



ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. Iv.

An Act to consolidate and amend the Acts relating to the *Imperial* Gaslight and Coke Company, and to increase the Capital of the Company.

[2d June 1854.]

WHEREAS by the Local and Personal Act of the First and 1 & 2 G. 4.
Second Years of the Reign of His Majesty King *George* the c. cxvii.
Fourth, Chapter One hundred and seventeen, the *Imperial*
Gaslight and Coke Company were incorporated, and the Two Local and
Personal Acts next herein-after mentioned have been since passed relating
to the said Company; that is to say, the Act of the Fourth Year of the 4 G. 4. c. xcv.
Reign of King *George* the Fourth, Chapter Ninety-five, and the Act of 10 G. 4. c. xii.
the Tenth Year of the same Reign, Chapter Twelve: And whereas by the
said recited Acts the Company were empowered to light with Gas the
Metropolitan and Suburban Districts therein defined, and to raise for the
Purpose a Capital not exceeding in the whole the Sum of Six hundred
and fifty thousand Pounds, which Sum has accordingly been raised in
Shares of Fifty Pounds each: And whereas by reason of the great
Extension of Buildings within the Districts aforesaid since the passing of
the said Acts the Capital of the Company, so limited as aforesaid, has
been found and is insufficient to provide adequately for the increased and
still increasing Demand for Gas within those Districts, and it is expedient
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that the said Capital should be increased: And whereas it is also expedient that some of the Powers and Provisions of the said recited Acts should be amended and enlarged, and that the said Acts should be consolidated into One Act; but the Authority of Parliament is necessary for the Purposes aforesaid: 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, in manner following; (that is to say,)

Recited Acts
repealed.

I. From and after the passing of this Act the said recited Acts shall be and the same are hereby repealed, but without Prejudice to any Acts or Proceedings previously had, transacted, or commenced under the same, or to any Demands or Liabilities arising in consequence thereof.

Short Title.

II. This Act shall for all Purposes be sufficiently cited or referred to as "*The Imperial Gas Act, 1854.*"

Re-incor-
porating
Company.

III. The several Persons and Corporations who at or immediately before the passing of this Act were Proprietors of Shares in the *Imperial Gaslight and Coke Company*, incorporated by the said first-recited Act, and all other Persons and Corporations who shall hereafter become Shareholders in the Undertaking of the Company under the Provisions of this Act, shall be and are hereby united and incorporated by the Name of "*The Imperial Gaslight and Coke Company,*" and by that Name shall be a Body Corporate, with perpetual Succession, and shall have a Common Seal, and shall and may by that Name sue and be sued, plead and be impleaded, at Law and in Equity, in their Corporate Capacity, and in none other, and shall have Power to purchase or take on Lease and to hold Lands for all or any of the Purposes of the Company, subject to the Restrictions herein-after contained; and the said Company shall, notwithstanding the Repeal of the said recited Acts, be liable for all Debts, Obligations, and Engagements, and for all Liabilities, of what Nature or Kind soever, owing or incurred by the Company under the repealed Acts for which the said Company would have been liable if they had not been hereby dissolved.

Certain Pro-
visions of
8 & 9 Vict.
cc. 16. & 18.
and
10 & 11 Vict.
c. 15. ex-
tended to
this Act.

IV. The several Acts of Parliament following, (that is to say,) "*The Companies Clauses Consolidation Act, 1845,*" (except so much thereof as relates to the Recovery of Damages not specially provided for, and Penalties,) "*The Lands Clauses Consolidation Act, 1845,*" (except so much of the last-mentioned Act as relates exclusively to the Purchase and taking of Lands by Compulsion, and to the Recovery of Forfeitures, Penalties, and Costs,) and "*The Gasworks Clauses Act, 1847,*" shall be incorporated with and form Part of this Act, save in so far as any of the Provisions of the said Acts respectively may be expressly modified by this Act, or may be inconsistent with the Provisions herein-after contained:

V. The

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V. The Gasworks Clauses Act, 1847, shall be held applicable, as well to the Mains, Pipes, and Works of the Company already laid down and constructed, as to the Mains, Pipes, and Works hereafter to be laid down and constructed by them.

10 & 11 Vict.
c. 15. to
apply to ex-
isting Works.

VI. The Objects and Purposes for which this Act shall and may be put in force by the Company shall be the manufacturing and supplying Gas within the Limits herein-after specified, and the Sale of Coke and other residual Products arising or produced from the Manufacture of Gas, and the Purchase of such Lands, Buildings, and Materials, and the Construction and Performance of such Works and Services, as may be expedient or necessary for the Purposes of or in connexion with the Objects aforesaid.

Purposes of
the Com-
pany.

