



CHAPTER xc.

An Act to authorise the Ormskirk Gas Light Company to extend their limits of supply to raise additional capital to acquire additional lands and for other purposes. A.D. 1892.

[20th June 1892.]

WHEREAS by the Ormskirk Gas Light Act 1853 (herein-after called "the Act of 1853") the Ormskirk Gas Light Company (herein-after called "the Company") were incorporated for the purpose of (amongst other things in the said Act mentioned) making and supplying gas to the places and within the limits in that Act defined :

And whereas it was by the Act of 1853 enacted that the capital of the Company should be twenty thousand pounds divided into two thousand shares of ten pounds each (herein-after referred to as "the original capital") and the Company were by the same Act in addition thereto authorised to borrow any sum or sums not exceeding in the whole the sum of two thousand pounds including a sum of five hundred pounds then due and owing upon the security of the Company's undertaking :

And whereas the whole of the authorised capital of the Company has been created issued and paid up and nearly the whole thereof has been expended and the Company have borrowed and now owe on bonds the sum of two thousand pounds and the Company have no other debt except for current expenses :

And whereas it is expedient to extend the Company's existing limits of supply so as to include the townships of Lydiate Maghull and Melling and so much of the townships of Scarisbrick and Halsall as are herein described and which are not at present included within the existing limits :

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

And whereas it is expedient to repeal alter and amend as in this Act is provided certain provisions of the Act of 1853 and it is also

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And whereas the demand for gas within the Company's limits of supply is increasing and the existing works of the Company and the lands whereon they are erected are insufficient to enable the Company to meet the present and prospective demands of their district as extended by this Act and it is expedient that the Company be authorised to acquire by agreement further lands and to erect additional works thereon :

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 Ormskirk Gaslight Act 1892.

Company's Act of 1853 and this Act to be construed together.

2. The Act of 1853 and this Act may for all purposes be cited as the Ormskirk Gaslight Acts 1853 and 1892 and the Act of 1853 as amended by this Act and this Act shall be construed together as one Act except so far as such construction would be inconsistent with or repugnant to the provisions of this Act and the Act of 1853 and this Act shall be the special Act for the purposes of the Gasworks Clauses Act 1871.

Incorporation of general Acts.

3. Subject to the provisions of this Act and of the Act of 1853 as amended by this Act 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 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 ; and

The provision to be made for affording access to the special Act by all parties interested: A.D. 1892.

And also Parts I. II. and III. of the Companies Clauses Act 1863 (relating respectively to the cancellation and surrender of shares to additional capital and to debenture stock) as amended by the Companies Clauses Act 1869 the Gasworks Clauses Act 1847 and the Lands Clauses Acts except the provisions thereof with respect to the purchase of lands otherwise than by agreement and with respect to the entry upon lands by promoters of the undertaking:

are so far as the same respectively are applicable for the purposes of and are 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 apply to the existing undertaking of the Company as if the same had been authorised subsequently to the passing of that Act.

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: Interpretation clause.

The expression "the Company" shall mean the Ormskirk Gas Light Company:

The expression "the works" "the gasworks" and "the undertaking" shall respectively mean and include the gasworks and works connected therewith authorised to be made or maintained by the Company under the powers of the Act of 1853 or of this Act and any improvement thereof which they may construct under the powers of this Act and the lands buildings estate right title property privileges and effects and the 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 simple contract debt and not a debt or demand created by statute.

5. The limits within which the Company may supply gas are hereby extended so as to include in addition to their existing limits of supply as defined by the Act of 1853 the several townships following (that is to say) The townships of Lydiate Maghull and Melling all in the county of Lancaster and so much of the townships of Scarisbrick and Hallsall in the same county as are not within a circle of a radius of six miles measured from the town hall in Extending limits of supply.

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Southport and as are shown upon a plan signed in duplicate by Sir Henry Stafford Northcote Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one copy whereof has been deposited in the Private Bill Office of the House of Commons and the other copy has been deposited at the principal office of the Company and within and throughout the Company's limits of supply as by this Act extended the Act of 1853 (as amended by this Act) and this Act shall respectively henceforth be in force and have effect.

Acquisition
of lands by
the Company.

