be raised and at the time actually issued but no part thereof shall be borrowed until the whole of the stock at the time issued together with the premium (if any) realised on the sale thereof shall have been fully paid up and the Company have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act 1845 before he so certifies that such stock and premium (if any) have been issued and fully paid up 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 certificate shall be sufficient evidence thereof.

Power to borrow in respect of additional capital.

38. The mortgagees of the undertaking may enforce payment of the arrears of interest or principal or principal and interest due on their mortgages 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 the application for a receiver is made shall not be less than five hundred pounds in the whole.

Appointment of receiver.

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

As to conversion of borrowed money into capital.

40. 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 and of all mortgages at any time after the passing of this Act created and issued or granted by the Company under this

Debenture stock.

A.D. 1886. or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages.

ity of
gages
other

41. All moneys raised or to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act. Provided always that this priority shall not affect any claim against the Company or their property in respect of any rent-charge granted or to be granted by them in pursuance of the Lands Clauses Consolidation Act 1845 or the Lands Clauses Consolidation Acts Amendment Act 1860 or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock.

Application
of moneys.

42. All moneys raised under this Act whether by new stock debenture stock or borrowing shall be applied only for the purposes of this Act to which capital is properly applicable.

First
ordinary
meeting.

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

Quorum for
meetings of
Company.

44. The quorum of all general meetings of the Company whether ordinary or extraordinary shall be seven shareholders present in person or by proxy holding not less in the aggregate than one thousand pounds in the capital of the Company.

Number of
directors.

45. The number of directors shall be eight but the Company may from time to time reduce the number provided the number be not less than five.

Qualification
of directors.

46. The qualification of a director shall be the possession in his own right of stock of the Company of the nominal value of not less than one hundred pounds.

Quorum.

47. The quorum of a meeting of directors shall be three.

First
directors.

48. George Harcourt Taylor Thomas Perkins Iliffe Charles Parsons Robert Wilson Henry Slingsby George Liggins Robert William Swinnerton and William Harcourt Taylor shall be the first directors of the Company and shall continue in office until the first ordinary 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

Election of
directors.

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 ordinary meeting to be held in every year after the first ordinary 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 of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed or disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

49. The proprietors of any original or new stock forming part of the capital of the Company as declared by this Act or to be raised under the authority of this Act shall be entitled to vote according to the following scale (that is to say) : Scale of voting.

Every holder of one or both classes of stock of an aggregate nominal amount of eight pounds and upwards shall have one vote for every eight pounds of such nominal amount up to one hundred pounds ;

Every holder of one or both classes of stock of an aggregate nominal amount exceeding one hundred pounds shall in addition to the votes to which such holder is entitled under the previous paragraph be entitled to one further vote for every fifty pounds of such nominal amount exceeding one hundred pounds up to one thousand pounds ;

Every holder of one or both classes of stock of an aggregate nominal amount exceeding one thousand pounds shall in addition to the votes to which such holder is entitled under the two previous paragraphs be entitled to one further vote for every one hundred pounds of such nominal amount exceeding one thousand pounds ;

Holders of a less amount of stock than eight pounds shall not be entitled to vote nor shall any person be entitled to a vote in respect of any fraction of eight pounds of stock beyond the respective amounts of stock named in this section.

50. Subject to the provisions of this Act the Company may from time to time maintain alter improve and renew or discontinue their existing gasworks upon the lands on which the same are erected or any part thereof and which are described in the schedule to this Act and they may also maintain alter improve enlarge and renew or discontinue 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 Powers as to maintenance of gasworks &c.

A.D. 1886. — 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 coal coke lime chemicals 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 purchase land by agreement—
Gas not to be manufactured except on lands scheduled.

51. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the schedule to this Act any lands and hereditaments not exceeding in the whole two acres which the Company may from time to time require for the purposes of their works and undertaking but no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Act.

Company may acquire easements &c. by agreement.

52. 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 the said Act and of this Act 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 said Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 with respect to lands and rentcharges so 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.

Company may sell land not required.

53. The Company may sell and dispose of so much of the lands described in the schedule to this Act together with any buildings or erections thereon as shall not be required for the manufacture or storage of gas or other purposes of the Company.

Provisions as to displacing persons belonging to labouring class.

54. The Company shall not under the powers of this Act without the consent of the Local Government Board purchase or acquire in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers:

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others

except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them. A.D. 1886.

55. The Company may acquire hold and use patent rights or licenses not being exclusive for the use of inventions in relation to the manufacture of gas or in relation to the distribution or supply of gas and also in relation to the manufacture conversion or utilisation of residual products and materials arising in or resulting from the manufacture of gas. Company may acquire patent rights.

