



### CHAPTER lix.

An Act to dissolve and reincorporate the Chasetown Gas Company Limited and for other purposes. A.D. 1911.

[18th August 1911.]

**W**HEREAS the Chasetown Gas Company Limited (in this Act called "the limited company") were incorporated under the Companies Act 1862 in the year one thousand eight hundred and seventy with a nominal capital of three thousand pounds divided into three thousand ordinary shares of one pound each of which two thousand five hundred and fifty ordinary shares have been issued and paid up:

And whereas the limited company have constructed gasworks at Chasetown in the county of Stafford and are supplying gas within parts of the limits of supply defined by this Act:

And whereas the limited company have borrowed the sum of seven hundred pounds on mortgage upon their lands and property:

And whereas the district supplied by the limited company at the passing of this Act is within the statutory district of the Lichfield Gas Company under the Lichfield Gas Act 1878 but the limited company had constructed works and were supplying gas immediately after their incorporation in 1870 and it is therefore expedient that the said Act of 1878 should be amended as in this Act provided:

And whereas the Lichfield Gas Company are not supplying gas to any part of the district supplied by the limited company or within any part of the limits of supply under this Act:

And whereas the limited company are the freeholders of the lands comprised in the schedule to this Act which comprise the site of the existing gasworks:

And whereas the demand for gas in the district supplied by the limited company has increased and is increasing:

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And whereas it is expedient that the limited company should be dissolved and reincorporated with further powers :

And whereas a map showing the boundaries of the limits of supply of gas authorised by this Act has been deposited with the clerk of the peace for the county of Stafford and is in this Act referred to as the deposited map :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 Chasetown Gas Act 1911.

Incorporation of Acts.

2. The Companies Clauses Consolidation Act 1845 (except the provisions thereof relating to the conversion of borrowed money into capital) Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts the Lands Clauses Acts the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 are hereby incorporated with this Act except so far as the same are expressly varied by this Act Provided that section 13 of the Gasworks Clauses Act 1847 shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the Company shall be alike in terms and amount under like circumstances to all consumers" were added at the end of that section and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains pipes and works of the Company laid down or constructed before the passing of this Act and situate within the limits of supply as defined by this Act as to any mains pipes or works which may be laid down or constructed under the authority of 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—

The expression "the limited company" shall mean the Chasetown Gas Company Limited ;

The expression "the Company" shall mean the Company incorporated by this Act; A.D. 1911.

The expressions "the works" "the gasworks" and "the undertaking" shall respectively mean and include the gasworks and works connected therewith by this Act vested in or authorised to be acquired made or maintained by the Company 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 "the authorised rates" shall mean the rates of dividend authorised by this Act on the capital of the Company or such rates as reduced or increased in accordance with the provisions of this Act.

4. The Company shall for the purposes of this Act be the undertakers within the meaning of the Acts incorporated herewith. Undertakers.

5. The limits within which the provisions of this Act shall be in force and have effect (in this Act referred to as "the limits of supply") shall be such portions of the parishes or townships of Burntwood Edial and Woodhouses and of Hammerwich respectively as are shown and coloured yellow on a plan signed in triplicate by John Henry Whitley the Chairman of the Committee of the House of Commons to whom the Bill for this Act was during its progress through Parliament referred (of which plan one copy has been deposited in the Private Bill Office of the House of Commons one copy at the principal office of the Company and one copy at the principal office of the Lichfield Gas Company) including both sides of such portions of the public road leading from Boney Hay to Burntwood Road and of Burntwood Road and Whitehorse Road respectively as are marked red on the said plan but excluding (A) both sides of such portions of the two first-mentioned roads as are marked blue on the said plan and (B) for a distance of four hundred and forty yards from its junction with the road first before mentioned both sides of the cross road leading to Sankey's Corner and also marked blue on the said plan and which limits are all situate in the rural district of Lichfield in the county of Stafford. Limits of supply.

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 Incorporation of Company.

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

General purposes of Company.

7. The Company shall be established for the purposes of acquiring maintaining altering improving extending and enlarging the gasworks of the limited company and of manufacturing and supplying gas for lighting heating motive power and other purposes within the limits of supply and may provide produce sell dispose of and deal in gas coke tar and all other residual products resulting from the manufacture of gas and generally may carry on the business usually carried on by a gas company.

Present property of limited company vested in Company incorporated by this Act.

