



ANNO DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. xxxii.

An Act for more effectually supplying with Gas the Parish of *Rotherham* and certain Places adjacent thereto in the West Riding of the County of *York*.
[25th May 1855.]

WHEREAS an Act was passed in the Ninth Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for incorporating the Rotherham Gaslight and Coke Company, and for better supplying the Parish of Rotherham in the West Riding of the County of York with Gas*: And whereas such Company was authorized to raise by Shares the Sum of Seven thousand five hundred Pounds, and to borrow on Mortgage or Bond the Sum of Two thousand five hundred Pounds: And whereas the Company have respectively raised the whole of the Money by such Act authorized to be raised by Shares, and the said Sum of Two thousand five hundred Pounds by Mortgage, and they have expended such Money for the Purposes of such Act: And whereas it is expedient, for the Purpose of affording an additional Supply of Gas within the Parish of *Rotherham*, and also a Supply of Gas within the several Parishes, Townships, and Extra-parochial or other Places of *Whiston, Herringthorpe, Tinsley, Rawmarsh, Greasborough, Brinsworth, Dalton, and Aldwarke*, all in the West Riding of the County of *York*, that the Capital of the Company should be increased, and that the Powers

[Local.] 4 Z herein.

9 & 10 Vict.
c. xxxviii.

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herein-after contained should be conferred on the Company: And whereas, for effecting the Objects aforesaid, it is expedient that the recited Act should be repealed, and that further Powers should be granted instead thereof; but such Purposes cannot be effected without the Authority of Parliament: May it therefore please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.

I. This Act may be cited for any Purpose as "*Rotherham Gaslight Act, 1855.*"

Recited Act repealed.

II. The recited Act is by this Act repealed.

Company to continue incorporated.

III. Notwithstanding such Repeal, the Company shall, for the Purposes of this Act, remain as from the passing of the recited Act and continue incorporated by the Name of "*The Rotherham Gaslight and Coke Company,*" and by that Name shall continue and be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, hold, and dispose of Lands and other Property for the Purposes and within the Restrictions of this Act.

Company to remain entitled to their Property.

IV. Notwithstanding such Repeal, the Company shall remain and be seised and possessed of and entitled to all the Estates, Monies, Property, Effects, Claims, and Demands whatsoever of or to which the Company, or any Person in trust for them or on their Behalf, is by virtue of the recited Act, or otherwise howsoever, immediately before the passing of this Act, seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if the recited Act had not been repealed.

Conveyances, &c. to remain in force.

V. Notwithstanding such Repeal, all Purchases, Sales, Conveyances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, Orders, Resolutions, Proceedings, and other Acts and Things before such Repeal done, entered into, executed, or instituted, under or by virtue or with reference to the Purposes of the recited Act, shall be as good, valid, and effectual, to all Intents and Purposes whatsoever, for, against, and with reference to the Company, as if the recited Act had not been repealed, and may be enjoyed, proceeded on, and enforced accordingly.

Actions not to abate.

VI. Notwithstanding such Repeal, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the Company shall not abate or be discontinued or be prejudicially affected by such Repeal,

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Repeal, but, on the contrary, the same respectively shall continue and take effect, both in favour of and against the Company, in like Manner in all respects as the same would have continued and taken effect if ~~the recited Act had~~ not been repealed; and all Offences against the Provisions of the recited Act committed before the passing of this Act may be prosecuted, and all Penalties incurred by reason of such Offences may be sued for, in like Manner in all respects as if such Act had not been repealed.

VII. Notwithstanding such Repeal, all Persons who immediately before the passing of this Act owe any Money to the Company, or to any Person on behalf of the Company, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Company; and all Debts and Moneys which immediately before the passing of this Act were due or owing by or recoverable from the Company, or for the Payment of which the Company were or but for such Repeal would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company.

Debts due to and by the Company to be paid to and by them.

VIII. Notwithstanding such Repeal, the several Persons who at the Time of the passing of this Act are Directors of the Company shall remain in Office until the First Ordinary Meeting to be held after the passing of this Act.

Directors of Company to remain in Office.

IX. Notwithstanding such Repeal, every Officer and Servant appointed by virtue of or acting under the Authority of the recited Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Company, until he be removed from such Office and Employment; and every such Officer and Servant shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if he had been appointed under this Act.

Present Officers to continue.

X. Notwithstanding such Repeal, all Books and Writings which if such Act were not repealed might be admitted in Evidence shall be admissible in Evidence in all Courts of Law and Equity and otherwise as if this Act had not passed.

Books to remain Evidence.

XI. Provided always, That, notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered under the recited Act shall be as valid as if the recited Act were not repealed, and the Repeal thereof 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,

For continuing Rights, Liabilities, &c. under recited Act.