56. The Company with the consent of the owner and occupier of any building may lay any pipe branch or any other necessary apparatus from any main or branch pipe into through or against such building for the purpose of lighting it 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 or of heat or light and for measuring and ascertaining the extent of such supply and may from time to time with the like consent repair replace alter discontinue and remove any such pipe branch or apparatus. Power to lay pipes against buildings.

57. The following provisions for the protection of the London and North-western and Midland Railway Companies shall have full force and effect and be binding upon the Company and their assigns both in respect of the railways jointly as well as those separately owned by those companies. For protection of the London and North-western and Midland Railway Companies.

In laying down executing or in effecting the repairs and renewals of any mains pipes or other works upon across over or under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the said railway companies or either of them or the bridges approaches viaducts stations or other works or any level crossings of such railways the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the said railway companies or of the company whose railway or property may be so affected and only according to such plan to be submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Company who also shall make good and repair the roads over any such bridge level crossing or approach which the said railway companies or either of them are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works matters and things shall be constructed executed and done in such manner as to avoid injury to such railways bridges level crossings approaches viaducts stations works lands or property or

A.D. 1886. interruption to the passage or conduct of traffic over such railways or at any station thereon And if any injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the failure of any main or pipe under or near to any bridge or level crossing the Company shall make compensation in respect thereof to the said railway companies or to such one of them as may be affected thereby the amount of such compensation together with costs to be recoverable from the Company by all and the same means as any simple contract debt is recoverable.

If any difference arise between the Company or their engineer and the said railway companies or either of them or the said principal engineer respecting anything mentioned or referred to in this section such difference may be referred to and determined by an engineer to be appointed by the Board of Trade at the request of either party.

Standard
price of gas
with sliding
scale as to
dividend.

58. The standard price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter shall be four shillings per one thousand cubic feet within the ecclesiastical parishes of Saint Nicholas and Saint Mary Nuneaton and Attleborough and such parts of the parish of Chilvers-Coton as are within a radius of one mile of the gasworks and four shillings and sixpence per one thousand cubic feet within other portions of the limits of this Act Provided that the Company may increase or reduce the price charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Company on the ordinary capital stock as defined by this Act to be calculated as follows :—

In respect of any year during which the price charged by the Company shall have been one penny or more above the standard price the dividend payable by the Company shall in respect of each penny by which the standard price shall have been increased be reduced below the standard rate of dividend by five shillings on every hundred pounds of ordinary paid up capital and so in proportion for any fraction of one hundred pounds :

And in respect of any year during which the price charged by the Company shall have been one penny or more below the standard price the dividend payable by the Company may in respect of each penny by which the standard price shall have been reduced be increased above the standard rate by five shillings on every hundred pounds of ordinary paid up capital and so in proportion for any fraction of one hundred pounds.

59. A notice to the Company from a consumer for a discontinuance of a supply of gas shall not be of any effect unless it be in writing and be left at the principal office for the time being of the Company.

Company
to receive
notice from
consumer of
gas for dis-
continuance

60. 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 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 at least two hours previous notice in writing shall be given to the Company of the time and place at which such testing shall be conducted.

Pressure of
gas.

61. The prescribed number of candles shall be fifteen.

Quality of
gas.

62. Within six months from the passing of this Act a testing place shall be provided at the works of the Company.

Testing
place.

63. The prescribed burner shall be the burner known as "Sugg's London Argand Burner No. 1" with a six inch by one and three-quarter inch glass chimney and if at any time the gas flame rises over the top of the glass a six inch by two inch chimney shall be used.

Burner.

64. The Company shall on or before the twenty-fourth day of June one thousand eight hundred and eighty-seven and on or before the same date in each following year fill up and forward a statement of accounts made up to the twenty-fifth day of March in the same year as nearly as may be in accordance with the provisions of the Gasworks Clauses Act 1871 such accounts to be in accordance with the provisions of that Act and the Company may if they think fit make at the expiration of the first half of each year an interim dividend Provided that the amount of dividend which under the provisions of this Act they may be entitled to make in respect of each year shall not be exceeded.

Accounts.

65. No person shall by reason of being a holder of stock or director of the Company be disqualified from being or acting as a member or officer of any sanitary authority or town council or as a commissioner under and by virtue of any Act of Parliament passed

Stockholder
or director
of Company
may be a
member of
sanitary
authority.

A.D. 1886.

or that may be passed for the better governing paving cleansing lighting watching or improving any parish or place within the limits of this Act or in anywise connected therewith or be liable to any penalty as such notwithstanding that the sanitary authority or town council of which he is a member or the commissioners acting under or by virtue of such acts or any of them may enter into any contract with the Company or the directors thereof for the time being but no such holder of stock or director of the Company shall vote on any question relating to any such contract.