8. Subject to the provisions of this Act all the lands gasworks erections buildings rights and easements which immediately before the passing of this Act were vested in the limited company or any person in trust for them or to which the limited company were in anywise entitled and all mains and pipes plant plugs lamps irons retorts gauges meters gas stoves fires cookers gas fittings lampposts syphons apparatus stock effects matters and things which may have been by them purchased provided laid down erected or placed in any place or house within the limits of supply and which immediately before the passing of this Act were the property of the limited company and all moneys securities credits effects and other property whatsoever which immediately before the passing of this Act belonged to the limited company or to any trustee on their behalf and the benefit of all contracts and engagements entered into by or on behalf of the limited company and immediately before the passing of this Act in force shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same were previously to the passing of this Act vested in the limited company or any trustee on their behalf and may according to the provisions of this Act be held and enjoyed sued for and

recovered maintained altered discontinued removed dealt with and A.D. 1911.  
disposed of by the Company as they think fit.

9. Subject to the provisions of this Act the memorandum and articles of association of the limited company shall as to any prospective operation thereof be wholly void and the Company and the shareholders shall be exempted from all the provisions restrictions and requirements of any Act which apply to the limited company and the members thereof as such but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum and articles of association incurred before the passing of this Act but such liability or obligation in respect of any such breach shall continue and save as in this Act otherwise provided may be enforced by or on behalf of the Company as nearly as may be in like manner as the same might have been enforced by or on behalf of the limited company if this Act had not been passed.

Memorandum and articles of association of limited company to be void without prejudice to remedies for antecedent breaches thereof.

10. Except as in this Act otherwise expressly provided everything before the passing of this Act done or suffered by or with reference to the limited company or the members thereof as such shall be as valid as if the Company had not been incorporated and the said memorandum and articles of association had not been avoided by this Act and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered and to all rights liabilities claims and demands both present and future which if the Company had not been incorporated and the said memorandum and articles of association were not avoided by this Act and this Act had not been passed would be incident to or consequent on any and every thing so done or suffered and with respect to all such rights liabilities claims and demands the Company and the holders of shares or stock therein and the property of the Company shall to all intents and purposes represent the limited company and the members thereof as such and the property of the limited company as the case may be and the generality of this enactment shall not be restricted by any of the other sections and provisions of this Act.

Nothing to affect previous rights and liabilities.

11. Except as is by this Act otherwise specially provided all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the passing of this Act by to or with the limited company or any trustees or

Contracts prior to Act to be binding

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persons acting on behalf of the limited company or by to or with any other person to whose rights and liabilities they have succeeded and now in force shall be as binding and of as full force and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if instead of the limited company or any trustees or persons acting on behalf of the limited company the Company had been a party thereto.

Actions &c.  
not to abate.

**12.** Nothing in this Act contained shall release discharge or suspend any action or other proceeding which was pending by or against the limited company or any member thereof in relation to the affairs of the limited company or to which the limited company or any member thereof in relation to such affairs were parties immediately before the passing of this Act but such action or other proceeding may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against the limited company or any member thereof if this Act had not been passed the Company and the holders of shares or stock therein being in reference to the matters aforesaid in all respects substituted for the limited company and their members respectively.

Trustees of  
limited com-  
pany to be  
indemnified.

**13.** Every trustee or other person in whom or in whose name any lands works buildings easements rights property or effects belonging to the limited company were vested immediately before the passing of this Act and who (being authorised so to do) entered into any bond covenant contract or engagement in respect of the same or otherwise on behalf of the limited company shall be indemnified out of the funds and property of the Company against all liability (including costs charges and expenses) which he may sustain or incur or be put to by reason of his having entered into such bond covenant contract or engagement.

Company to  
satisfy lia-  
bilities of  
limited com-  
pany.

**14.** From and after the passing of this Act the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the limited company immediately before the passing of this Act were subject and shall indemnify the members directors officers and servants of the limited company or their respective representatives from all such obligations and liabilities and from all expenses and costs in that behalf.

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

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Recovery of  
gas rents &c.

**16.** All persons who immediately before the passing of this Act owed any money to the limited company or to any person on their behalf shall pay the same with all interest (if any) due or accruing upon the same to the Company and all debts and moneys which immediately before the passing of this Act were due or recoverable from the limited company or for the payment of which the limited company were or but for this Act would be liable shall be paid with all interest (if any) due or accruing upon the same by or be recoverable from the Company.

