



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. cclxxv.

An Act to enable the *Wandsworth and Putney Gaslight and Coke Company* to raise further Capital; and for other Purposes. [23d July 1866.]

WHEREAS by "The *Wandsworth and Putney Gas Act, 1856*," in this Act called "the Act of 1856," the then Members of or Shareholders in the *Wandsworth and Putney Gaslight and Coke Company* (which was a Company established and completely registered under the Act then in force for the Registration, Incorporation, and Regulation of Joint Stock Companies) were incorporated into a Company (in this Act called "the Company") by the Name of the *Wandsworth and Putney Gaslight and Coke Company*, and the Company were by the Act of 1856 authorized to supply Gas within the Limits therein defined, that is to say, the Parish of *Wandsworth* and certain Parts in the said Act defined of the Parish of *Battersea*, and the Union Workhouse in the said Parish of *Battersea*, and also the Parish of *Putney*, except a Part in the said Act defined of that Parish: And whereas by the Act of 1856 it was enacted that the Capital of the Company should be Thirty thousand Pounds, in Three thousand Shares of Ten Pounds each, and the Company were by the same Act empowered to borrow the Sum of Six thousand Pounds: And whereas the Company have raised the whole of the said Capital of Thirty thousand Pounds, and have borrowed the Sum of

19 & 20 Vict.
c. lxii.

[Local.]

45 F

Two

The Wandsworth and Putney Gas Act, 1866.

Two thousand two hundred Pounds, making together the Sum of Thirty-two thousand two hundred Pounds: And whereas it is expedient that the Company be authorized to raise further Monies for the Purposes of their Undertaking: And whereas the Objects of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "*The Wandsworth and Putney Gas Act, 1866.*"

8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118. in-
corporated.

2. The Provisions of "*The Companies Clauses Consolidation Act, 1845,*" with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions and Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for Nonpayment of Calls, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of the borrowed Money into Capital, with respect to the Consolidation of Shares into Stock, with respect to the Remedies of Creditors of the Company against Shareholders, and with respect to the Provision to be made for affording Access to the Special Act by all Parties interested, Part I. (relating to Cancellation and Surrender of Shares), Part II. (relating to additional Capital), and Part III. (relating to Debenture Stock) of "*The Companies Clauses Act, 1863,*" are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

3. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; and the Expression "*Superior Courts*" or "*Court of competent Jurisdiction,*" or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Site of Gas
Manufac-
tory.

4. The Company may, on the Lands specified in the Schedule to this Act, erect such Gasworks, whether for Manufacture, storing, and Supply of Gas, or otherwise, as they think fit, but shall not under the Powers of this Act erect or make any Works for the Manufacture of Gas except on the Lands specified in the Schedule.

5. The

The Wandsworth and Putney Gas Act, 1866.

5. The Company may from Time to Time, in addition to the said Capital of Thirty thousand Pounds, raise any further Sums not exceeding in the whole Forty thousand Pounds by the Creation and Issue of new Ordinary Shares or new Ordinary Stock; or (at the Option of the Company) by either of those Modes, or by the Creation of new Preference Shares or new Preference Stock, or (at the Option of the Company) by either of those Modes.

Power to Company to raise additional Capital.

6. The Company shall not issue any Share created under the Authority of this Act, 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 shall have been paid in respect thereof.

Shares not to issue until One Fifth paid up.

7. One Fifth of the Amount of any Share created under the Authority of this Act shall be the greatest Amount of a Call; and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any such Share.

Calls.

8. The Company shall not in any Year make out of their Profits any larger Dividend on the additional Capital of Forty thousand Pounds to be raised by Shares or Stock under the Powers of this Act than during Five Years after the passing of this Act Seven Pounds Ten Shillings, and thereafter Seven Pounds, in respect of every Hundred Pounds actually paid of such Capital on Ordinary Shares or Stock, or Six Pounds in respect actually of every Hundred Pounds paid of such Capital on Preference Shares or Stock.

Limit of Dividends on new Capital.

9. The Company may from Time to Time (in addition to any Sums which they are now authorized to borrow) borrow on Mortgage any further Sum or Sums not exceeding in the whole Ten thousand Pounds, but no Part of the last-mentioned Sum of Ten thousand Pounds shall be borrowed until the whole Capital of Forty thousand Pounds by this Act authorized to be raised is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the Capital has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bond fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same; and upon Production to such Justice of the Books of the Company, and of such other Evidence as

Power to borrow on Mortgage.

he

The Wandsworth and Putney Gas Act, 1866.

he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Arrears may be enforced by Appointment of a Receiver.

10. The Mortgagees of the Company under this Act may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than One thousand Pounds in the whole.

Debenture Stock.

11. The Company may create and issue Debenture Stock.

Existing Mortgages to have Priority.

12. All Mortgages and Bonds granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing thereof, shall during the Continuance of such Mortgages and Bonds have Priority over any Mortgages to be granted by virtue of this Act.