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future, which if the recited Act were not repealed and this Act were not passed would be incident to or consequent on any and every thing so done or suffered; and such Rights, Liabilities, Claims, and Demands shall be enforceable and recoverable against the Company: Provided always, that the Generality of the Provisions contained in this Enactment shall not be confined or restricted by any special Provisions of or contained in this Act.

8 & 9 Vict.
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& 18. and
10 & 11 Vict.
c. 15. incor-
porated.

XII. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," are incorporated with this Act: Provided always, that the Incorporation with this Act of "The Lands Clauses Consolidation Act, 1845," shall not enable the Company to take Lands otherwise than by Agreement.

Construction
of Terms.

XIII. For the Purposes of this Act, the following Expressions respectively mean as follows; (to wit,) in "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and in "The Gasworks Clauses Act, 1847," respectively, "the Special Act" means this Act; the "Undertaking" means the Undertaking and Works by this Act authorized to be made and maintained respectively; in "The Gasworks Clauses Act, 1847," "the Undertakers" means the Company; and in this Act, and in "The Companies Clauses Consolidation Act, 1845," "the Company" means the Company incorporated by the recited Act, and continued incorporated by this Act.

Capital.

XIV. The Capital of the Company shall be, in addition to their present Share Capital of Seven thousand five hundred Pounds, such further Capital as may be from Time to Time raised by Shares and otherwise under the Powers by this Act granted.

Vesting in
the Proprie-
tors of the
Company the
same Number
of Shares as
previously
held by
them.

XV. Every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to any Share or Shares in the Capital of the Company under the recited Act shall in respect thereof be possessed of or entitled to the same Number of Shares of equal Amount in the Capital of the Company, upon each of which Shares the full Amount shall be deemed to have been paid up, and such Shares are hereby vested in such Persons and Corporations accordingly, and shall confer on the Holders thereof the same Rights and Interests as they would have enjoyed in respect thereof if this Act had not been passed, save in so far as such Rights or Interests may be expressly altered by this Act.

Number and
Qualification
of Directors.

XVI. The Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Shares

or

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or Stock in the Undertaking of paid-up Capital to the Amount of One hundred Pounds.

XVII. The Company may reduce the Number of Directors, provided that the reduced Number be not less than Six. Power to reduce Number of Directors.

XVIII. The First General Meeting of the Shareholders of the Company shall be held in the Month of *April* next after the passing of this Act, and a General Meeting shall be held in the Month of *April* in each subsequent Year, and at such other stated Period as shall be appointed for that Purpose by an Order of any General Meeting; and all Meetings, whether ordinary or extraordinary, shall be held within the Town of *Rotherham*. General Meetings of the Company.

XIX. In order to constitute a General Meeting of the Company, there shall be present, either personally or by Proxy, not less than Five Shareholders or Holders of Stock holding in the aggregate Shares or Stock in the Capital of the Company of not less nominal Value than One thousand Pounds; and at every such General Meeting each Shareholder shall have One Vote in respect of every Twenty-five Pounds of paid-up Capital he may have in Shares or Stock of the Undertaking, but not exceeding in the whole Four Votes. Quorum for General Meetings of Shareholders.

XX. The Company from Time to Time may, with the Consent of Three Fifths of the Votes of the Shareholders of the Company present, in Person or by Proxy, at an Extraordinary Meeting, raise by the Creation of Shares, of such Amount as shall be determined on at such Meeting, any additional Capital not exceeding in the whole the Sum of Twenty thousand Pounds. Power to raise an additional Capital by new Shares.

XXI. Whenever any Shares are newly created for augmenting the Capital of the Company, pursuant to the Provisions of this Act, they shall be offered to the then Shareholders in proportion, as nearly as can be conveniently done, to the Shares held by them respectively. Additional Capital to be offered in the first place to existing Shareholders.

XXII. Such Offer shall be made by Letter under the Hand of the Secretary of the Company given to or sent by Post to each Shareholder, or left at his usual or last known Place of Abode, or addressed to his last Address appearing in the Shareholders Address Book by "The Companies Clauses Consolidation Act, 1845," required to be kept, of which Letter having been so given or sent the Certificate of such Secretary or Clerk shall be conclusive Evidence; and such newly created Shares shall vest in and belong to the Shareholders who shall accept the same, and pay to the Company the Price at which the same were allotted to them, at such Times, and in such Manner, and How Offer to be made, and Shares to vest in Persons accepting Offer and paying Calls.

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by such Instalments as shall be fixed by the Directors of the Company.

As to Disposal of Shares not taken by Proprietors.

