



## CHAPTER xliii.

An Act for the granting of further powers to the Wrexham Gas Light Company. A.D. 1886.  
—  
[4th June 1886.]

WHEREAS by the Wrexham Gas Act 1870 (hereinafter referred to as "the Act of 1870") the Wrexham Gas Light Company (hereinafter referred to as "the Company") were incorporated and were empowered to supply with gas the town of Wrexham and its neighbourhood and by that Act the share capital of the Company was fixed at fifty thousand pounds and the borrowing powers at twelve thousand five hundred pounds:

And whereas the said share capital of fifty thousand pounds consists of twelve thousand pounds of original capital entitled to a dividend not exceeding ten pounds per centum per annum and thirty-eight thousand pounds of additional capital entitled to a dividend not exceeding seven pounds per centum per annum:

And whereas the said twelve thousand pounds of original capital has been fully paid up and of the said additional capital of thirty-eight thousand pounds twenty-three thousand pounds have been created and issued and eight thousand seven hundred and fifty pounds have been borrowed:

And whereas the demand for gas and the population of the district within the limits of the recited Act have increased and are increasing and it is expedient that the Company be authorised to erect on the lands described in Part II. of the schedule to this Act additional works for the manufacture and storage of gas and of the residual products resulting therefrom:

And whereas it is expedient that the Company be authorised to raise further capital for the purposes of their undertaking:

And whereas it is expedient to alter the period for holding the annual meetings of the Company:

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

A.D. 1886.

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 Wrexham Gas Act 1886.

Incorporation of general Acts.

2. The Gasworks Clauses Act 1847 the 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 non-payment of calls:

The remedies of creditors of the Company against the shareholders:

The borrowing of money by the Company on mortgage or bond:

The conversion of borrowed money into capital:

The consolidation of shares into stock:

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

The making of dividends:

The giving of notices:

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 as amended by the Companies Clauses Act 1869:

are so far as the same respectively are applicable for the purposes of and not varied by or inconsistent with the provisions of this Act incorporated with and form part of this Act And the Gasworks Clauses Act 1871 shall subject to the provisions of this Act apply to the undertaking of the 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 have the same respective meanings unless there be something in the subject or context repugnant to such construction and in construing this Act and in construing for the purposes of this Act the Acts incorporated herewith:—

The expression “superior courts” or “court of competent jurisdiction” or any other like expression shall be read and have



effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute :

A.D. 1886.

The expression "fittings" shall include any apparatus fittings articles or things provided by the Company for the use of any person for or in relation to the supply by them to him of light heat or motive power.

4. From and after the passing of this Act and notwithstanding anything in the Act of 1870 contained the annual general meetings of the Company shall be held in the month of March and the directors and one auditor required in pursuance of the Act of 1870 to retire from office in August 1886 shall continue in office until March 1887 and the month of March in every subsequent year shall be the period for retiring directors and one auditor to go out of office. Provided always that a general meeting of the Company shall be duly called and held in the month of August next for the purpose of declaring a dividend for the period current since the preceding ordinary meeting at which a dividend was declared and for the purpose of transacting such other business if any as may be necessary and competent to be transacted at an ordinary meeting.

Meetings of the Company.

5. Subject to the provisions of this Act the Company may upon the lands described in Part II. of the schedule to this Act from time to time erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue gasworks retorts gasholders receivers tanks drains sewers mains pipes meters lamps lamp-posts burners stopcocks machinery approaches and other works apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying gas and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar ammoniacal liquor sulphate of ammonia and all other products resulting from any materials employed in the manufacture of gas and also meters pipes and other apparatus for warming and ventilating of houses buildings and other places and may manufacture purchase sell provide supply and deal in fittings gas engines stoves ranges baths and other articles and things in any way connected with the supply of gas for domestic or other purposes as they may from time to time think fit.

Power to construct and maintain gasworks &amp;c.

6. 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 five acres which the

Power to purchase lands by agreement.



A.D. 1886.

Gas not to  
be manufac-  
tured except  
on lands  
scheduled.

Company may from time to time require for the purposes of their works and undertaking but no buildings shall be erected on such lands except buildings connected with the Company's gas undertaking and 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.

Power to  
Company  
to raise  
additional  
capital.

7. The Company may apply to the purposes of this Act to which capital is properly applicable any moneys they may have already raised or are authorised to raise and may from time to time raise for the like purposes any further sums not exceeding in the whole fifteen thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares and stock or wholly or partially 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 new capital than shall be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of fifteen thousand pounds.

New shares  
or stock to  
form part of  
capital.

8. The capital in new shares or stock created under the powers of this Act shall subject to the provisions of this Act form part of the capital of the Company.

Rights of  
new capital.

9. Every person who becomes entitled to any such new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall subject to the provisions of this Act be entitled to a dividend with the other holders of shares or stock.

Profits of  
the Company  
limited.

10. 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 may be issued as preference capital.

Dividends on  
different  
classes of  
stock or  
shares to be  
paid propor-  
tionately.

11. In case in any 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 reduction shall be made in the dividend of each class.

New stock to  
be offered by  
auction or  
tender.

12. Notwithstanding anything in this Act contained the Company shall when any shares or stock created under the powers of this Act

A.D. 1886.

are or is 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 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 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 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 shares or stock in the Company.

13. 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.

14. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the town clerk of Wrexham 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 circulating within the town of Wrexham.