VII. The Limits within which this Act may be put in force by the Company shall be the following; (that is to say,) the Company shall have full Power to supply and light the several Shops, Inns, Taverns, private Houses, Manufactories, public Establishments, and Avenues leading thereto, as well as the Streets, Squares, Roads, Bridges, Passages, Markets, and other Parts and Places in all Parishes and Parts of Parishes, Hamlets, and other Places in and adjacent to the Metropolis and its Environs on the West Side of the North-western End of *Vauxhall Bridge*, the Centre of the *Vauxhall Bridge Road*, *Eaton Street*, *Upper Eaton Street*, *Grosvenor Place* to *Hyde Park Corner*, the North Side of *Piccadilly* to the Corner of *Park Lane*, and the Western Side of the Centre of *Park Lane*, crossing *Oxford Street*, and also on the North Side of the North Side of *Oxford Street* to *John Street*, on the West Side of the Centre of *John Street* and *Great Portland Street* to the Corner of *Mortimer Street*, on the North Side of the Centre of *Mortimer Street* in an Easterly Direction, the Centre of *Charles Street* and *Goodge Street* to *Tottenham Court Road*, crossing *Tottenham Court Road*, the East Side of the Eastern Side of *Tottenham Court Road* in a Southerly Direction, the North Side of the North Sides of *High Street Bloomsbury*, *High Holborn*, and *Holborn* to the South-west Corner of *Gray's Inn Lane*, the West Side of the West Side of *Gray's Inn Lane* to opposite the Corner of *Elm Street*, the North Side of the North Side of *Elm Street*, *Mount Pleasant*, *Bayne's Row*, *Earmouth Street*, and *Middleton Street* to *Islington Road*, and from thence to *Owen's Row*, from thence crossing *Goswell Street* to the *City Road* at *Dalby's Terrace*, the North Side of the Centre of the *City Road*, *Brunswick Place*, *Charles Street*, *Queen Street*, and the Southern Side of *Hoxton Square* by *Fuller's Almshouses* to *Shoreditch Church*, *Austin Street*, *Castle Street*, and *Turk Street* to the North-western Corner of *Virginia Street*, and also on the East Side of the East Sides of *Tyson Street*, *Brick Lane*, and *Osborn Street*, crossing *Whitechapel* to *Church Lane*, the East Side of *Church Lane*, the South Side of *Ayliffe Street*, the East Side of *Mansell Street* and *Little Prescott Street*,

Limits of
Act.

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Street to Rosemary Lane, the Southern Side of Rosemary Lane in a Westerly Direction along Queen Street, and along the Eastern Side of the Tower to the River Thames: Provided always, that nothing herein contained shall enable or be construed to enable the Company to supply any Gas for public or private Purposes in any Part of Grosvenor Place near Hyde Park Corner, nor in Piccadilly between Hyde Park Corner and Park Lane, nor in Park Lane, nor within a Line commencing at Iron-gate Stairs on the River Thames, near the Tower of London and continued in a straight Line to Manor Row, Little Tower Hill, thence in a North-westwardly Direction to Union Row, Rosemary Lane, through the Centre of Rosemary Lane to Church Lane, Cable Street, in the Parish of Saint George in the East, thence in a North-westwardly Direction to the Commercial Road at the Corner of Church Lane aforesaid, thence along the Exterior of the North Side of the Commercial Road to White Horse Street, Stepney, in the Hamlet of Ratcliffe, and through the Centre of White Horse Street, Butcher Row, and Ratcliffe Cross to the River Thames at Ratcliffe Cross Stairs in the County of Middlesex: Provided also, that inasmuch as certain Portions of the District herein-before limited are now lighted by the Independent Gas Company, and certain other Portions of the said District are also lighted by the Commercial Gas Company, under Acts of Parliament and under Arrangements heretofore entered into between the said Companies respectively and the Imperial Gaslight and Coke Company, it shall not be lawful for the Company hereby incorporated, under the Powers of this Act, to supply Gas within either of such Portions of the said District, unless with the previous Consent in Writing under the Common Seals of the Companies respectively with whom such Arrangements have been entered into.

Powers of
Company.

VIII. It shall be lawful for the Company to construct, lay down, and maintain such Buildings, Machinery, Retorts, Gasholders, Mains, Pipes, Drains, and other Works and Apparatus, and such Dwelling Houses for the Use of their Officers and Workmen, and to perform such other Acts as they may deem requisite for carrying the Objects and Purposes of this Act into execution.

Purchases,
Contracts,
&c. not to be
affected.