As to pay-  
ment of  
debts owing  
before pass-  
ing of Act.

**17.** Notwithstanding the avoidance of the said memorandum and articles of association all certificates (until cancelled under the powers of this Act) sales transfers and dispositions heretofore made or executed under them for and with respect to any shares in the limited company shall remain in full force and continue and be available in all respects as if they had not been avoided.

Certificates  
&c. to remain  
in force.

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

Books &c.  
continued  
evidence.

**19.** All officers and servants of the limited company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments together with the salaries and emoluments thereunto annexed until they shall resign the same or be removed therefrom by the Company and shall be subject and liable to the like conditions obligations pains and penalties and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been appointed under this Act.

Officers to  
continue  
until re-  
moved.

**20.** The books kept by the limited company for entering the names and designations of the members thereof shall continue to be kept for similar purposes by the Company and be taken and considered as the register of holders of shares required to be kept by the Companies Clauses Consolidation Act 1845 until a new register is provided by the Company.

Present  
register of  
members to  
be continued.

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Capital.

**21.** The capital of the Company shall be eleven thousand two hundred and fifty pounds divided into two thousand two hundred and fifty shares of five pounds each of which one fourth shall be preference shares entitled to a preferential dividend at the rate of five per centum per annum out of the profits of the Company in any year and the remainder shall be ordinary shares.

Vesting of  
shares in  
present  
shareholders.

**22.**—(1) Five hundred and ten ordinary shares in the capital of the Company shall by virtue of this Act be vested in the several persons who immediately before the passing of this Act were registered as holders of ordinary shares in the limited company on the basis of one ordinary share of the Company for five ordinary shares of the limited company so held by them. Provided that if any person shall at the date of the passing of this Act be registered as the holder of less than five ordinary shares in the limited company or of an odd number of such shares in excess of five or any multiple of five then the Company may at their option issue to such person one share in the Company in respect of such shares or odd number of shares in the limited company receiving from him in cash the difference between the nominal value of such shares or odd number of shares in the limited company and the nominal value of the share in the Company or pay to such person in cash the nominal value of such shares or odd number of shares in the limited company in lieu of issuing to him a share in the Company.

(2) All shares so vested shall be deemed to be fully paid up and such shares shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and encumbrances as immediately before the passing of this Act affected the shares or share in respect of which such shares are so vested and so as to give effect to and not revoke any agreement deed or other instrument or any testamentary disposition of or affecting such shares or share and every agreement deed or other instrument or testamentary disposition made before the passing of this Act and affecting any shares or share in the limited company shall take effect with reference to the whole or a proportionate part as the case may be of the shares substituted therefor and trustees executors or administrators or persons under disability may accept the shares to be substituted for the shares in the capital of the limited company held by them and may subject to the provisions of this Act retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have retained disposed of or



otherwise dealt with such shares in the capital of the limited company. A.D. 1911.

**23.** The Company may raise the balance of one thousand seven hundred and forty of the ordinary shares not so vested as aforesaid by means of new ordinary shares ranking equally with the shares so vested as aforesaid but the Company shall not issue any share created under the authority of this Act other than the shares so vested as aforesaid nor shall any such share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof. Issue of balance of ordinary capital.

**24.** One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls. Calls.

**25.** The Company shall call in and cancel the existing certificates of shares in the limited company and issue in lieu thereof certificates for the shares to which the holders of such shares are respectively entitled but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship under this Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof but if any holder of any existing share or shares of the limited company neglect or omit to send or deliver to the Company his existing certificate or certificates for the period of one year after notice in writing sent by post to the address appearing in the shareholders' address book the Company may retain any dividend declared or made payable upon or in respect of the share or shares so held by him until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the Company to have been lost or destroyed. Company to call in and cancel existing share certificates and issue new certificates in lieu thereof.

**26.** The several persons whose names at the date of the passing of this Act appear in the register of members of the limited company to be the holders of shares in the capital of that company shall be considered to be holders of shares in the capital of that company for the purpose of vesting in and issue to them of the ordinary shares in the capital of the Company in accordance with the provisions of this Act and the secretary of the limited company shall on or before the date of Register of limited company to be evidence.

A.D. 1911. the passing of this Act deliver to the secretary of the Company at the principal office of the Company a correct copy of the said register and on and after that date the register of transfers of shares of the limited company shall be closed and no transfer of any shares made on or after that date shall as between the Company and the party claiming thereunder be of any effect and the issue by the Company of certificates of new shares of the Company as aforesaid to the persons whose names appear by the copy of such register so furnished to them to be the registered holders of shares in the capital of the limited company shall be a sufficient discharge to the Company.