XXIII. If any Proprietor fail for One Month after such Offer of newly created Shares to accept the same, or to pay any of the Instalments called for in respect thereof, the Company may dispose of such Shares to any Party willing to become the Purchaser thereof, for such Sum as the Company can obtain for the same, or otherwise as they think proper.

Calls.

XXIV. If the Company create any Capital under the Provisions of this Act, Forty Pounds *per Centum* on the Amount of such Capital shall be the greatest Amount of the First Call which may be made in respect thereof, and Twenty Pounds *per Centum* on the Amount of such Capital shall be the greatest Amount of any subsequent Call which may be made in respect thereof, and so in like Manner with respect to every subsequent Creation of Capital which may be made by the Company; and in all Cases there shall be an Interval of not less than Three Months between Two successive Calls; and the aggregate Amount of all Calls on any One Share in One Year shall not exceed Four Fifths of the Amount of such Share.

Amount of Profits that may be divided on additional Capital of the Company.

XXV. The Amount of Profits of the Undertaking which may be divided amongst the Undertakers or Shareholders in the Company in any Year on the additional Capital of the Company which they may raise under the Authority of this Act, and which shall be from Time to Time paid up, is after the Rate of Eight Pounds in the Hundred by the Year on such paid-up Capital.

Power to borrow on Mortgage or Bond.

XXVI. After the whole of the additional Capital of Twenty thousand Pounds shall have been subscribed, and One Half of the entire Capital of the Company shall have been paid up, the Company may borrow on Mortgage or Bond any Sum not exceeding in the whole, but including the Sum now due on Mortgage as aforesaid, the Sum of Six thousand five hundred Pounds.

Power to re-borrow.

XXVII. If the Company pay off any Sums owing by them, they may again borrow the Sum so paid off, and so from Time to Time as often as Occasion shall require.

Application of Money.

XXVIII. All Money raised under the Provisions of this Act, whether by means of Shares or by Exercise of the Powers of borrowing, shall be applied to the Purposes of the Undertaking by the recited Act and this Act authorized, and to no other Purpose.

Limits of the Act.

XXIX. The Limits of this Act comprise the several Parishes, Townships, and Extra-parochial or other Places of *Rotherham, Brinsworth,*

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worth, Tinsley, Whiston, Herringthorpe, Rawmarsh, Greasborough, Dalton, and Aldwarke, all in the West Riding of the County of York.

XXX. The Company may, subject to the Restrictions herein contained, from Time to Time continue, make, construct, lay down, maintain, alter, or discontinue such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses, Buildings, and Approaches thereto, upon the Lands by this Act authorized to be held and purchased by the Company, and may manufacture Gas and do all other Acts as they shall think proper, necessary, and convenient for supplying the Inhabitants within the Limits of this Act with Gas, and for other Purposes authorized by this Act, and may sell, manufacture, and dispose of the Coke, and all Products, Refuse, or Residuum arising, remaining, or to be obtained from the Materials used in the Manufacture of Gas, in such Manner as the Company may think fit, and may provide, do, and perform all Acts, Matters, and Things requisite or desirable for those Purposes: Provided always, that the Company shall not erect any Works for the Manufacture of Gas upon any Land other than and except upon such Lands as shall be vested in them for the Purpose of their existing Undertaking at the Time of the passing of this Act.

Company empowered to continue and construct Gasworks.

XXXI. The Company may from Time to Time agree with the Owners of any Lands within the Limits of this Act which they may think requisite or proper for any of the Purposes of the Undertaking, for the Purchase of the same on such Terms as are agreed on: Provided, that the Company shall not hold for the Purposes of their Undertaking more than Five Acres of Land.

Power to purchase Lands.

XXXII. Subject to the Provisions of this Act and the Acts incorporated therewith contained, the Company may lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipe into, through, or against any Building, for the Purpose of lighting the same, and provide and set up any Apparatus necessary for securing to any Building a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Company empowered to lay Pipes for lighting Buildings.

XXXIII. The Company shall not demand or receive for the Supply of Gas any greater Sum than a Sum after the following Rate:

Limiting the Price of Gas.

If the Quantity of Gas consumed by any One Person or Firm in One Year amounts to or exceeds the Quantity of Forty-four thousand five hundred Cubic Feet of Gas, Four Shillings and Sixpence for every One thousand Cubic Feet of such Gas:

If

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If the Quantity of Gas consumed by any One Person or Firm in One Year does not amount to the Quantity of Forty-four thousand five hundred Cubic Feet of Gas, Five Shillings for every One thousand Cubic Feet of such Gas.

As to the
Quality of
Gas.

XXXIV. All the Gas to be supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, or other approved Burner and Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Ten Sperm Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

Experi-
mental Meter
to be pro-
vided.