IX. The Repeal of the Acts hereby repealed shall not annul or in anywise prejudice, qualify, or affect any Purchase, Sale, Lease, Conveyance, Grant, Contract, or Security heretofore made or executed under or by virtue of the said Acts or any of them, nor shall any Estate, Term of Years, Right, Title, or Interest, vested in or acquired by the Imperial Gaslight and Coke Company prior to the passing of this Act, be prejudicially affected by the Repeal of the said Acts, but all such Purchases, Sales, Leases, Conveyances, Grants, Contracts, Securities, Terms of Years, Rights, Titles, and Interests shall be and remain as good and valid, both in favour of and against the Company hereby incorporated, as though the said last-mentioned Company were specifically named therein in lieu of
the

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the Company incorporated by the said first-recited Act, and as though the said Acts had not been repealed.

X. All Lands, Works, Buildings, Offices, Machinery, Mains, Pipes, Lamp Posts, Books, Papers, Accounts, and other Property of every Description, whether real or personal, and all Rights, Easements, and Privileges, which belonged to the *Imperial* Gaslight and Coke Company incorporated by the said first-recited Act, or to which they were entitled at the Time of the passing of this Act, shall on the passing of this Act become vested in the Company hereby incorporated; and all Debts due to or by the said *Imperial* Gaslight and Coke Company at or immediately before the passing of this Act, and all Rates and Rents then accruing due to the said last-mentioned Company, shall be and be deemed to be due or accruing due and may be enforced by or against the Company hereby incorporated, (as the Case may require,) in like Manner as the same would have been due or accruing due to or by and might have been enforced by or against the said *Imperial* Gaslight and Coke Company incorporated by the said first-recited Act if the said Acts had not been repealed.

Vesting
Lands, &c. of
former Com-
pany in new
Company.

XI. No Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the *Imperial* Gaslight and Coke Company incorporated by the said first-recited Act shall abate or be discontinued or be prejudicially affected by the passing of this Act; but the same shall continue and take effect, either in favour of or against the Company hereby incorporated, in the same Manner in all respects as the same would have continued and taken effect in relation to the Company incorporated by the said first-recited Act if this Act had not been passed; and all Penalties incurred by reason of any Offence against the Provisions of the said recited Acts or any of them, prior to the passing of this Act, may be sued for, and all Offences committed before the passing of this Act against the Provisions of the said recited Acts or any of them may be prosecuted, in such or the like Manner as such Penalties might have been sued for or such Offences prosecuted if this Act had not been passed, the Company hereby incorporated being substituted in reference to the Matters aforesaid for the *Imperial* Gaslight and Coke Company incorporated by the said first-recited Act.

Actions not
to abate.

XII. All Books and other Documents by the said recited Acts or any of them authorized or directed to be kept, and thereby made Evidence, shall, notwithstanding the passing of this Act, be admitted as Evidence in all Courts whatsoever; and all Byelaws made under the Acts hereby repealed or any of them shall, without Confirmation, be deemed as valid as though the same were made under this Act, but shall not continue in force longer than Six Months after the passing of this Act.

Books to
remain Evi-
dence.

[*Local.*]

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XIII. The

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Directors
and Officers
to remain.

XIII. The Governor, Deputy Governor, Directors, and all Officers of the *Imperial* Gaslight and Coke Company, who have been duly appointed to their respective Offices prior to the passing of this Act, shall continue to hold such Offices respectively in the Company hereby incorporated until they retire or be removed therefrom, and shall be entitled to the same Remuneration as though the said Acts had not been repealed, unless the Amount of such Remuneration shall hereafter be altered by Vote of a General Meeting of the Company, and shall be subject to the same Penalties, Rules, and Regulations as though they had been respectively appointed under the Provisions of this Act.

Sureties not
to be re-
lieved.

XIV. The passing of this Act shall not relieve any Surety from Liability under any Security given by him on behalf of any Officer of the Company for the due Performance of the Duties of his Office, but all such Securities shall remain as valid and effectual as though this Act had not been passed, or as though the same had been given subsequently to the passing of this Act to the Company hereby incorporated.

Company not
to require
from in-
coming
Tenant Pay-
ment for Gas
consumed by
outgoing
Tenant.

XV. In case any Consumer of the Gas of the Company shall leave the Premises where such Gas has been supplied to him without paying the Company for the Gas so supplied, the Company shall not be entitled to require from the next Tenant of such Premises the Payment for the Gas left unpaid for by the former Tenant, unless such incoming Tenant shall have undertaken with the former Tenant to pay or exonerate him from the Payment of such Arrears for Gas, but the said Company shall supply their Gas to such incoming Tenant upon the usual Terms and Conditions, upon being required by him so to do.

As to Quality
of Gas.

XVI. All the Gas supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven-Inch Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by not less than Twelve Wax Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

Appointment
of Chemist to
test Quality
of Gas.