Transfers  
of shares  
although by  
present name  
to be valid.

**27.** All transfers or other dispositions of shares in the capital of the limited company existing up to the date of the passing of this Act shall notwithstanding this Act be valid and have due effect given to them respectively as transfers of the respective amounts of new shares which the shares thereby expressed to be transferred or disposed of represent or which are or may be substituted for the same under the provisions of this Act although the instrument transferring or disposing thereof shall describe the same by the name or denomination which the shares transferred or disposed of had before such substitution and the bequest of or any covenant or provision of any deed or agreement relating to any such shares shall be held to apply to the nominal amount of new shares issued in substitution for such shares under the provisions of this Act.

Power to  
borrow.

**28.** The Company may subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-third part of the amount of the capital which at the time of borrowing has been issued or raised under the powers of this Act but no sum shall be borrowed in respect of any capital so issued or raised until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock or shares at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up.

For appoint-  
ment of a  
receiver.

**29.** The mortgagees or debenture holders of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages or debentures 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 or debenture holders by whom the application for a receiver is made shall not be less than one thousand pounds in the whole. A.D. 1911.

**30.** 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 created and issued or granted by the Company under 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.

**31.** All moneys raised on mortgage by the Company under this Act and all moneys continued on mortgage of the undertaking and the interest due thereon and the interest due on debenture stock created and issued under 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 debts incurred or engagements entered into by the Company after the passing of this Act but this priority shall not affect any claim against the Company or their property in respect of any rentcharge 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 by any person 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 and debenture stock over other debts &c.

**32.** All moneys raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of shares or stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend. Application of money.

**33.** If any money is payable to a shareholder mortgagee or debenture stock holder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt in case of persons not *sui juris*.

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Limits of  
dividend on  
capital.

**34.** Except as by this Act expressly provided the Company shall not in any year declare or make out of their profits any larger dividend than the standard rate of dividend hereinafter mentioned namely ten pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as ordinary capital and five pounds in respect of every one hundred pounds actually paid up of so much as may be raised as preference capital.

Application  
of excess of  
profits over  
authorised  
rate of divi-  
dend.

**35.** 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 and the dividend at the authorised rate on the ordinary capital of the Company the excess shall be carried to the credit of the divisible profits of the undertaking for the next following year. Provided that the sum standing to the credit of such divisible profits shall not at any time exceed the amount required to pay one year's dividend at the authorised rate.

First  
ordinary  
meeting.

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

Quorum of  
general  
meetings.

**37.** The quorum of general meetings shall be members personally present not being less than five in number and holding or representing by proxy not less than one-twentieth part of the capital of the Company for the time being issued and entitling the holders to vote in respect thereof.

Scale of  
voting.

**38.** The prescribed scale of voting at general meetings of the Company shall be one vote for each share held by any shareholder.

Number of  
directors.

**39.** The number of directors shall be five but the Company may vary the number provided that the number be not at any time more than seven or less than three.

Qualification  
of directors.

**40.** The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum of  
directors.

**41.** The quorum of a meeting of directors shall be three.

First  
directors.

**42.** Arthur Sopwith Cornelius Reader Arthur Marston John Frederick Mence and one person to be nominated by them or the majority of them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of

this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being (if they continue qualified) eligible for election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

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Election of  
directors.

**43.** Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined or if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and also in the next annual report of the Company and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

Qualification  
of directors.

**44.**—(1) The prescribed number of auditors shall be one unless the number be increased to two by an order of a general meeting Provided that if the Company think fit a firm may be appointed auditors.

Number and  
qualification  
of auditors.

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(2) The auditors appointed by the Company shall be chartered or incorporated accountants and it shall not be necessary for them to hold shares in the capital of the Company.

Powers as to construction and maintenance of gasworks.

45. Subject to the provisions of this Act the Company may upon the lands described in the schedule to this Act erect maintain alter improve enlarge extend and renew or discontinue the gasworks and other works of the limited company retorts gasometers receivers mains pipes stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as may be proper for making and storing gas and for supplying gas within the limits of this Act and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar and all other residual products or refuse of any materials employed in or resulting from the manufacture of gas.

Purchase of lands by agreement.