Application of Monies.

13. All Monies raised under this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied for the Purposes only of the Act of 1856 and of this Act.

As to Quality of Gas supplied by the Company.

14. From and after the passing of this Act 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 Fourteen Sperm Candles of Six to the Pound burning One hundred and twenty Grains *per* Hour.

Limiting maximum Charge for Gas.

15. From and after the passing of this Act it shall not be lawful for the Company to demand or receive for the Supply of Gas any Rent or Remuneration exceeding, in respect of Gas consumed by Meter, the Sum of Four Shillings and Sixpence for every One thousand Cubic Feet, anything in the Act of 1856 to the contrary notwithstanding.

As to laying Mains and Service Pipes for public Lamps.

16. Subject to the Provisions of this Act, the Company shall at their own Expense, upon the Request in Writing of the *Wandsworth* District Board of Works (herein-after called "the Board"), provide, lay down, fix, maintain, and keep in repair all Mains necessary for the proper lighting of such of the Streets within the Limits of the Act of 1856 as are mentioned in such Request, and provided the Lamps to be supplied shall be fixed at not exceeding the average Distance of Seventy-five Yards along the Course of any Main to be laid down by the Company for conveying Gas to such Lamps: Provided that the Company shall not be bound to lay down such
Mains

The Wandsworth and Putney Gas Act, 1866.

Mains unless the Board shall bind themselves to take such Supply for not less than Seven Years.

17. The Company shall from Time to Time, at the Request in Writing of the Board, supply all or any of the present public Lamps within the Limits of the Act of 1856, or such other public Lamps to be hereafter provided and fixed as aforesaid, with so much Gas, not being less than Five Cubic Feet *per Lamp per Hour*, as the Board may from Time to Time desire.

Company to supply Gas to public Lamps on Request.

18. The Price to be charged by the Company, and to be paid to them by the Board, for all Gas so supplied to or for any such public Lamps, shall always be calculated and fixed at and according to the lowest Price for the Time being charged by the Company to any private Consumer, otherwise than by special Contract in Writing, within the Limits of the Act of 1856.

Price of Gas supplied to public Lamps.

19. The Gas supplied to the public Lamps within the Limits of the Act of 1856 shall be consumed by Meter at the Option from Time to Time of the Board or the Company, and in case of its being consumed by Meter the Meters shall be provided by the Company at the Expense of the Board; but neither Party shall, except as hereinafter provided, be entitled to require that a Meter be affixed to more than One in every Ten Lamps then supplied with Gas under this Act: Provided always, that the Company shall be at liberty, if they think fit, to have a Meter affixed to any additional Number of Lamps, they providing such Meters, and paying to the Board the additional Expense of providing and adjusting the Lamps, Lamp Posts, and other Things necessary for their Reception and Use: Provided also, that if the Gas shall, under the Provisions of this Act, be supplied to the public Lamps by average Meter Indication, the Company shall, for securing Uniformity of Consumption between the metered and the unmetered Lamps, from Time to Time provide the public Lamps under the Control of the Board with proper regulating Apparatus and Burners, and any Difference between the Parties as to any of the Matters referred to in the present Section shall from Time to Time be settled by Two Justices.

Meters for public Lamps.

20. The average Amount of the Indications of all the Meters attached to the public Lamps under the Control of the Board shall, except as herein-after mentioned, be deemed to be the Amount consumed by each such public Lamp.

Average Amount of Indication to be deemed Amount consumed.

21. The Gas supplied to any such public Lamp shall be permitted to pass unrestrictedly to and from such regulating Apparatus for the whole of the Period during which any such public Lamp shall be lighted.

Gas supplied to public Lamps to be permitted to pass without Obstruction.

[Local.]

45 G

22. If

The Wandsworth and Putney Gas Act, 1866.

Defective
Meters to be
thrown out
of Account.

22. If either the Company or the Board shall dispute the Accuracy of the Registration of any Meter, then such Meter shall be tested in manner provided by the Act passed in the Session of Parliament held in the Twenty-second and Twenty-third Years of the Reign of Her present Majesty, intituled *An Act for regulating Measures used in Sales of Gas*, and if found to register erroneously within the Meaning of the said Act it shall not be deemed to be One of the Meters from which the Average aforesaid shall be determined.

Company to
light, cleanse,
&c. public
Lamps.

23. The Company shall, if required by the Board, from Time to Time light, clean, and extinguish all public Lamps to which the Company shall supply Gas, and the Sum to be paid to the Company for such lighting, cleansing, and extinguishing, and for the Use, Maintenance, and Repair of the Service Pipes, Burners, and Stopcocks to be provided and maintained by the Company as aforesaid, shall, unless mutually agreed upon, be settled by Two Justices from Time to Time upon the Application of either Party, and for such Period, not less than One Year nor more than Three Years, as to such Justices shall seem good: Provided that if the Board elect to light, clean, or extinguish such public Lamps, they shall in such Case pay the Company for the Use, Maintenance, and Repair of the Service Pipes, Burners, and Stopcocks a Sum to be agreed upon between them and the Company, or in case of Dispute to be settled by Two Justices as aforesaid.