XVII. It shall be lawful for all Trustees, Vestries, Commissioners, and public Boards, having by Law the Control, Direction, or Management of the Lighting of the Parishes and Places within the Limits of this Act, at any Time or Times and from Time to Time, to appoint a practical Chemist or other competent Person to test the Quality of the Gas supplied by the Company; and the Company shall and will at all Times afford every reasonable Facility to such practical Chemist or other competent Person for testing the Quality of the Gas so supplied by the Company.

XVIII. If

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XVIII. If the Gas supplied by the Company shall at any Time be of a less illuminating Power than the same ought to be (the Standard of such illuminating Power being the Standard herein-before mentioned), the Company shall forfeit for every such Offence the Sum of One hundred Pounds, and also, in addition to the said Penalty of One hundred Pounds, and whether such Penalty shall have been recovered or not, the Sum of Ten Pounds for each Day, after Notice in Writing from the said Trustees, Vestries, Commissioners, and public Boards having by Law the Control, Direction, or Management of the Lighting of the Parishes and Places within the Limits of this Act, that the said Gas is inferior to the said Standard, during which the Offence shall continue, or in which Gas of less than the Standard Purity or illuminating Power shall be supplied by the Company; all which Penalties shall be recovered, with full Costs of Suit, in any of the Superior Courts, by the said Trustees, Vestries, Commissioners, and public Boards; but no Penalty shall be recoverable unless it be sued for during the Continuance of the Offence, or within Six Months after it shall have ceased.

Penalty in case the Gas shall be below the Standard of illuminating Power.

XIX. It shall not be lawful for the Company to charge for the Gas supplied by them after a greater Rate than Six Shillings *per* Thousand Cubic Feet.

Limiting Price of Gas.

XX. The Capital of the Company shall be One million three hundred thousand Pounds, divided into such Number of Shares as will admit of the same being distributed according to the Provisions herein-after contained.

Capital.

XXI. All Shares in the *Imperial* Gaslight and Coke Company existing at the Time of the passing of this Act shall be considered as Shares in the Company hereby incorporated, and the Certificates for such Shares existing at the Time of the passing of this Act shall be considered to be Certificates for Shares of equal Amount in the last-mentioned Company, and every Holder of any such Share shall be entitled to a Share of equal nominal Amount in the Capital of the last-mentioned Company; and the said Shares shall be held subject in all respects to the same Trusts, Declarations, Agreements, Liens, and Incumbrances as the Shares for which the same are substituted were subject to at the Time of the passing of this Act.

Shares in old Company to be Shares in new.

XXII. The Remainder of the Capital unrepresented by the said last-mentioned Shares, and which shall be requisite to make up the said Amount of One million three hundred thousand Pounds, shall be represented by such Number of new Shares, and of such nominal Amounts respectively, as the Company, at any Meeting or Meetings to be specially convened for the Purpose, shall from Time to Time determine, consistently with

New Shares.

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with the Provisions herein-after contained; and it shall be lawful for the Company at any such Meeting to create such Number of new Shares, in addition to the Shares already created, as may be necessary to make up the total Capital of One million three hundred thousand Pounds, or any Part thereof.

New Shares to be offered to Holders of old Shares.

XXIII. All new Shares which may be created by the Company under the Provisions herein-before contained shall be offered to the several Persons who shall be possessed of other Shares in the Company at the Time of the Creation of such new Shares, and in proportion to the Number of such other Shares so held by them respectively.

How Offer to be made.

XXIV. Such Offer shall be made by Letter under the Hand of the Clerk, or Secretary for the Time being of the Company, given to or sent by Post, addressed to each Shareholder according to his last known Address as entered in the Books of the Company, or left for him at such Address; and every Offer made by Letter sent by Post shall be considered as made on the Day on which such Letter ought to be delivered according to the Regulations of the Post Office.

Certain Sums expended on Works to be added to Capital or treated as a Debt of the Company.

XXV. And whereas the said *Imperial* Gaslight and Coke Company since their Incorporation have expended from Time to Time considerable Sums of Money out of their annual Profits in the Enlargement and Extension of their Works, in lieu of dividing such Sums amongst the Shareholders in the Company, and the several Sums so expended amount in the aggregate to Two hundred and eighty thousand Pounds and upwards: Be it therefore enacted, That it shall be lawful for the Company, if they think fit, by the Vote of any General Meeting, either to declare that the Sum so expended or any Part thereof shall be capitalized, by increasing the nominal Value of the existing Shares in the Company, and that an annual Sum not exceeding Thirteen thousand Pounds shall be paid out of the Revenues of the Company applicable to the Payment of Dividend as Interest on the Sum so capitalized, and shall be appropriated to and amongst the several Holders of Shares created before the passing of this Act in proportion to the Number of such Shares held by them respectively, or it shall be lawful for the Company to capitalize the said Sum so expended as aforesaid, or any Part thereof, by creating new Shares, either with or without a Preference or Priority in the Payment of Dividend, to represent the Sum so expended, which Shares shall form Part of the said Capital of One million three hundred thousand Pounds, and shall be appropriated amongst the several Holders of Shares created before the passing of this Act in proportion to the Number of such Shares held by them respectively, or it shall be lawful for the Company to pay off the said last-mentioned Sum, or any Part thereof, by the Appropriation in manner aforesaid of Mortgages or Bonds of the Company