XXXV. The Company shall, within Six Months after the passing of this Act, cause to be erected in some convenient Part of their Works an experimental Meter, furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas by the Hour, with other necessary Apparatus for estimating the illuminating Power and for testing the Purity of the Gas.

Providing
test of Gas.

XXXVI. If at any Time and as often as the Local Board of Health for the District of *Rotherham* and *Kimberworth* shall wish to test the illuminating Power and Purity of the Gas, such Local Board, under the Hand of their Clerk, may appoint some competent Person, not being a Member or an Officer or a Servant of such Local Board, to proceed to the Works of the Company, and such Person so appointed may, at all reasonable Times in the Daytime, and on Six Hours previous Notice in Writing given to the Company, and on the Production of such written Authority, enter the Works of the Company, for the Purpose of making, and may, in the Presence of the Superintendent or other Officer of the Company, make Experiments on the Power and Purity of the Gas, by means of the experimental Meter and other Apparatus herein-before mentioned; and in such Experiments the Company, their Officers and Servants, shall render all necessary Assistance; and if it shall be proved to the Satisfaction of any Two Justices, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company, when consumed in an Argand Fifteen-hole Burner and a Seven-inch Chimney, or other approved Burner and Chimney consuming Five Cubic Feet of Gas *per* Hour, did not equal the illuminating Power of Ten Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour, then and in every such Case the Company shall forfeit such Sum not exceeding Five Pounds as to the Justices shall seem fit, together with all Costs and Expenses.

XXXVII. The

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XXXVII. The Judge of the County Court for the Time being of the *Rotherham* District may appoint, and in default of his making the Appointment such Local Board may appoint, an Inspector of Meters; and such Judge and Local Board may from Time to Time remove and again appoint an Inspector of Meters, such Inspectors being paid by the Local Board; and such Inspector may, on the Application of the Local Board, and, if the Local Board shall so determine, at the Expense of any Consumer of Gas supplied by the Company, inspect and test any Meter erected by the Company: Provided always, that Forty-eight Hours Notice of such intended Inspection shall be given to the Company, or to their Secretary, Superintendent, or other Officer.

Inspector of
Meters to be
appointed.

XXXVIII. Before such Inspection the Person requiring such Examination shall deposit in the Hands of the Inspector all Money due or appearing to be due by such Person to the Company on an Account delivered, and in case such Deposit shall appear to be in excess of the Sum found to be due to the Company, such Excess shall be returned to the Consumer.

Payment of
Arrears due
required.

XXXIX. The Company shall, within the Time limited by "The Gasworks Clauses Act, 1847," for the Transmission of a Copy of the annual Account of the Receipts and Expenditure of the Company to the Clerk of the Peace for the County in which the Gasworks are situate, in like Manner transmit to the Local Board of Health a Copy of such Account, under a Penalty of Twenty Pounds for each Default.

Copy of
annual Ac-
count to be
transmitted
to Local
Board.

XL. The Company may from Time to Time enter into or make any Contract or Agreement with the Persons having the Control or Management of any Street or Bridge within the Limits of this Act for lighting or supplying the same or any Part thereof with Gas, and providing the same with Lamp Pillars and Posts, Lamp Brackets, Lamps, and Glass, and for the Repair thereof respectively, and also from Time to Time may make and enter into any Contract or Agreement with any Person for lighting or supplying with Gas any Church, Chapel, Shop, Inn, Tavern, Dwelling House, Mill, Manufactory, Warehouse, or other public or private Building, in such Manner, under such Conditions, and upon such Terms as shall be agreed upon between the Company and such Persons respectively; and such Persons are hereby authorized and empowered, with the Consent of the Inhabitants of the Parish or Township in which such Street or Bridge shall be situate, in Vestry assembled, to contract and agree with the Company, and to pay, out of any Money which shall come to their Hands or over which they shall have Control, such Sums of Money as shall from Time to Time have been contracted or agreed

Power of
Company to
contract for
lighting
Streets, &c.

[Local.]

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to be paid to the Company for lighting the same Street or Bridge as aforesaid.

Rent for Gas and Fittings under 20*l.* how to be recovered.

XLI. In addition to the Powers given by "The Gasworks Clauses Act, 1847," and this Act, in this Behalf, the Company may recover the Rent of any Gas, or the Price or Rent of any Pipe, Burner, Metre, Lamp, or Fitting, supplied, sold, delivered, or let to Hire by the Company, together with the Expense of cutting off the Service Pipe or Gas, by Action in any Court of competent Jurisdiction, although the Demand in respect thereof may be less than Twenty Pounds.

Saving of Rights.