6. The Company may acquire by agreement hold and use for the purposes of their undertaking and of this Act the piece of land described in Part II. of the schedule to this Act.

Powers as to
construction
and main-
tenance of
gasworks &c.

7. Subject to the provisions of this Act the Company from time to time may 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 Part I. of the schedule to this Act and they may also upon the lands described in Part II. of the said schedule erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue 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 their limits of supply and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar pitch asphaltum sulphate of ammonia carbonate of ammonia ammoniacal liquor oil and all other products and materials resulting from the conversion of such products or the 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
other lands
by agree-
ment.

8. The Company may for the purpose of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the schedule to this Act and to any lands they have acquired or are authorised to acquire under the Act of 1853 any lands and hereditaments not exceeding in the whole three acres which the Company may from time to time require for the purposes of their works and undertaking including subject to the provisions of section 5 of the Gasworks Clauses Act 1871 the storing of gas but the Company shall not create or permit a nuisance on any such lands 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.

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

9. 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 "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.

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Restriction
on taking
houses of
labouring
class.

10. Any mains pipes or other works which the Company may under the authority of the Act of 1853 or this Act lay down or execute under over or alongside or which may affect the railway works or property of the Lancashire and Yorkshire Railway Company shall be so laid down and executed and subsequently maintained and repaired under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the said railway company and in accordance with plans sections and specifications to be from time to time approved by such engineer and the engineer of the Company or in the event of a difference by an engineer to be appointed by the president for the time being of the Institution of Civil Engineers on the application of either party.

As to works
affecting the
Lancashire
and York-
shire Railway
Company.

11. For the protection of the Ormskirk Local Board (herein called "the local board") the following provisions shall have effect:—

For the pro-
tection of the
Ormskirk
Local Board.

(1.) The Company shall not by reason of the extensions to Lydiate Maghull or Melling by this Act authorised increase the price of gas to the local board or to any consumers of gas within the district of the local board and the Company shall in the event of any such extension keep separate accounts showing the receipts and payments both on account of income and capital in respect thereof and of the supply of gas to such places and shall produce at all reasonable times on receiving from the local board seven days previous notice in writing the books containing such accounts to the local board or any person authorised by them.

(2.) The Company shall not in connexion with the making of gas or in the manufacture of residual products or the disposal of the waste or other liquids or matters produced by or remaining after such making or manufacture do any damage or injury to the

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sewers of the local board or to any sewage farm in the occupation of the local board or their under-tenants or to the crops growing on such sewage farm.

(3.) If the Company—

(a.) Cause or suffer to be brought or to flow into any sewer belonging to the local board any offensive or injurious liquid or matter produced in making gas or in the manufacture of residual products; or

(b.) Do any act connected with the making of gas or in the manufacture of residual products;

whereby a nuisance or offensive smell is caused in or from the sewers of the local board or in or on the sewage farm of the local board; or

(c.) Cause or suffer to be caused in the manufacture of residual products any nuisance on any part of the Company's lands or in the district of the local board;

they shall for every such offence be liable to a penalty not exceeding fifty pounds and after the expiration of twenty-four hours' notice in writing from the local board or their clerk or inspector of nuisances to a further penalty of ten pounds for every day during which the offence is continued or during the continuance of the act whereby the nuisance or offensive smell still exists. Every offence against this section and every penalty thereunder with full costs of prosecuting and recovering the same may be prosecuted and recovered by the local board in manner directed in the Summary Jurisdiction Acts before a court of summary jurisdiction but such penalty shall not be recoverable unless it is sued for during the continuance of the offence or within six months after it has ceased.

(4.) Provided that nothing in this Act contained shall prevent the Company from being liable to an indictment for nuisance or to any other legal proceeding to which they may be liable in consequence of making or supplying gas or manufacturing residual products.

Company may sell land not required.

12. The Company may from time to time let sell exchange and dispose of any lands together with any buildings or erections thereon which they may not for the time being require for the purposes of their undertaking.

Power to raise additional capital.

13. The Company may from time to time raise additional capital not exceeding in the whole twenty thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by one or more of those modes respectively but the Company shall not issue any share of less nominal

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value than ten pounds nor shall any such share or stock vest in the person accepting the same unless and until the full nominal amount of such share or stock if such share or stock shall be issued at or above par 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 twenty 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 five thousand pounds or within any subsequent year four thousand pounds.