46. The Company may for the purposes of this Act purchase take and hold (by agreement but not otherwise) in addition to the lands of the limited company by this Act vested in them any lands and hereditaments not exceeding in the whole two acres which the Company may require for the purposes of the undertaking 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.

Price of gas.

47. The price to be charged by the Company for gas supplied by them shall not exceed five shillings per thousand cubic feet and so in proportion for any less quantity supplied Provided that at any time after the expiration of three years from the passing of this Act the Board of Trade may if they think fit by order in writing to be signed by a secretary or assistant secretary of the said board alter the said maximum price either by substituting any other sum for the said sum of five shillings or by giving a standard price with sliding scale as to profits and as from the date specified in such order (hereinafter referred to as "the specified date") the price to be charged by the Company for gas supplied by them shall be in accordance with such order Provided further that in case such order shall prescribe a standard price with sliding scale as to profits then as from the specified date the provisions set forth in the next following section of this Act shall be in force and have effect and this Act shall be read and construed accordingly A copy of such order made by the

Board of Trade shall be published in the London Gazette and a copy of the said Gazette containing such order shall be conclusive evidence of the due making and validity of the same and of the contents thereof. A.D. 1911.

**48.** This Act shall after the making by the Board of Trade of an order in pursuance of the provisions in that behalf herein contained prescribing a standard price for gas supplied by the Company with sliding scale as to profits and as from the specified date be read and construed subject to the modifications following:— Sliding scale.

(1) Sections 30 to 34 (both inclusive) of the Gasworks Clauses Act 1847 shall not continue to be incorporated with or to form part of this Act and in construing the said Act for the purposes of this Act section 35 of the said Act shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the authorised rates as defined by this Act together with any sum which under the provisions of this section might lawfully be carried to the special purposes fund:

(2) Notwithstanding anything contained in this Act the standard price to be charged by the Company for gas supplied by them to private consumers by meter shall be the price prescribed by such order of the Board of Trade as aforesaid per thousand cubic feet:

Provided that the Company may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Company on the ordinary capital of the Company as follows:—

In respect of any year during any part of which the price charged by the Company shall have been one penny or part of a penny above the standard price the dividend payable by the Company shall in respect of each penny or part of a penny by which the price shall have been increased be reduced below the standard rates of dividend by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard

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rate of dividend and so in proportion for any fraction of one hundred pounds;

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

Power to  
create a  
special pur-  
poses fund.

(3)—(i) The directors of the Company may if they think fit in any year appropriate out of the revenue of the Company as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum of the paid-up capital of the Company including premiums to a fund to be called "the special purposes fund":

(ii) The special purposes fund shall be applicable only to meet such charges as a chartered accountant or incorporated accountant being the auditor of the Company or appointed for the purpose by the Board of Trade shall approve as being—

(A) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or

(B) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works:

(iii) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one tenth part of the paid-up capital of the Company including premiums:

(iv) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Company to which capital is properly applicable or may be used partly in the one way and partly in the other:



(v) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section: A.D. 1911.

(4) Where in any year the dividends on the ordinary shares of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Company shall be insufficient to enable the Company in such year to pay the dividend at the authorised rate on the ordinary shares of the Company and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund. Power to create a reserve fund out of dividends in excess of authorised rate of dividend and application thereof.

49.—(1) All shares or stock created under the powers of this Act (except the five hundred and ten ordinary shares transferred to and vested in the holders of shares in the limited company in pursuance of the provisions of this Act) shall be issued in accordance with the provisions of this section. New shares or stock to be sold by auction or tender.

(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided as follows:—

(A) Notice of the intended sale shall be given in writing to the clerk to the Lichfield Rural District Council and to the secretary 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 shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

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- (B) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:
- (c) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds:
- (D) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum. In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:
- (E) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of gas supplied by the Company in such proportions as the Company may think fit or to one or more of these classes of persons only. Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares or stock which have been offered for sale in accordance with subsection (2) or subsections (2) and (3) and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Board of

Trade stating the total amount of the respective shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the respective shares or stock. A.D. 1911.

**50.**—(1) The Company may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied to private consumers within their limits of supply through any other kind of meter or by any other method of supply. Charge for gas supplied by means of prepayment meters.

(2) The Company shall not charge for the hire of any prepayment meter and fittings to be used therewith any sum other than a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove. The said charge shall include the providing letting fixing repairing and maintenance of the meter and fittings and the cost of collection and other costs incurred by the Company in connection with the meter and fittings.