Penalty for
Failure to
supply Gas
to public
Lamps.

24. If and whenever the Company wilfully fail to supply Gas as by this Act required to all or any of the public Lamps, they shall, on a summary Conviction before Two Justices, forfeit and pay to the Board such a Sum not exceeding Twenty Pounds for every such Offence as the Justices think fit, and a further Penalty not exceeding Five Pounds for every Day after such Conviction during which the Offence continues.

For Protec-
tion of
Sewers of
Metropolitan
and other
Boards.

25. Where any Works to be done under or by virtue of the Act of 1856 or of this Act shall or may pass over, under, or by the Side of, or so as to interfere with, any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction or Control of the Metropolitan Board of Works, or of any Vestry or District Board constituted under the "Metropolis Local Management Act, 1855," the "Metropolis Management Amendment Act, 1862," or any Act or Acts amending the same or extending the Powers thereof, or with any Sewers or Works to be made or executed by the said Boards or Vestry, or either of them, or shall or may in any way affect the Sewerage or Drainage of the Districts under their or either of their Control, the Company shall not commence such Work until they shall have given to the said Metropolitan Board, or to the District Board or Vestry, as the Case may be, Fourteen Days previous Notice in Writing of their
Intention

The Wandsworth and Putney Gas Act, 1866.

Intention to commence the same by leaving such Notice at the principal Office of such Board or Vestry, as the Case may be, for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board or Vestry respectively shall have signified their Approval of the same, unless such Board or Vestry, as the Case may be, do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Sections, and Particulars as aforesaid; and the Company shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board and of the respective Boards or Vestries in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Boards or Vestries respectively may deem necessary for the proper Protection of, and for preventing Injury or Impediment to, the Sewers and Works herein-before referred to by or by reason of the said intended Works, or any Part thereof, and shall save harmless the said Metropolitan Board, District Board, and Vestry respectively against all and every the Expense to be occasioned thereby; and all such Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, District Board, or Vestry, as the Case may be, at the Costs, Charges, and Expenses in all respects of the Company; and all Costs, Charges, and Expenses which the said Metropolitan Board or any District Board or Vestry may be put to by reason of the Works of the Company, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Boards or Vestry by the Company on Demand; and when any new, altered, or substituted Works as aforesaid, or any Works or Defence connected therewith, shall be completed by or at the Costs, Charges, or Expenses of the Company under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Metropolitan Board, District Boards, and Vestry respectively, as the Case may be, as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Metropolitan Board, District Boards, and Vestries, or any or either of them, or of their Successors, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed: Provided always, that if any Difference shall arise between the Engineer of the Metropolitan Board or of any District Board or Vestry and the Engineer of the Company in reference to the above-mentioned Clause, or any Part thereof, such Difference shall be referred to the Arbitration of an Engineer to be appointed by the Board of Trade, and the Award of such Engineer upon the Matters referred to him shall be final and conclusive.

The Wandsworth and Putney Gas Act, 1866.

Company
may acquire
on Lease
Mains, &c.
of other
Persons or
sell or demise
their own
Mains, &c.

26. The Company by Agreement from Time to Time may purchase and acquire or accept a Lease or Leases from any other Company or Persons of any Mains, Pipes, Works, and Apparatus now laid or being, or which may hereafter be laid or be, within the Limits of the Act of 1856, and the Company may also from Time to Time sell or demise any of the Main Pipes, Works, and Apparatus of the Company to any other Company or Persons for such Consideration, pecuniary or otherwise, and subject to such Conditions, and for such Term or Terms, as may be from Time to Time agreed upon between the Company and the Company or Persons selling or demising, or being desirous of purchasing or taking, a Lease of such Mains, Pipes, Works, and Apparatus respectively: Provided that the Company shall not erect or make under the Powers of this Act Gasworks upon any Lands other than those specified in the Schedule to this Act.

Expenses of
Act.

27. 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.

The SCHEDULE referred to in the foregoing Act.

Certain Land recently acquired by and now in the Occupation of the Company, which Land is situate in the Parish of Wandsworth, and fronts on the West to North Street, Wandsworth, and is bounded on the South in part by Land belonging to and in the Occupation of William Randall Wood, and in part by Bridgefield Road, Wandsworth; on the East by Four Cottages and Gardens formerly belonging to Miss Phillips, but now to Messrs. Hopkins and Williams, and in the respective Occupation of John Giles, Henry Wheeler, Charles Godfrey, and Alexander Bennett; and on the North by a Footpath leading from North Street aforesaid at or near the Railway Tavern to a Road called Warple Way, Wandsworth, aforesaid.

LONDON :

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1866.