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pany by this Act authorized to be created, or by the Proceeds arising from the Sale of such Mortgages or Bonds; but in either of the Events aforesaid the total Sum payable as Dividend or Interest on the Shares or Mortgages or Bonds representing the said Sum so expended out of Profits as aforesaid shall not exceed Thirteen thousand Pounds *per Annum*.

XXVI. Five Pounds *per Share* shall be the greatest Amount of any new Call which the Company may make in respect of any new Share, and Three Months shall be the shortest Period intervening between successive Calls, and not more than Half of each Share shall be called up in any One Year. Amount of Calls.

XXVII. It shall be lawful for the Company, if they think fit, to make up their half-yearly Accounts to the Thirtieth of *June* and Thirty-first of *December* previous to the holding of the Ordinary Meetings of the Company, and to close the Register of Transfers for a Period of Fourteen Days after the respective Days up to which such Accounts shall be so made up; and the Dividends of the Company shall be made out and declared payable to the several Persons who shall be Holders of Shares on the said Thirtieth Day of *June* and Thirty-first Day of *December* respectively. Period for making-up half-yearly Accounts, &c.

XXVIII. All Mortgages, Debentures, or Bonds granted by the *Imperial Gaslight and Coke Company* before the passing of this Act shall be binding on the Company, and shall have Priority over any Mortgages or Bonds which may be granted or created by the Company after the passing of this Act. Former Mortgages to have Priority.

XXIX. It shall be lawful for the Company to borrow on Mortgage or Bond any Sum of Money on the Credit of their Undertaking not exceeding in Amount, with the Sums already borrowed by them, Four hundred and thirty-three thousand Pounds: Provided always, that the total Sum due by the Company on Mortgage or Bond at any One Time shall not exceed in Amount One Third of the paid-up Capital of the Company at the Time when such Money is owing. Power to borrow on Mortgage.

XXX. All Monies which shall be raised by the Company under the Provisions of this Act, whether by the Creation of Shares or by borrowing, shall be applied for and towards the carrying the Objects and Purposes of this Act into execution, and to no other Purpose whatsoever. Money raised to be applied to Purposes of Act.

XXXI. It shall be lawful for the Company to appropriate and apply to their Use any Monies invested by them on Government or other Securities, As to Contingency Fund.
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and existing as a Contingency Fund at the Time of the passing of this Act: Provided always, that after such Appropriation the Company shall annually lay by out of their Profits, and invest in Government Securities, a Sum of not less than Three thousand Pounds, until the Sums so laid by and invested shall amount in the aggregate to Fifty thousand Pounds, which Sum shall form a Contingency Fund to meet all unforeseen Liabilities and Expenses of the Company; and if such Sum shall ever be reduced the Company shall again lay by and invest out of their annual Profits a Sum of not less than Three thousand Pounds *per Annum*, until the said Contingency Fund shall be restored to the Sum of Fifty thousand Pounds.

Meetings.

XXXII. The First Ordinary Meeting of the Company shall be held in the Month of *October* after the passing of this Act, and thereafter there shall be Two Half-yearly Meetings of the Company in each Year, one thereof to be held in the Month of *April*, and the other thereof in the Month of *October*.

Quorum.

XXXIII. The Quorum of every Meeting of the Company shall be Twenty Shareholders holding in the aggregate not less than Twenty thousand Pounds of the Capital of the Company.

Number of Shareholders to convene a Special Meeting.

XXXIV. The Number of Shareholders on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be not less than Twenty, and such Shareholders shall hold not less than Fifty thousand Pounds of the Capital of the Company.

Directors.

XXXV. There shall be Twelve Directors of the Company, in addition to the Governor and Deputy Governor; and the necessary Qualification for the Office of Director, or of Governor or Deputy Governor, shall be the Possession in his own Right of Shares representing at least One thousand Pounds of the paid-up Capital of the Company.

Governor and Deputy.

XXXVI. There shall be a Governor and Deputy Governor of the Company, who shall be elected by the Shareholders assembled at an Ordinary Meeting of the Company, and such Governor and Deputy Governor shall respectively retire from Office at the Expiration of Three Years from the Date of their respective Appointments, but shall be eligible for Re-election; and the said Governor and Deputy Governor shall be *ex officio* Directors of the Company, and shall respectively fulfil the Duties and shall have and enjoy the Privileges assigned to the Chairman and Deputy Chairman of the Directors by "The Companies Clauses Consolidation Act, 1845;" but the Provisions of the said last-mentioned Act, so far as they relate to the Election or Retirement from Office of the said

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said Chairman or Deputy Chairman, shall be excepted from and shall not be incorporated with this Act.