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

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

15. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital.

New shares or stock to be subject to the same incidents as other shares or stock.

16. Except as by this Act provided the profits of the Company to be divided among the shareholders in any year shall not exceed the following rates (which are in this Act referred to as the standard rates of dividend) (that is to say) On the original capital of twenty thousand pounds authorised by the Act of 1853 and fully paid the rate of ten pounds in respect of every one hundred pounds of such capital and on the additional capital to be raised under the powers of this Act the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital and the rate of six pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as preference capital. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of

Profits of the Company limited.

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

17. In case in any year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the prescribed maximum rate 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 shares or stock to be offered by auction or tender.

18. 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 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.

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

19. 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 premium given by any purchaser at such sale shall be paid to the Company within three months after such sale.

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

20. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the clerks of the local boards of Ormskirk and Lathom respectively 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 said district.

Shares or stock not sold by auction or

21. 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 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.

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by tender to
be offered to
shareholders.

22. If any notice of a reserve price be given to the holders of ordinary shares or stock of the Company such notice shall be also given at the same time to the clerks of the local boards of Ormskirk and Lathom respectively.

As to giving
notice of
reserve price.

23. 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 or bonds by the Company and shall not be considered as part of the capital of the Company entitled to dividend Provided that in any case where a power to raise money by borrowing or to create an insurance fund is made proportionate to the paid-up capital the premiums received from the sale of shares by auction or tender as herein-before provided shall for such purpose be reckoned as part of the paid-up capital.

Application
of premium
arising on
issue of
shares or
stock.

24. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital if any and the dividend on the ordinary capital at the standard rate 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

If profits
exceed the
amount
limited excess
may be in-
vested and
form an
insurance
fund.

A.D. 1892. 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 standard rate of dividend.

25. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital if any and dividend at the standard rate on the ordinary share capital or stock of the Company the excess or such portion of it as is not carried to the reserve and insurance funds shall be carried to the credit of the divisible profits of such undertaking for the next following year and be deemed to be profits of the Undertakers for that year within the meaning of section 35 of the Gasworks Clauses Act 1847 and be dealt with accordingly provided that nothing herein contained shall limit or affect the application of such section to such profits.

Power to borrow in respect of additional capital.

26. The Company may from time to time subject to the provisions of this Act borrow on mortgage of the undertaking (in addition to the sums authorised to be borrowed for the purposes of their undertaking by their Act of 1853) any sum or sums not exceeding in the whole one-fourth part of the amount of the additional capital by this Act authorised to be raised and at the time actually issued by shares or stock but no part thereof shall be borrowed until the whole of the shares or 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 fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and 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.

For appointment of a receiver.

27. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. 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.

28. 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 share 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.

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As to conversion of borrowed money into capital.

29. 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 any previous Act 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 authorised) and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Debenture stock.

30. All bonds granted by the Company under the powers of the Act of 1853 and subsisting at the time of the passing of this Act shall during the continuance of such bonds have priority over any mortgages granted or debenture stock issued by virtue of this Act.

Priority of existing mortgages.

31. All money raised or to be raised by the Company on mortgage or debenture stock under the provisions of the Act of 1853 or 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 Acts 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.

Priority of mortgages over other debts.

32. All moneys raised under this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and of the Act of 1853 and for the general purposes of the Company being in all cases purposes to which capital is properly applicable.

Application of moneys.

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Power to
apply corpo-
rate funds
to purposes
of Act.

33. The Company may apply to the purposes of this Act to which capital is properly applicable any money which they have raised or which they have power to raise by the Act of 1853 and which may not be required for the purpose to which it is by such Act made specially applicable.

As to date
of general
meetings.

34. Section 15 of the Act of 1853 is hereby repealed and the general meetings of the Company shall be held on any day in the months of February or March which the directors may from time to time prescribe.

Pressure of
gas.

35. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water 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 the 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.

Testing
place.

36. The prescribed testing place for the purposes of the 28th section of the Gasworks Clauses Act 1871 shall be provided by the Company within six months after the passing of this Act in some convenient part of their works.