XLII. Provided always, That nothing in this Act contained shall alter, lessen, or abridge any Power or Authority given or granted to nor have the Effect of depriving any Local Board of Health of any Right, Power, or Authority which they may have or hereafter acquire for lighting any Street within the Limits of this Act, in any Manner they shall think proper.

Company may sell their undertaking to the Local Board.

XLIII. The Company may, with the Consent of an Extraordinary Meeting, sell or lease for a Term of Years, or from Year to Year, their Undertaking, to the Local Board of Health for the District of *Rotherham* and *Kimberworth*, and such Local Board may purchase the same or take a Lease thereof upon such Terms and Conditions as may be mutually agreed upon between the Company and the Local Board, and for the Purpose of this and the following Enactments relating to such Sale or Lease the Word "Undertaking" includes all the Property and Powers of the Company, of whatever Nature.

Purchase by Local Board not to affect Acts done under recited Act or this Act.

XLIV. Provided always, That everything before the Completion of the Purchase of the Undertaking of the Company by the Local Board as last aforesaid done or suffered under the recited Act or this Act shall be as valid as if no such Purchase had been effected, and such Purchase 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 such Purchase had not been effected, 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 Local Board shall to all Intents and Purposes represent the Company.

The Consideration may be a Sum in gross or an annual Rent-charge.

XLV. Any Moneys necessary to complete such Purchase, or to carry out the Undertaking of the Company when transferred to the Local Board, may be raised by the Local Board upon Mortgage of the Undertaking and of the General District Rates which they are authorized to levy by virtue of "The Public Health Act, 1848;" and the several Sections of that Act with respect to the borrowing of Money

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Money by a Local Board of Health shall be applicable to the borrowing of Money by the Local Board by virtue of this Act: Provided always, that any Mortgage executed for that Purpose shall not prejudice the Priority or other Right of any Creditor of the Local Board at the Time of the Execution thereof.

XLVI. Upon the Execution by the Company of a Conveyance and Assignment (duly stamped) the Undertaking of the Company shall (subject to their Debts, Leases, Covenants, Liabilities, Contracts, Obligations, and Incumbrances,) be vested in the Local Board, and may be lawfully held, executed, used, and exercised by and in the Name of the Local Board, and in the same Manner and to the same Extent as the Company could otherwise have held, executed, used, and exercised the same.

Upon Execution of a Conveyance, Undertaking of Company to be vested in Local Board.

XLVII. Upon the Execution of such Conveyance and Assignment, all Debts then due from or to the Company shall be payable and paid, together with all Interest, if any, due or to accrue thereon, by or to the Local Board, and all Rents, Duties, and Money which otherwise would be or become due and payable from or to the Company shall be due and payable from or to the Local Board, and shall and may be recovered from and by the Local Board by the same Ways and Means, with the same Restrictions and Regulations, and with the same Penalties in regard thereto respectively, as the same would or might have been due and payable to or from or recoverable from or by the Company.

Debts, Credits, &c. of Company to be Debts, Credits, &c. of the Local Board.

XLVIII. All Conveyances, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities which shall have been made or entered into before the Execution of such Conveyance and Assignment, with, by, or for the Company, shall (subject to the Provisions in this Act contained) be and remain as good, valid, and effectual, for, against, or with reference to the Local Board, to all Intents and Purposes, as if the Local Board had been Party to the same, or had been named or referred to therein, instead of the Company, and the Local Board shall be liable for all Matters and Things for which the Company were liable at the Time of the Completion of such Purchase, and the Local Board shall be liable as aforesaid to the same Extent and in the same Manner in all respects as the Company were or would be subject or liable in case no such Purchase had been effected.

Contracts and Agreements of Company to be enforceable by and against Local Board.

XLIX. The Receipt in Writing of Three of the Directors of the Company for the Purchase Money agreed to be paid to them by the Local Board shall be an effectual Discharge to the said Local Board for the Sum which in any such Receipt shall be expressed or acknowledged

Directors Receipts to be good Discharges.

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ledged to be received; and the Local Board shall not be obliged or concerned to see to the Distribution of such Purchase Money, or of any Money which may be paid by them to such Directors, or be otherwise answerable or accountable for any Loss, Misapplication, or Nonapplication thereof or of any Part thereof.

Officers to
account to
Local Board.

L. All Officers and Persons acting for or employed by the Company, who at the Time of the Transfer to the Local Board under the Provisions of this Act of the Undertaking of the Company shall have in their Possession or under their Control any Money or Effects of the Company to which the Local Board may become entitled by virtue of this Act, shall account and deliver up all such Money and Effects to the Local Board, or to such Person as they shall appoint to receive the same; in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed by the Local Board.

Books of
Company to
be Evidence.