XXXVII. The Order of Rotation in which the present Governor, Deputy Governor, and Directors of the Company shall retire from Office shall be the same as though this Act had not been passed, and the Persons to retire annually from Office shall be such as would have so retired if this Act had not been passed.

Order of Rotation in which Governor, Deputy, and Directors shall retire from Office.

XXXVIII. The Governor or Deputy Governor and any Three Directors of the Company, or, in the Absence of the Governor and Deputy Governor, Five of the said Directors, shall be sufficient to form a Meeting of Directors of the Company.

Quorum of Directors.

XXXIX. The Quantity of Land which it shall be lawful for the Company to purchase and hold for the Purposes of this Act shall not exceed Fifty Acres.

Power of Purchasing Land limited

XL. All Notices convening any Meetings of the Company shall be published Fourteen Days at least before the holding of such Meeting in some Newspaper published in the City of *London*.

Notices.

XLI. Notwithstanding the Powers and Provisions in this Act contained, the Company shall not (except in Cases of Emergency as provided by the Gasworks Clauses Act, 1847), either by themselves or by their Deputies, Agents, Officers, Servants, and Workmen, or by any of them, construct or lay down any Mains, Pipes, or other Works and Apparatus in any Part of the public Roads, or of the Footpaths adjoining thereto, under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames* (which public Roads are herein-after called the Metropolis Roads), other than in such Part, Line, and Direction as shall be pointed out by the said Commissioners or by their General Surveyor for the Time being.

Directions for laying Mains under the Metropolis Turnpike Roads.

XLII. Any Works connected with the Metropolis Roads shall not be in any Manner commenced under the Powers in this Act contained until the Expiration of Three clear Days after Notice in Writing of the Intention to commence such Works shall have been left at the Office of the said Commissioners, or shall have been delivered to the said General Surveyor; and the opening of the said Roads or any of them, for the Purpose of constructing or laying down any such Works, and the re-making of such Roads, and all other Works of every Description connected with the said Roads at any Time hereafter to be performed by the Company, or by any Person authorized by them, shall be carried on and executed

All Works connected with the Metropolis Roads to be under the Superintendence of the General Surveyor.

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executed under the Direction and Superintendence and to the Satisfaction of the said General Surveyor.

Company to
make good
Damage to
the Roads,
&c.

XLIII. If in the Construction or laying down of the Works or any of them the Company shall do or cause any Injury or Damage to the said Metropolis Roads or any of them, or to any Brick or other Drain, Sewer, Cesspool, Water Channel, or other Convenience connected with the said Roads or any of them, and shall not forthwith proceed to repair and make good such Injury or Damage to the Satisfaction of the said General Surveyor, or if, by reason of the Construction or laying down of any of the Works hereby authorized or required to be constructed or performed by the Company, any Alteration of the said Metropolis Roads or of any of them, or of the Drains, Sewers, Cesspools, or Water Channels connected therewith, shall in the Judgment of the said General Surveyor be rendered necessary, then and in any of such Cases it shall be lawful for the said General Surveyor to cause all such Repairs or Alterations to be made as he in his Discretion shall think fit, and all Costs and Expenses of such Repairs and Alterations shall be paid, on Demand, by the Company, or in default of Payment for Twenty-one Days after such Demand may be recovered by the said Commissioners from the Company, with full Costs of Suit, by Action in any of Her Majesty's Courts of Record at *Westminster*.

Traffic not to
be stopped
during the
Performance
of the Works
on the Roads.

XLIV. The Company shall not at any Time during the Progress of constructing or laying down the Works hereby authorized, or of performing any other Works connected with the said Metropolis Roads, shut up or in any way impede the public Traffic along more than One Half in Width of any of the said Metropolis Roads at any One and the same Time; and if it should happen that the Half of the Road so left open should not be wide enough to allow Two Carriages to pass each other, then and in such Case not more than Fifty Yards in Length of the other Half of the Road shall be occupied by the Company's Works at the same Time, unless by special Permission of the said General Surveyor.

Precautions
required to
be taken
during the
Performance
of the Works
on the Roads.

XLV. The Company shall and they are hereby required, at their own Expense, to do and perform all such Acts and Things in the way of watching, lighting, and fencing, and all such other precautionary Measures, during the Progress of constructing or laying down the Works hereby authorized, or of performing any other Works connected with the said Metropolis Roads, under the Powers of this Act, as shall be necessary and requisite for the Public Safety, Convenience, and Protection of the said Metropolis Roads, and of the Travellers thereon; and the Company shall be answerable and amenable for all Accidents and Damage which may happen by reason or in consequence of any of the Works of the Company.