Contracts
for supply-
ing gas for
public
purposes.

66. The Company may from time to time enter into and carry into effect any contract or arrangement with any sanitary or local authority having powers within any part of the limits of this Act or any corporation company body or persons for the supply of gas by the Company within the limits of this Act on such terms and for such period not exceeding under any one such contract or arrangement seven years as they may think fit and may from time to time by mutual consent vary suspend or rescind any such contract or arrangement or enter into or carry into effect other contracts or arrangements in lieu thereof or in addition thereto.

Company to
pay interest
on money
deposited
as security
for gas
meter &c.

67. If any person is required by the Company to give to them security for the payment of the gas to be supplied or the price or rent of a meter the Company shall pay interest after the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Small sums
recoverable
in county
court.

68. Nothing in this Act or in any Act incorporated herewith contained shall prevent the Company from recovering any sum of money not exceeding fifty pounds due to them for the supply of gas or for the price hire or fixing of meters lighting heating and cooking apparatus services fittings or for damages costs or expenses including expenses of cutting off the gas by action or proceeding in such manner as is by law provided for the recovery of debts not exceeding fifty pounds.

Power to
Nuneaton
Local Board
to purchase
undertaking.

69. If the Nuneaton Local Board desire to purchase the undertaking of the Company at any time within seven years from the passing of this Act but not afterwards and obtain the sanction of the Local Government Board so to do and of such desire give to the Company six months' previous notice in writing under their common seal the Company shall at the expiration of the said period of six months sell and transfer their undertaking to the said local board and the local board may and shall purchase the same for such price and upon such terms and conditions as may be mutually agreed upon or failing agreement as may be determined by arbitration in

accordance with the provisions of the Lands Clauses Consolidation Acts with respect to the settlement of questions of disputed compensation and for the purposes of such arbitration the said provisions shall be deemed to be incorporated herewith and in the construction of the said provisions the expressions "the promoters of the undertaking" and "lands" shall be construed to mean respectively the said local board and the undertaking of the Company and from and after such sale of the undertaking to the said local board all the property real and personal and all rights powers authorities duties obligations and liabilities of the Company in respect of their undertaking held enjoyed exerciseable or to be performed by the Company at the time of such sale other than and excepting powers relating to share and loan capital and of general meetings and directors or otherwise relating to the constitution or management of the Company shall subject to all liabilities then affecting the same be transferred to and vested in and may and shall be enjoyed and exercised and performed by the said local board as though the same had been acquired by and conferred upon the said local board instead of the Company :

Provided always that at any time after the completion of such sale the local board shall when so required by any other sanitary authority sell to such sanitary authority all gas-pipes fittings and other apparatus then belonging to the said local board (other than such pipes fittings and other apparatus as may be required for the supply of any other portion of the limits of supply) which shall at such time be laid or lie in the district of such sanitary authority at such price and upon and subject to such terms and conditions as may be agreed upon between the said local board and such sanitary authority or failing agreement as may be determined by an arbitrator to be appointed by the Local Government Board on the application of either party and after such sale the powers of the said local board to distribute gas within the district of such sanitary authority and all their duties obligations and liabilities with reference thereto shall cease and all moneys received by the said local board in respect of any such sale shall be applied in repayment of any moneys borrowed by them for the purposes of the purchase of the said undertaking or (if there be not any moneys so borrowed then remaining due) shall be placed to the credit of the district fund account of the said local board and applied towards the discharge by means of a sinking fund or otherwise of any other principal moneys which have been borrowed by the said local board.

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

A.D. 1886.

SCHEDULE referred to in the foregoing Act.

GAS LANDS.

Certain lands houses and hereditaments comprising two acres and thirty-two perches or thereabouts situate in the parish of Nuneaton in the county of Warwick and bounded on the north by Abbey Street Nuneaton and property belonging or reputed to belong to the Poor Law Guardians of Nuneaton Union and to George Sidwell and John Bostock on the east by land belonging or reputed to belong to John Bostock and the representatives of John Grove deceased and by land and houses belonging or reputed to belong to John Sands on the south by land belonging or reputed to belong to John Sands by Arbury Road and the Primitive Methodist Chapel and on the west by the footroad leading from Arbury Road to Abbey Street (recently formed in substitution for the former footpath from the northern side of Arbury Road through the gas company's property to Abbey Street at the Bull's Head Inn) and by the Primitive Methodist Chapel and property belonging or reputed to belong to George Sidwell.

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