LI. All Books and other Documents whatsoever relating to the Company, authorized or directed to be kept, and made Evidence, shall, after and notwithstanding the Completion of such Sale and the Dissolution of the Company, be admitted as Evidence in all Courts of Law and Equity or elsewhere.

Purchase
Monies to be
placed in the
Hands of the
Directors
upon trust
to divide the
same.

LII. The Directors shall stand possessed of the Purchase Money arising from the Sale of the Undertaking, and of all other Sums of Money which at the Time of the Payment of the Purchase Money shall be in their Hands or Power or under their Control as such Directors, and also of all other Moneys which shall thereafter come to their Hands on account of or for the Benefit of the Shareholders in the Company, after paying or providing for all the Debts, Liabilities, and Engagements of the Company then outstanding, and not transferred to the Local Board, upon trust to divide all such Moneys between or among the several Persons who at the Time of the Payment of such Purchase Money or other Money as aforesaid shall be Shareholders of the Company, and their respective Executors, Administrators, and Assigns, in proportion to the respective Shares and Interest of such Proprietors in the Capital of the Company.

Registered
Proprietors
to be entitled
primâ facie.

LIII. The several Persons whose Names shall appear in the Books of the Company as the Proprietors of Shares therein at the Time of such Sale shall, until the contrary be proved to the Satisfaction of the Directors, be considered to be Persons entitled to participate in the Distribution of the Purchase Money hereby directed to be divided among the Shareholders of the Company.

Directors of
Company not
to be bound
by Trusts.

LIV. The Directors shall not be bound to see to the Execution of any Trusts, whether express, implied, or constructive, to which any
of

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of the Shares in the Company may be subject ; and the Receipt of the Person in whose Name any Share shall stand in the Books of the Company shall be a sufficient Discharge to the Directors for all Moneys which shall be paid in respect of any of such Shares, notwithstanding any Trust to which any of such Shares may be subject, and whether the Company or the Directors shall or shall not have had Notice of such Trusts, and the Company or Directors shall not be bound to see to the Application of the Money paid upon such Receipt.

LV. The Receipt of any Executor, Administrator, Trustee, or Committee or Guardian of any Shareholder of the Company shall be a good and effectual Discharge to the Directors for so much Money as shall be paid by them or by their Order to such Executor or Administrator, Trustee, Committee, or Guardian, for or on behalf of such Shareholder, and as shall be expressed in any such Receipt to have been received, and shall exonerate and discharge such Directors from seeing to the Application thereof, and from being answerable for any Misapplication or Nonapplication thereof or any Part thereof, or being liable to any other Duty or Obligation by reason of any Trust affecting the Person to whom or the Share in respect to which such Payment shall be made, and that the Assets of the Company or of the Directors shall not after such Payment be in anywise liable to the Performance of such Trusts, or to any Action or Suit at Law or in Equity in respect thereof.

Trustees
Receipts to
be good Dis-
charges.

LVI. At the Expiration of Six Months next after the Day on which such Purchase Money as aforesaid shall have been paid to the Directors by the Local Board, the Directors shall, in case the whole of the Moneys to be distributed under the Authority of this Act shall not have been called for by the Shareholders, cause a Notice to be inserted Three Times in the *London Gazette* and in some Newspaper circulating within the Town of *Rotherham*, which Notice shall contain the Names in alphabetical Order of the Persons appearing in the Books of the Company to be Shareholders who have not called for or claimed their Proportion of such Moneys, and stating that if such Persons shall not make and substantiate their Claim to such Proportion within the Time to be limited in such Notice, being not less than Twelve Months from the Day on which such Purchase Moneys shall have been so paid as aforesaid, the Amount of their Proportion will be paid into the Bank of *England*, in pursuance of the Provisions of this Act ; provided always, that a Copy of such Notice shall be sent by the Post to the Address of each such Shareholder as it appears in the Books of the Company, or shall be delivered at such Address ; and in default of any such Shareholder making his Claim in respect of his Proportion of such Moneys, and establishing the same to the Satisfac-

Providing
for un-
claimed Pur-
chase Money.

[*Local.*]

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tion

Rotherham Gaslight Act, 1855.

tion of the Directors, it shall be lawful for the Directors to pay such Moneys into the Bank of *England*.

Unclaimed
Purchase
Money to be
paid into the
Bank of
England.

LVII. At or at any Time after the Expiration of Twelve Months from the Day on which such Purchase Moneys shall be so paid to the Directors by the Local Board, the Directors may cause any Sum of Money then in their Hands, owing to the same not having been called for by the Shareholders entitled thereto, or from the Person claiming the same not having shown a sufficient Title thereto, to the Satisfaction of the Directors, or from any other Cause, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Person appearing to be entitled thereto (describing him as then described in the Books of the Company), pursuant to the Method prescribed by the Act of the Twelfth Year of the Reign of King *George* the First, Chapter Thirty-two, and pursuant to the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of King *George* the Second, Chapter Twenty-four.