XLVI. And

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any Pipe or Pipes for the Conveyance of Gas or other Apparatus, or shall open any Ground for the Purposes of this Act or any of them, in, upon, or near to which any Pipe or Pipes belonging to the Company of Proprietors for the Time being of any Waterworks for conveying Water, or any Branch or Service Pipe or Pipes for the Supply of any Dwelling House or Buildings, shall be laid, the Company hereby incorporated, their Servants, Agents, or Workmen, shall and they are hereby required to give Twenty-four Hours previous Notice thereof in Writing to the said Manager or Chief Clerk or Engineer; and on every such Occasion the Company hereby incorporated, their Servants, Agents, and Workmen, shall, under the Inspection of the Manager or Chief Clerk or Engineer for the Time being of such Waterworks Company, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default of repairing and making good any such Damage the Company shall for each and every such Default forfeit and pay to the Manager or Chief Clerk for the Time being of such Waterworks Company, for the Use of the said Waterworks Company, any Sum not exceeding Five Pounds, and also the Costs and Expenses which shall have been incurred by the said Waterworks Company in and about the protecting and securing of any such Pipe or Pipes, or in and about the repairing or making good any Injury or Damage that may have been done thereto by the Means aforesaid, such Costs and Expenses to be ascertained by any Justice, and to be recovered in the same Manner as any Expenses or Penalties under this Act may be recovered.

Mode of
laying Pipes.

XLIX. All and every the Pipes or other Conduits hereafter to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Road, Street, Square, Market Place, Lane, Alley, Passage, Court, or other Place within the Limits of this Act, shall be so laid at the greatest practicable Distance from the nearest Part of any Pipe already laid down or hereafter to be laid down by or by Order of any such Waterworks Company for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, Squares, Market Places, Lanes, Alleys, Passages, Courts, or other Places within the Limits of this Act, and, wherever the Width of the Carriageway or Footpath in such Street or Place will allow thereof, shall be laid at the Distance of Four Feet at least from the nearest Part of any such Pipe laid or to be laid as aforesaid, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across or nearer to any of the said Pipes, in which Case the said Gas Pipes shall wherever practicable be laid over and above the said former Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle as near as the Situation will admit; and in such Cases the said Gas Pipes so crossing the said former Pipes shall be at least

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least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any of the said former Pipes than Four Feet at least, where the Width of the Road, Street, Square, Market Place, Lane, Alley, Passage, Court, or other Place will admit; and such Gas Pipes so crossing the former Pipes shall for the whole Length thereof be sufficiently bedded in with good sound Clay or other fit Materials of a proper Consistence, and well-worked and rammed into the Trenches all round the said Gas Pipes; and in laying down the said Gas Pipes the Company hereby incorporated shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and also, wherever practicable, lay, and well and sufficiently bed, each and every the Joints of the said Main Gas Pipes, and also the Joints or Screws of the Branch or Service Gas Pipes connecting with the Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying the Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures, or Openings which are or shall or may be made in any of the said Gas Pipes, with such Clay or other fit Materials as aforesaid, all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Six Inches in Length each Way from the Centre of each and every of the Caps or Joints of the Main Pipes, and of the Inlets, Apertures, or Openings therein, and for Three Inches at least from the Centre of each of the Joints of the Service Pipes, so as to make and keep all and every such Pipes, and the Screws, Joints, Inlets, Apertures, or Openings therein respectively, Air-tight, and to prevent the said Gas from escaping therefrom.

L. Previous to laying down any Gas Mains, or any Service Pipes to be connected therewith, Twenty-four Hours Notice in Writing shall be given or left by the Company hereby incorporated, their Servants, Agents, or Workmen, at the Office or Works of such Waterworks Company, and in every such Notice shall be expressed the Time and Place when and where such Mains and Service Pipes are intended to be laid; and in case any Main or Service Pipe shall be laid or placed without such Notice as aforesaid, the Company shall forfeit and pay the Sum of Ten Pounds for every such Default; and in case any Main or Service Pipes shall be laid or placed contrary to the Directions herein contained, and shall not be altered or removed after Three Days Notice thereof in Writing, signed by any One of the Directors, or by the Secretary for the Time being of any such Waterworks Company, and left at the usual Office of the Company hereby incorporated, the said last-mentioned Company shall forfeit and pay a Penalty not exceeding Ten Pounds for each and every Day during which

Notice to be given of laying down Pipes.

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which such Gas Pipes shall remain after such Notice contrary to the Directions of this Act.

To prevent further Contamination of Water by Gas.