(3) The maximum charge for the hire of a prepayment meter without fittings shall be at the rate of ten per centum per annum on the cost of the meter.

(4) For the purpose of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

**51.** The prescribed number of candles shall not be less than fourteen. Quality of gas.

**52.** For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be a testing place which shall be provided by the Company on the lands described in the schedule to this Act before supplying or within three months after beginning to supply gas under the authority of this Act. Testing place.

**53.**—(1) The quality of the gas supplied by the Company shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming one Testing quality.

A.D. 1911. hundred and twenty grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(2) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Company or the local authority approve the use of any other burner photometer or standard light which may appear to the board to be equally or more suitable for the testing.

(3) The Company shall before supplying or within three months after beginning to supply gas under this Act provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same in proper order and repair.

Pressure.

**54.**—(1) All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than eight-tenths of one inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer:

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Act subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied The Company shall afford to the examiner all reasonable facilities for making the test.

Saving as to penalties.

**55.** No penalty shall be incurred by the Company for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was produced by any circumstance beyond the control of the Company Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company.

As to construction and placing of pipes &c. between mains and meters.

**56.** In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid

by the consumer either in the first instance or on the occasion of any renewal between the Company's mains and the meter and (so far as the same are intended to be covered over) on the consumer's premises:

- (2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:
- (3) The specification shall be published twice in some newspaper (once in each of two newspapers) circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Company:
- (4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Company's main but within the outside wall of the building:
- (5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Company and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Company Any officer of the Company duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Company's specification or if the meter is not placed as required by this section the Company may refuse to supply gas to the premises until the provisions of this section have been complied with:
- (6) Any person to whom the Company refuses a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Company's specification make such order as seems to

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them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

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

**57.** If any person is required by the Company to give to them security for any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit 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.

Power to supply gas fittings &c.

**58.**—(1) The Company may sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other fittings for lighting for motive power for the warming and ventilating of houses and buildings for the cooking of food and for all other purposes for which gas can or may be used and may provide all materials and works necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against the person in whose possession the same may be. Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof.

Gas consumers to give notice to Company before removing.

**59.** At least twenty-four hours' notice in writing shall be given to the Company by every gas consumer before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever shall first occur. Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company.

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

**60.** If a person requiring a supply of gas from the Company has previously quitted premises at which gas was supplied to him by the Company without paying to them all gas charges

and meter rent due from him to the Company they may refuse to furnish to him a supply of gas until he pays the same. A.D. 1911.

**61.** A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Company. Notice to discontinue supply of gas.

**62.** In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter. The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Company. Period of error in defective meters.

**63.** The Company may contract with any local authority company or persons authorised to supply gas under parliamentary powers in any district adjacent to the Company's limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Company to lay any mains or interfere with any street beyond their limits of supply. Company may contract with local authority &c. for supply in bulk.

**64.** Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and in default of his so using or keeping such anti-fluctuator in proper repair the Company may cease to supply gas to such consumer. The Company shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking-off removal testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator be found in proper order but otherwise at the expense of the consumer. Anti-fluctuators for gas engines.

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Power to lay pipes in streets not dedicated to public use.

**65.** The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street or road laid out or made but not dedicated to public use supply such premises with gas and may lay and from time to time take up alter relay or renew in across or along such street or road such pipes as may be requisite or proper for the furnishing such supply and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are respectively applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Power to utilise pipes for ancillary purposes.

**66.** The Company may lay down and repair take up alter relay or renew mains pipes and culverts within the limits of supply for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from any manufacture of gas or any residual products thereof or for any purpose connected with their undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Dwelling-houses for persons in Company's employ.

**67.** The Company may erect and maintain dwelling-houses for persons in their employ upon any lands for the time being belonging to or leased by the Company.

Power to take licences for use of patents.

**68.** The Company may acquire take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent made or to be made granting any right or privilege of working using exercising or vending any invention in relation to the production utilisation and distribution of gas the production of coke tar pitch asphaltum ammoniacal oil and the products from coal and other substances employed in or resulting from the manufacture of gas or otherwise in relation thereto but not so as to acquire any exclusive right to the working use exercising or putting in practice of any such invention.