Quality of
gas.

37. The prescribed number of candles shall be fifteen.

Burner.

38. The prescribed burner shall be Sugg's London Argand Burner No. 1 consuming five cubic feet per hour with a six inch by one and three quarter inch glass chimney measured outside but if at any time the gas flame rises above the top of that glass a six by two inch chimney measured outside shall be used or the prescribed burner may be any other burner which the Company may from time to time adopt with the approval of the Board of Trade.

Company
may contract
with local
authority for
supply in
bulk.

39. The Company may from time to time contract with any local authority company corporation public body officers or persons within the limits of supply as extended by this Act and they may also from time to time contract with any local authority adjoining the said limits of supply for the supply to them respectively of gas in

bulk upon such terms and conditions and for such periods as shall be agreed upon. A.D. 1892.

40. From and after the passing of this Act the price to be charged by the Company for gas supplied by them to persons who shall use the same by meter shall not any time exceed five shillings and sixpence per one thousand cubic feet. Limiting the price of gas.

41. The Company may require any consumer to give security for the payment of gas or meter rents. 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 subject however to the right of the Company to set off the same against any money due to the Company from such person. Company to pay interest on money deposited as security.

42. The Company may subject to the provisions of this Act (but only for the purposes of the Company and not so as to acquire any exclusive right therein) contract for take and use any leave license or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture production and distribution of gas or the conversion manufacture utilisation or distribution of the products obtained from the manufacture of gas or the materials used in or resulting from the manufacture of gas or in relation to the manufacture of gas meters and other fittings apparatus and things in which the Company are or may be authorised in any way to deal. Power to take licenses.

43. In proceedings under any bankruptcy or assignment for the benefit of creditors or deed of composition or arrangement the secretary of the Company or any person appointed by three directors by writing under their hands may represent the Company and shall be competent to act for the Company and his acts and omissions shall bind the Company in all respects as if the claim or demand of the Company in such proceedings were the personal claim or demand of such secretary or person and not of the Company. Representation of the Company in bankruptcy &c.

44. The Company may from time to time manufacture purchase or otherwise provide let for hire sell or otherwise deal in and fix set up alter repair maintain remove and refix burners tubes and stoves or ranges for heating or cooking by means of gas and any other materials or fittings for the use of gas for domestic or other purposes and also engines and machines for domestic manufacturing industrial or any other purposes whatever to be worked by means of gas for the production of motive power and any materials or fittings to be Power to supply gas fittings engines and other apparatus.

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used in connexion therewith and may take charges and receive remuneration in respect thereof.

Power to supply gas for cooking heating and other purposes.

45. The Company may on the request of the owner or occupier of any premises within their limits supply gas for heating cooking motive power warming ventilating and other purposes and for the particular requirements of any trade industry manufacture or business and may do all things needful therefor on such terms and conditions in all respects as may be agreed on between the Company and the person to whom such supply shall be given.

Local authority may require Company to raise &c. mains &c.

46. If and whenever for the purposes of any Act from time to time in force for paving lighting draining or improving the roads any local board highway board or road authority deem it necessary to require the Company to raise sink or otherwise alter the situation of any of the mains pipes branch-pipes stopcocks or syphons the Company shall at the expense of such local board highway board or road authority within a reasonable time after being required so to do by notice in writing under the hand of the clerk of such local board highway board or road authority raise sink or alter the same and in default thereof the local board highway board or road authority or their surveyor or any other person acting by their order or under their authority may raise sink or alter the same.

For the protection of the County Council of Lancashire.

47. Nothing herein contained shall tend to lessen or control any right power or authority now vested in the county council for the county palatine of Lancaster for repairing altering or rebuilding any bridge and the lengths of roadway adjacent thereto repairable by the inhabitants of the said county or of any hundred therein which may be crossed or affected by the works and the undertaking of the Company but all such rights powers and authorities shall remain in as full force as if this Act had not passed and the said county council shall not be liable to make any compensation whatever for any damage or injury to the Company by the altering or rebuilding of any such bridge or the lengths of roadway adjacent thereto Provided that in altering or rebuilding such bridge or lengths of roadway adjacent thereto nothing shall be done to permanently injure or interfere with the works of the Company nor shall anything be done to impede or interfere with such works of the Company for any greater length of time or in any other manner than shall be necessary for the execution of the work and before commencing such alteration or rebuilding ten days' notice thereof shall be given to the said Company and the said county council shall afford to the said Company all necessary and reasonable temporary facilities for enabling them to continue the supply of gas as freely and conveniently as usual during such alteration.

