

[43 & 44 VICT.] *British Gaslight Company, Limited* [Ch. cxx.]  
(*Staffordshire Potteries*), Act, 1880.



### CHAPTER cxx.

An Act for empowering the British Gaslight Company, Limited, to enlarge their works and to expend further capital at their Staffordshire Potteries Station; and for other purposes. A.D. 1880.  
[2nd August 1880.]

**W**HEREAS by the British Gaslight Company, Limited (Staffordshire Potteries), Act, 1858, the British Gaslight Company, Limited (in this Act called "the Company"), were empowered to maintain their then existing works, mains, pipes, and other apparatus, and to construct other works and lay down other mains and pipes, for supplying gas within certain limits therein specified, all being in the county of Stafford : 21 & 22 Vict.  
c. xxxiii.

And whereas since the passing of the said Act much land within the limits thereof has been laid out for building purposes, many new streets have been formed, and numerous houses, manufactories, and works have been erected, and the trade and population and demand for gas therein have greatly increased and are still steadily increasing :

And whereas by the said Act it was provided that in addition to the sum of forty-two thousand six hundred and ten pounds which had at the time of the passing of that Act been expended by the Company for the purposes of the supply of gas within the said limits, the capital to be expended by the Company for the purposes of the said Act should not exceed the sum of thirty thousand pounds, the whole of which has been expended by the Company for those purposes :

And whereas by the said Act (section six) the Company were authorised to maintain and use gasworks upon the lands then used by them for that purpose, and situate near Etruria, in the borough of Hanley, and at Brownhills, in the parish of Burslem (and which lands are described in the first part of the schedule to this Act), but upon no other land within the limits of the said Act :

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And whereas by the British Gaslight Company, Limited (*Staffordshire Potteries*), Act, 1866, further restrictions were placed upon the Company with reference to the price and purity of the gas supplied by them and other matters, but the restrictions imposed by the said Act of 1858 with reference to the erection of works and the application of capital were not altered or removed :

And whereas the Company require to expend further capital effectually to carry on their undertaking, and it is expedient that the Company should be authorised to erect further works for the manufacture and storage of gas upon the additional lands described in the second part of the schedule to this Act, near the site upon which the present works are situate at Etruria aforesaid :

And whereas the objects aforesaid cannot be obtained 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  
and con-  
struction of  
Act.

1. This Act may be cited as the *British Gaslight Company, Limited (Staffordshire Potteries), Act, 1880*, and shall be construed as one with the Act of 1858, as amended by the Act of 1866, except so far as such construction would be inconsistent with or repugnant to the provisions of this Act, and the said Acts of 1858 and 1866 and this Act may be cited together as the *British Gaslight Company, Limited (Staffordshire Potteries), Acts, 1858, 1866, and 1880*.

Interpreta-  
tion of terms.

2. The expression "the Company" in this Act shall mean the *British Gaslight Company, Limited*; the expression "the Act of 1858" shall mean the *British Gaslight Company, Limited (Staffordshire Potteries), Act, 1858*; the expression "the Act of 1866" shall mean the *British Gaslight Company, Limited (Staffordshire Potteries), Act, 1866*; the expression "the works," or "the gasworks," or "the undertaking" shall mean respectively and include the gasworks and works connected therewith already vested in or constructed by the Company under the authority of the Act of 1858, or any gasworks they may provide under the powers of this Act; and for the purposes of this Act the expression "superior courts," or "court of competent jurisdiction," or any other like expression in this Act or the Acts incorporated herewith, shall include county courts in respect to all matters within their jurisdiction, and shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.



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3. Notwithstanding anything in the Act of 1858 contained, the Company may, subject to the provisions of this Act, upon the lands now belonging or reputed to belong to them, and upon which their present works are erected, and which are described in the first part of the schedule to this Act, and also upon the lands described in the second part of the said schedule, if or when acquired by them, but upon no other lands within the limits of the Act of 1858 and this Act, erect, construct, make, and from time to time maintain, alter, remove, and enlarge, works for the manufacture and storage of gas, and of the several residual products, matters, and things arising or obtainable from the manufacture of gas, and such other works, buildings, appliances, and conveniences as may be necessary for the manufacture, storage, and distribution of gas, or the manufacture, conversion, utilization, and storage of such residual products, matters, and things as aforesaid, and may in and at the works to be erected by them under this Act, as well as at their existing works, manufacture and store gas and the various residual products, matters, and things arising or obtainable from the manufacture of gas.

A.D. 1880.

Enlargement  
of works  
for manufac-  
ture of gas  
and residual  
products.