LI. Whenever the Water which shall be supplied by any Waterworks Company shall be contaminated or affected in any way whatsoever by the Gas of the Company hereby incorporated, then and in every such Case the last-mentioned Company shall, within Twenty-four Hours next after Notice thereof in Writing, signed by any One of the Directors, or by the Secretary for the Time being of any such Waterworks Company, or by any Person using the Water of any such Company, and left at the Office of the Company hereby incorporated, cause Measures to be taken effectually to stop and prevent such Gas from contaminating or affecting the Water of such Waterworks Company; and in case the Company shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually remove the Cause of such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the Company shall on each and every Complaint whereof Notice shall be given as aforesaid forfeit and pay to the Secretary of such Waterworks Company, for the Use and Benefit of such Waterworks Company, the Sum of Ten Pounds for each and every Day during which the Water supplied by any such Waterworks Company shall be and remain contaminated or affected by the Gas of the Company; and every such Penalty or Forfeiture shall and may be levied and recovered for the Use of such Waterworks Company in the same Manner as any other Penalty or Forfeiture imposed by this Act may be levied and recovered.

For ascertaining if the Water is contaminated.

LII. And whereas it may become a Question, upon such Complaint as aforesaid, whether or not the said Water be contaminated or affected by the Gas of the Company: Be it enacted, That in every such Case it shall be lawful for any such Waterworks Company as aforesaid to dig to and about and to search and examine the Mains, Pipes, Conduits, and Apparatus of the Company adjacent to the Pipes of such Waterworks Company, for the Purpose of ascertaining whether or not such Contamination proceed or be occasioned by the Gas of the Company, giving Twenty-four Hours previous Notice in Writing, signed by One of the Directors, or by the Secretary for the Time being of any such Waterworks Company, and left at the Head Office of the Company hereby incorporated, of the Intention of such Waterworks Company so to dig, search, and examine as aforesaid, and of the Time and Place or Places when and where such Digging, Search, and Examination is intended to be made; and if it shall appear that the said Water has been contaminated, and that there has been any Escape of Gas whereby such Contamination has been produced, then and in every such Case the Costs
and

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and Expenses of the said Digging, Search, and Examination, and of the Repair of the Street, Road, or Place which shall be taken up or disturbed, shall be borne and paid by the Company hereby incorporated, which Costs and Expenses shall be ascertained and determined (if necessary) by any Justice, and may be levied and recovered in the same Manner as any Penalty or Forfeiture imposed by this Act may be levied and recovered: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the Company, then and in every such Case the Waterworks Company by whom or on whose Behalf such Examination and Search shall be made shall bear and pay all the Costs, Charges, and Expenses of and incident to such Examination and Search, and shall also make good to the Company hereby incorporated any Loss, Injury, or Damage which may be occasioned to their Mains, Pipes, Conduits, or Apparatus in and by such Search and Examination, and also any Injury or Damage which may be done in or about any of the Streets, Roads, or Places which shall be broken up or disturbed in such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by any Justice, and to be also levied and recovered in the same Manner as any Penalty or Forfeiture under this Act may be levied and recovered.

LIII. Nothing in this Act contained shall extend or be deemed or construed to extend to prejudice, diminish, alter, or take away any of the Rights, Powers, Privileges, or Authorities of the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, the Commissioners of Sewers for the *Holborn* and *Finsbury* Divisions in the County of *Middlesex*, the Commissioners of Sewers for the Limits of the *Tower Hamlets* in the County of *Middlesex*, the Commissioners of Sewers for the Limits extending from *East Moulsey* in *Surrey* to *Ravensborne* in *Kent*, the Commissioners of Sewers for the Limits of *Poplar* and *Blackwall* in the County of *Middlesex*, the Commissioners of the Metropolis Turnpike Roads North of the *Thames*, the Trustees of *Surrey New Roads*, the Trustees of the *Surrey* and *Sussex Roads*, the Trustees of the *Commercial Road*, or any Commissioners, Trustees, Vestries, Persons, or Bodies whatsoever under and by virtue of any Act or Acts for lighting, watching, cleansing, or paving any Road, Square, Street, or other Place whatsoever, which were reserved and protected, or intended so to be, by the said repealed Acts or any of them, but all such Rights, Powers, Privileges, and Authorities shall be as good, valid, and effectual as though the said Acts had not been repealed, or as though the Clauses and Provisions of the said Acts whereby such Rights, Powers, Privileges, and Authorities were reserved or protected, or intended so to be, were re-enacted in this Act.

General
Saving of
Rights.

[*Local.*]

9 H

LIV. The

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Expenses of
Act.

LIV. The Costs, Charges, and Expenses of or attending the passing of this Act shall be paid by the Directors out of the Funds of the Company.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1854.