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If any bridge repairable by the inhabitants of the said county or of any hundred therein upon or along which any pipe of the Company is laid be altered or rebuilt by the county council of the said county the county council may require the Company to alter any such pipes in such manner as the circumstances of the case may reasonably require. Provided that in case of any difference between the said county council and the Company as to such alteration the same shall be referred to an arbitrator to be agreed upon between the parties or to be appointed for that purpose by the Board of Trade upon the application of either party.

If and whenever the county council deem it necessary to require the Company to raise sink or otherwise alter the situation of any of the mains pipes branch pipes stopcocks or syphons which shall be placed along any main road within the jurisdiction of the said county council the Company shall at their own expense within a reasonable time after being required so to do by notice in writing under the hand of the clerk of the said county council raise sink or alter the same and in default thereof the county council or their surveyor or any other person acting by their order or under their authority may raise sink or alter the same and the expense thereby incurred shall be paid by the Company.

48. 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 and for measuring and ascertaining the extent of such supply and may from time to time repair and replace any such pipe branch or apparatus and may with the like consent alter discontinue or remove the same.

Power to lay pipes against buildings.

49. Any consumer desiring to discontinue a supply of gas to any premises where a meter has been fixed for his use shall give to the Company notice of his desire and shall be liable to pay and shall pay to the Company for all gas registered by such meter up to and until the expiry of forty-eight hours from the giving of such notice. Any such notice shall be in writing and shall be left at or sent by post to the principal office of the Company.

Notice by consumers of intention to discontinue gas supply.

50. If a person requiring a supply of gas from the Company has previously quitted premises at which gas was supplied to him by them without paying to them all gas or meter rents or other moneys due from him to the Company they may refuse to furnish to him a supply of gas until he pay the same.

Power to refuse to supply persons in debt for other property.

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Liability to
gas rent not
to disqualify
justice &c.

51. A justice or a judge or registrar or other officer of any court or a member of any public body as defined in the Public Bodies Corrupt Practices Act 1889. (section 7) shall not be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any gas or meter rent or charges under this Act.

Auditors
need not be
shareholders.

52. It shall not be necessary for the auditors appointed by the Company to hold shares or stock in the capital of the Company.

Penalties not
cumulative.

53. Penalties imposed under this Act and the Acts wholly or in part incorporated herewith for one and the same offence shall not be cumulative.

Expenses of
Act.

54. All cost charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto incurred by the Company shall be paid by them.

The SCHEDULE referred to in the foregoing Act.

A.D. 1892.

PART I.

All that piece of land now belonging to the Company and occupied by their existing gasworks and offices situate in the township and parish of Ormskirk in the county of Lancaster and containing by admeasurement 1a. 2r. 35p. or thereabouts and bounded on the northerly side by land belonging or reputed to belong to the Earl of Derby on the southerly side by Aughton-street and by land belonging or reputed to belong to Messrs. Greenall Whitley & Co. Limited Margery Reynolds James and Thomas Twist's Devises and Peter Freeman on the easterly side by land belonging or reputed to belong to the Earl of Derby Messrs. Greenall Whitley & Co. Limited and Peter Freeman and on the westerly side by land belonging or reputed to belong to Thomas S. Parker Margery Reynolds James and Thomas Twist's Devises Robert Rothwell John Prescott Joseph Peet and George Kirby.

PART II.

All that piece of land in the parish and township of Ormskirk aforesaid now belonging or reputed to belong to the Earl of Derby and in the occupation as to portion thereof of Henry Harvey and as to other portion thereof of John Roughley and as to other portion thereof of John Gardiner Sykes adjoining the Company's said existing gasworks and bounded on the southerly side by the Company's said existing gasworks on the westerly side by land belonging or reputed to belong to Thomas Smith and on all other sides by land belonging or reputed to belong to the Earl of Derby.

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