Repeal of power of Lichfield Gas Com-

**69.** So much of the Lichfield Gas Act 1878 as authorises the Lichfield Gas Company to supply gas within the whole or any portion of the limits of supply under this Act is hereby repealed



and from and after the passing of this Act all the powers and obligations of the Lichfield Gas Company with reference to the supply of gas within any portion of the limits of this Act shall cease and determine and this Act shall have as full validity and effect as though the portions of the parishes and townships within the limits of this Act had never been included within the limits within which the Lichfield Gas Company were by the Lichfield Gas Act 1878 authorised to supply gas.

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pany to  
supply gas  
within limits.

70. Nothing in this Act contained shall limit or affect the right of the Staffordshire County Council or the committee of visitors of the county lunatic asylum at Burntwood or their successors as an asylum authority if they think fit to supply direct with gas from the asylum gasworks any houses now or hereafter to be erected on property purchased or to be purchased for the purposes of the said asylum.

For protec-  
tion of Staf-  
fordshire  
County  
Council.

71. The following provisions for the protection of the Lichfield Rural District Council (in this section referred to as "the council") shall have effect as regards all works carried out by the Company under the powers of this Act and as far as applicable as regards the alteration improvement enlargement extension renewal or reconstruction of existing works unless otherwise agreed between the Company and the council (that is to say):—

For protec-  
tion of Lich-  
field Rural  
District  
Council.

- (1) All mains pipes and works to be laid in or along any road or in or upon or across any bridge shall be laid in such position in or at the side thereof as the council in writing under the hand of their surveyor may reasonably direct :
- (2) The notice required by section 8 of the Gasworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any road or any bridge be not less than seven clear days instead of three clear days :
- 3) The plan required by section 9 of the last-mentioned Act shall as regards any road bridge be on a scale of not less than four feet to an inch and in respect of any road or bridge approach on a scale of not less than  $\frac{1}{2500}$  and such plans shall be accompanied by sections to suitable scales to clearly show the proposed works and shall be delivered to the council or their surveyor by the Company not less than in the case

A.D. 1911.

of a bridge fourteen days and in all other cases seven days before the Company commence to open or break up any road or interfere with any road bridge or other property of the council for the purpose of executing the works :

- (4) Nothing in this Act shall authorise the Company to interfere with the structural part of any bridge without the consent in writing of the surveyor to the council. Such consent shall not be unreasonably withheld and may be given upon such conditions as the council may reasonably determine :
- (5) Nothing in this Act shall interfere with the right of the council to alter the level of or deviate drain widen reconstruct or improve in any manner they think fit any road in or along which any mains pipes or works of the Company shall have been laid and the Company shall with all convenient speed on receiving notice in writing under the hand of the clerk or surveyor to the council so to do alter the position of any such mains pipes or works in the manner and to the extent prescribed by such notice or as in case of difference shall be determined by arbitration in the manner hereinafter prescribed and the council shall not make any compensation to the Company for any expense or loss to which the Company may be put in consequence of any such alteration deviation improvement or other work of the council. Provided that during the alteration deviation draining widening reconstruction or improvement of such main road the council shall at the cost of the Company afford all reasonable facilities for temporarily carrying such mains pipes or works along the road so as not to interrupt the continual supply of gas or to diminish the pressure of such supply through such mains or pipes :
- (6) Nothing in this Act shall interfere with the right of the council at any time or times to remove alter widen raise or rebuild any bridge or the approaches thereto over near or attached to which any mains pipes or works of the Company are carried in the same manner as they might have removed altered widened raised or rebuilt such bridge or the approaches thereto

if this Act had not been passed and such mains pipes or works had not been laid over or near or attached to such bridge and the council shall not make any compensation to the Company for any expense or loss to which the Company may be put in consequence of any such alteration deviation or improvement and in the event of any such bridge or the approaches thereto over or near or attached to which any such mains pipes or works are laid being removed altered widened raised or rebuilt as aforesaid the Company shall at their own cost in all things alter the position of any works by which such mains pipes or works are carried over or near or attached to such bridge or the approaches thereto as aforesaid Provided that during the removal alteration widening raising or rebuilding of such bridge or the approaches thereto as aforesaid the council shall at the cost of the Company afford all reasonable facilities for temporarily carrying such mains pipes and works across any stream or river so as not to interrupt the continual supply of gas or to diminish the pressure of such supply through such mains or pipes :