Certificate of
Accountant
General to
be a sufficient
Discharge to
Directors.

LVIII. In every Case in which any Money shall be paid into the Bank of *England* by the Directors in the Name and with the Privity of the Accountant General of the Court of Chancery, under the Authority of this Act, the Certificate of the Accountant General, together with the Receipt of One of the Cashiers of the Bank of *England*, filed in the Registrar's Office of the Court of Chancery, of the Payment into the Bank of *England* by the Directors of any such Money, or an Office Copy of such Certificate, shall be a good and sufficient Discharge to such Directors, and to their respective Heirs, Executors, Administrators, and Assigns, for the Amount expressed in such Certificate and Receipt to have been paid; and such Directors, their Heirs, Executors, Administrators, or Assigns, shall not afterwards be liable to see to the Application of such Money, or be answerable or accountable for the Loss, Misapplication, or Nonapplication thereof.

Application
of Moneys
paid into
Court, and
for Invest-
ment of
Dividends.

LIX. All Money which shall be paid by the Directors into the Bank of *England* in the Name of the Accountant General, under the Authority of this Act, shall there remain until the Person entitled thereto shall, upon Petition, to be presented to the Court of Chancery in a summary Way, obtain an Order for the Transfer thereof into his own Name or otherwise, and the Accountant General shall and may from Time to Time invest the Dividends thereof, when the same shall amount to a competent Sum, in the Purchase of Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, for the Benefit of the Persons entitled thereto, subject to the Order and Directions of the

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the said Court, which Court, on the Application of any Person making Claim to such Money or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates or Interests of the Persons making claim thereto, and to make such Order or Orders in the Premises as to the said Court shall seem just and reasonable.

LX. In the meantime and until the Purchase Moneys paid to the Directors can be distributed amongst the Shareholders of the Company, pursuant to this Act, the same may be invested by the Directors in the Purchase of Exchequer Bills.

For Invest-
ment of
Purchase
Monies in
Hands of
Directors.

LXI. The Directors may, with the Consent of a Majority of the Votes of the Shareholders of the Company present, personally or by Proxy, at a Meeting of the Company specially convened for the Purpose, defer the Payment of the whole or any Part of such Purchase Money, and the Payment of such unpaid Purchase Money may be secured by the Local Board by a Mortgage of the Undertaking and of the General District Rates authorized to be levied by them under the Provisions of "The Public Health Act, 1848;" subject, nevertheless, and without Prejudice to the Rights of every Person then holding any Mortgage of the said Rates; or any Shareholder of the Company may, with the Consent of the Directors, accept, and the Local Board may grant, such Mortgage to such Shareholder for the Amount of his Share in the said Purchase Moneys, in lieu of paying the same to the Directors.

Directors of
Company
may accept a
Mortgage in
lieu of Pay-
ment of the
Purchase
Money.

LXII. Upon the Completion of the Sale and Transfer by the Company of the whole of their Undertaking, and when and so soon as the Purchase Money paid to the Directors in respect of such Sale shall have been divided or appropriated in manner by this Act directed, the Company shall be dissolved.

Dissolution
of Company
on Comple-
tion of Pur-
chase and
Distribution
of Money.

LXIII. Provided always, That any Director, his Executors or Administrators, shall not be chargeable with any Monies other than those he shall actually receive by virtue of this Act, and any Director shall not be answerable or accountable for any other Director, or for the Acts, Receipts, Neglects, or Defaults of any other Director, nor be answerable or accountable for any Officer or Agent, Banker, Broker, or other Person with whom or in whose Hands any Part of the said Purchase Monies may be lodged for safe Custody, Remittance, Sale, Investment, Payment, or otherwise, nor shall be answerable or account-
able

Directors of
Company to
be liable for
their own
Receipts and
Payments
only.

Rotherham Gaslight Act, 1855.

able for any other Loss which may happen to the said Monies, unless the same shall happen through his own wilful Default; and the Directors may, out of the said Purchase Monies, retain, and also allow to each other, and to the Executors and Administrators of any Director, all reasonable Costs, Charges, and Expenses incurred in executing the Trusts hereby reposed in them, or in anywise relating thereto.

Application
of Income
from Gas.