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

15. Where the amount bidden or tendered by the proprietor of any shares or stock of the Company (in this Act referred to as a "proprietor") for any shares or stock offered for sale by auction or by tender under the provisions of this Act is equal to the highest amount bidden or tendered for such last-mentioned shares or stock by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such shares or stock.

Where shareholder bids or tenders for shares or stock the same amount as any other person shareholder to be declared the purchaser.

16. When any shares or stock created under the powers of this Act have been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock of the Company in manner provided by the Companies Clauses Act 1863. Provided

Shares or stock not sold by auction or by tender to be offered to shareholders.



A.D. 1886.

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 or by tender in the 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  
stock.

17. 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.

If profits  
exceed the  
amount  
limited ex-  
cess may be  
invested and  
form an  
insurance  
fund.

18. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the prescribed maximum rates of dividend on the 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 to the extent of one per centum per annum upon the paid-up capital of the Company 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-twentieth 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-twentieth 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 or demand as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth as aforesaid.

Application  
of excess of  
profits over  
prescribed  
maximum  
rate of divi-  
dend.

19. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the prescribed maximum rate of dividend on the ordinary capital and the dividend on the preference capital (if any) 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. A.D. 1886.

**20.** In addition to the moneys which the Company are authorized to borrow under the Act of 1870 they may from time to time borrow on mortgage of the undertaking in respect of the additional capital of fifteen thousand pounds by this Act authorized to be raised by shares or stock any sum not exceeding in the whole three thousand seven hundred and fifty pounds but no part shall be borrowed until the Company shall have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such capital has been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share or the whole of the stock in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital was issued *bonâ fide* and is held by the persons or corporations to whom the same 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 the 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 on  
mortgage.

**21.** The Company shall not have power to raise the money by the Act of 1870 or by this Act authorized 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 the amount borrowed under the provisions of the Act of 1870 or of this Act unless in either case all dividends upon such shares or stock whether ordinary or preference are limited to a rate not exceeding five pounds per centum per annum.

As to con-  
version of  
borrowed  
money into  
capital.

**22.** All mortgages and bonds granted by the Company in pursuance of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created by the Company.

Priority of  
existing  
mortgages.

**23.** All moneys to be borrowed under the powers of this Act and the interest thereon 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

Priority of  
mortgages  
over other  
debts.



A.D. 1886.

them after the passing of this Act. But 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 or dividend on their mortgages or debenture stock nor shall anything hereinbefore contained affect any claim in respect of land taken used or occupied by them for the purposes of this Act or injuriously affected by the exercise of any of the powers of this Act.

For appointment of a receiver.

**24.** Section thirty-three of the Act of 1870 is hereby repealed but without prejudice to any (if any) appointment heretofore made or to any (if any) proceedings pending at the passing of this Act and in lieu thereof mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorize the appointment of a receiver in respect of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less in the whole than two thousand pounds.

Power to create debenture stock.

**25.** 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 the Act of 1870 or this 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 authorized) and shall have priority over all principal moneys secured by such mortgages. The mortgages and certificates of debenture stock granted or issued after the passing of this Act under the Act of 1870 or this Act shall be endorsed with notice of the provisions of this section.

Application of moneys.

**26.** All moneys raised under this Act whether by shares stock debenture stock or borrowing shall be applied only for the purposes of the Act of 1870 or of this Act to which capital is properly applicable.

Powers as to construction and main-

**27.** Subject to the provisions of this Act the Company may from time to time maintain alter improve enlarge extend and renew



or discontinue their existing gasworks upon the lands on which the same are erected or any part thereof and also upon the other lands described in the schedule to this Act and they may also within and upon such lands respectively erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasholders receivers tanks 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 the Act of 1870 and may make store and supply gas accordingly.

A.D. 1886.

tenance of  
gasworks &c.

**28.** Sections sixty-six and sixty-eight of the Act of 1870 shall so far as applicable extend and apply to this Act.

Extending  
sections 66 and  
68 of the Act of  
1870 to this Act.

**29.** 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 of not less than six-tenths of an inch and from sunset to midnight of 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 and at any 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.

Pressure of  
gas.

**30.** If any person is required by the Company to give to them security for the payment of the price or rent of a meter the Company shall pay interest after the rate of five 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.

Company to  
pay interest  
on money  
deposited as  
security for  
gas meters.

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

Expenses of  
Act.

A.D. 1886.

The SCHEDULE referred to in the foregoing Act.

## PART I.

The lands described in the schedule to the Act of 1870 and on which the Company are authorized to erect gasworks and to make gas.

## PART II.

The following lands wholly situate within the township of Wrexham Regis in the town of Wrexham in the county of Denbigh bounded as follows (that is to say) :—

- (1) A piece of land abutting on and bounded on the north by the road or street called Rivulet Road on the west by land belonging or reputed to belong to the Wrexham Gas Light Company and secondly described in the schedule to the Wrexham Gas Act 1870 on the east by a road now in the course of formation between Albert Street and Rivulet Road and on the south by the road or street called Green Bank and which piece of land comprises an area of one acre one rood and sixteen perches or thereabouts :
- (2) A piece of land abutting on and bounded on the north by the road or street called Rivulet Road on the west by the road above-mentioned now in course of formation on the east abutting upon and bounded by the road or street called Derby Road and on the south by land belonging or reputed to belong to the representatives of the late Peter Walker and by property belonging or reputed to belong to the Reverend Robert Middleton and by the road or street called Green Bank and which piece of land comprises an area of two acres and twelve perches or thereabouts.