- (7) All works shall be so executed by the Company as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any or over any bridge or the approaches thereto and the Company shall not break up at any one time a greater length than one hundred yards of any road :
- (8) The Company shall pay to the council the reasonable costs which the council may incur in the repair and reinstatement of so much of any road or of the road over any bridge or the approaches thereto in which the mains pipes or other works of the Company are or may be laid as may be damaged by reason of the traffic being concentrated thereon during the laying alteration and renewal or repair of the said mains pipes or other works :
- (9) Where any mains pipes or other works of the Company are to be laid or constructed beneath the surface of any road bridge the same shall if possible be laid or constructed at such a depth that not less than two feet six inches shall intervene between the surface of

A.D. 1911.

such road or bridge and the upper surface of such mains pipes or works Any difference as to the possibility of so laying or constructing any such mains pipes or works shall be determined by arbitration as hereinafter in this section provided:

- (10) If the Company in the execution of any works in or affecting any such road or bridge as aforesaid shall cause any damage injury or disturbance to such road or bridge and shall neglect or refuse to make good all such damage injury or disturbance in accordance with the provisions of the Gasworks Clauses Act 1847 then it shall be lawful for the council after fourteen days' notice to the Company of the alleged neglect or refusal and of the works which they propose to execute to do all works reasonably necessary for making good all such damage injury or disturbance and the Company shall repay to the council all costs charges and expenses which the council shall reasonably and properly incur in carrying out such works including all reasonable expenses of superintendence:
- (11) The council shall not except in the case of their negligence be liable for any claim for damages in respect of any injury which may be caused to any mains pipes or other works belonging to the Company through the reasonable and proper use by the council of any steam roller scarifier or other similar appliance:
- (12) If any difference arises at any time between the council and the Company touching this section or anything to be done or not to be done thereunder or the giving or withholding of any consent or the conditions of giving the same or any direction such difference shall be settled by the arbitration of an engineer to be agreed upon between the council and the Company and failing agreement to be appointed by the Board of Trade on the application of either party and the Arbitration Act 1889 shall apply to the arbitration.

For protection of Cannock Chase and Wolverhampton Railway Company.

**72.** The following provisions for the protection of the Cannock Chase and Wolverhampton Railway Company (hereinafter called "the railway company") shall be in force and have effect and be binding on the Company:—

In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works upon across

over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings of or repairable or used by the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to plans and sections to be submitted to and in such manner as shall previously be reasonably approved by him and in all things by and at the expense of the Company who shall also restore and make good the roads over any such bridges level crossings and approaches which the railway company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railway bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of the traffic over such railways or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works under or near to any such bridge or level crossing the Company shall make compensation in respect thereof to the railway company the amount of such compensation together with full costs to be recoverable from the Company by all and the same means as any simple contract debt is recoverable.

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**73.** Nothing in this Act or in any Act incorporated therewith shall operate to confer upon the Company any other or greater right to support for any lands works mains or pipes now belonging to or hereafter to be acquired erected constructed or laid by them from any subjacent or adjacent coal or other minerals than they would have been entitled to if this Act had not been passed Provided that such coal or other minerals shall not be worked in an unusual or improper manner and in the event of any such works mains or pipes being at any time injured by reason of the working of any such coal or other minerals in an unusual or improper manner the person or persons company or companies responsible for such working

For protection of owners of minerals.

A.D. 1911. shall repay to the Company all costs and expenses that may from time to time be incurred by the Company in repairing renewing reconstructing or relaying such works mains or pipes through or in consequence of such injury and the Company may recover the amount of such costs and expenses by proceedings in any court of competent jurisdiction.

Recovery of demands in county court.

74. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Copy of Act to be registered.

75. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director and manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty and every penalty under this section shall be recoverable summarily.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than the memorandum or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding-up in England.

Costs of Act.

76. 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.

SCHEDULE referred to in the foregoing Act.

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**GAS LANDS.**

All that piece or parcel of land now in the possession of the limited company and upon which their existing gasworks are constructed with other land used in connection therewith and the apparatus and buildings thereon situate near to Queen Street at Chasetown in the parish of Burntwood Edial and Woodhouses in the county of Stafford containing by admeasurement one acre or thereabouts which said piece or parcel of land is bounded on the north-west by property of William Butler and Company Limited on the south-west and south-east by land of the Lichfield Rural District Council and on the north-east by property of the Walsall Financial Company Together with a right of way or road giving access to the said gasworks and lands at all times and for all purposes along and over a certain private road twenty-one feet wide leading from the said piece or parcel of land to Queen Street aforesaid.

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