LXIV. After such Purchase by the Local Board of the Undertaking of the Company, the Local Board shall apply all Monies received by them in respect of the Supply of Gas within the Limits of this Act, first, in payment of the Expenses attending upon the Management and Maintenance of the said Gasworks, and of all Interest payable in respect of Monies raised or borrowed for the Purposes of the said Gasworks; second, in setting apart from Time to Time, after the Expiration of Five Years from the Time of such Purchase, such Sums as with the Interest to accrue due thereon will within a Period of Forty-five Years from the Completion of such Purchase be sufficient to pay off all Monies borrowed by the Local Board for the Purposes of the Gasworks; third, the Surplus shall from Time to Time be applied in aid of the General District Rates leviable by the Local Board.

Rent in case
of a Lease
may be
charged upon
District
Rates.

LXV. If the Local Board shall accept a Lease of the Undertaking of the Company, the Rent to be reserved by any such Lease may be charged by the Local Board upon and made payable out of the General District Rates which by "The Public Health Act, 1848," they are authorized to receive; subject, nevertheless, and without Prejudice to the Rights of any Person then being a Mortgagee of such Rates.

South York-
shire Rail-
way and
River Dun
Company not
prevented
from execu-
ting Works,
&c.

LXVI. This Act or anything therein contained shall not prevent the *South Yorkshire* Railway and River *Dun* Company, for the Purpose of altering or constructing any Works they are authorized to alter or construct, to raise, sink, or otherwise alter the Position of any of the Gas Pipes connected with the Mains of the Company belonging to any of the Houses adjoining or near to such Works, or the Mains or other Pipes laid down by the Company, so as the same respectively be done with as little Detriment and Inconvenience to the Company or Inhabitants as the Circumstances will admit, and be done under the Superintendence of the Company or of their Surveyor, if they or he think fit to attend, after receiving not less than Forty-eight Hours Notice for that Purpose.

Railway, &c.
Company not
to interfere
with Pro-
perty of Gas

LXVII. Provided always, That it shall not be lawful for the *South Yorkshire* Railway and River *Dun* Company to remove or displace any of the Mains or Pipes (other than private Service Pipes), Syphons, Plugs,

Rotherham Gaslight Act, 1855.

Plugs, or other Works belonging to the Company, or to do anything to impede the Passage of Gas into or through such Mains or Pipes, until good and sufficient Mains or Pipes, Syphons, Plugs, and all other Works necessary or proper for continuing the Supply of Gas as sufficiently as the same was supplied by the Mains or Pipes proposed to be removed or displaced shall, at the Expense of the *South Yorkshire Railway and River Dun Company*, have been first made and laid down in lieu thereof, and be ready for Use, in a Position as little varying from that of the Pipes or Mains proposed to be removed or displaced as may be consistent with the Alteration or Construction of such Works, and to the Satisfaction of the Surveyor or Engineer of the Company, or, in case of Disagreement between such Surveyor or Engineer and the *South Yorkshire Railway and River Dun Company*, as a Justice shall direct.

Company but to the Satisfaction of their Engineer, &c.

LXVIII. It shall not be lawful for the *South Yorkshire Railway and River Dun Company* to lay down any such Pipes contrary to the Regulations of any Act of Parliament relating to the Company, or to cause any Road to be lowered for the Purposes of their Works without leaving a Covering of not less than Eighteen Inches from the Surface of the Road over such Mains or Pipes.

Not to lay down Pipes contrary to Regulations of any Act of Parliament.

LXIX. The *South Yorkshire Railway and River Dun Company* shall make good all Damage done to the Property of the Company by the Disturbance thereof, and shall make full Compensation to all Parties for any Loss or Damage which they may sustain by reason of any Interference with the Mains, Pipes, or Works of the Company, or with the private Service Pipes of any Person supplied by them with Gas.

Railway, &c. Company to make good Damage done by them.

LXX. If it shall be necessary to carry any Railway or Works connected therewith or with the *River Dun Navigation* over any Mains or Pipes of the Company, the *South Yorkshire Railway and River Dun Company* shall, at their own Expense, construct and maintain a good and sufficient Culvert over such Main or Pipe, so as to leave the same accessible for the Purposes of Repairs.

Saving Rights of Gas Company if Railway, &c. Company construct Works over their Pipes.

LXXI. If by any such Operations as aforesaid the *South Yorkshire Railway and River Dun Company* shall interrupt the Supply of any Gas, they shall forfeit Twenty Pounds for every Day that such Supply shall be so interrupted, and such Penalty shall be appropriated to the Benefit of the Poor of the Parish in which such Obstruction shall occur, in such Manner as the Overseers of the Poor of the Parish shall direct.

Penalty on Railway, &c. Company interrupting the Supply of Gas.

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LXXII. All

Rotherham Gaslight Act, 1855.

Expenses of
Act.

LXXII. All the Costs, Charges, and Expenses of applying for and obtaining this Act or incident thereto shall be defrayed by the Company.

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