4. Notwithstanding anything in the Act of 1858 contained, the Company may expend for the purposes of the undertaking the sum of fifty thousand pounds, in addition to the sum of seventy-two thousand six hundred and ten pounds already expended under the powers of the Act of 1858: Provided always, that of the said sum of fifty thousand pounds by this Act authorised to be further expended the sum of forty thousand pounds and no more may be so expended out of the capital stock of the Company, and the Company may from time to time borrow on mortgage in respect of such further capital so authorised sums not exceeding in the whole the sum of ten thousand pounds: Provided further, that the profits to be divided by the Company in respect of so much of the additional capital of forty thousand pounds as may from time to time be actually expended shall not exceed five pounds per centum per annum, whether such capital shall be issued as ordinary capital or as preference capital, and that the rate of interest to be paid upon any sums so borrowed on mortgage shall not exceed five pounds per centum per annum. And the Company shall not have power to convert into shares or stock the said sum of ten thousand pounds, or any part thereof, unless all dividends or interest payable upon such shares or stock, whether ordinary or preferential, are limited to a rate not exceeding five pounds per centum per annum.

Power to ex-  
pend further  
capital.

5. Except as herein otherwise expressly provided, all the provisions of the Act of 1858 respecting the capital thereby authorised

Provisions of  
21 & 22 Vict.  
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to apply to capital expended under this Act.

34 & 35 Vict. c. 41. to apply to undertaking.

6. The Gasworks Clauses Act, 1871, shall apply to the undertaking as if the same had been authorised by this Act, and the prescribed number of candles shall be fourteen, the prescribed testing place and apparatus shall be the place and apparatus provided under the Act of 1866, and the prescribed burner shall be Sugg's London Argand Burner, Number One, with a six-inch by one-and-three-quarter-inch glass chimney, but if at any time the gas flame tails over the top of that glass a six-inch by two-inch chimney shall be used.

Pressure of gas.

7. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six-tenths of an inch, and from sunset to midnight not less than eight-tenths of an inch, in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer; and any gas examiner appointed under the Gasworks Clauses Act, 1871, may, subject to the terms of his appointment, from time to time test the pressure at which the gas is supplied, and may for that purpose open any street, road, passage, or place vested in or under the control of any local or road authority; and the provisions of the Gasworks Clauses Act, 1871, with reference to testing of gas and to penalties, shall, mutatis mutandis, apply to such testing of pressure, and two hours previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

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

8. If any person is required by the Company to give to them security for the payment of the price or rent of a meter the Company shall pay interest after the rate of five 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.

Accounts, &c.

9. Notwithstanding anything in section twenty-eight (providing for publication, &c. of annual accounts) of the Act of 1866, or in the schedule to that Act, the accounts to be made up by the Company in pursuance of that section shall be made up in accordance with the provisions of the Gasworks Clauses Act, 1871.

Company not to erect works except at existing stations.

10. Notwithstanding anything contained in the memorandum and articles of association of the Company, it shall not be lawful for the Company to establish or erect any new gasworks, except at their existing stations at Hull, Norwich, Holywell, and Trowbridge, and at the Staffordshire Potteries.



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11. Nothing contained in this Act, or the Act of 1858, or the Act of 1866, or any Act or part of an Act incorporated or to be construed as one with those Acts, or any of them, shall extend or operate to take away, prejudice, or diminish any estate, right, privilege, power, or authority vested in or enjoyed or exercisable by Her Majesty, her heirs or successors, in right of her Duchy of Lancaster before the passing of the Act of 1858.

A.D. 1880.

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Saving the right of Her Majesty in right of her Duchy of Lancaster.

12. The costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act, or otherwise relating thereto, shall be paid by the Company.

Expenses of Act.

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The SCHEDULE referred to in the foregoing Act.

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FIRST PART.

All that piece or parcel of land at Etruria, in the parish of Shelton, in the county of Stafford, containing one acre two roods and eleven perches or thereabouts, and bounded on the west by the canal belonging or reputed to belong to the North Staffordshire Railway Company, on the north and east by a road commonly known as Gasworks Lane, and on the south by the chemical works now in the occupation of Messieurs William and Thomas Alfred Astle.

All that piece or parcel of land at Brownhills, in the parish of Burslem, in the said county of Stafford, containing four acres and thirty-eight perches or thereabouts, and bounded on the north by a road leading to Tunstall, on the south-west by the canal belonging or reputed to belong to the North Staffordshire Railway Company, and on the east and south by a road separating the land belonging to the Company from land belonging or reputed to belong to the Brownhills Coal and Iron Company, and leading from the first-mentioned road to and over the said canal.

SECOND PART.

Certain lands in the parish of Shelton, in the said county of Stafford, containing two acres one rood and thirty-four and three-quarter perches or thereabouts, belonging or reputed to belong to William Corrie, Henry Wood, and Henry Wilkin, and in the occupation of the Company, bounded on or towards the north partly by a ditch separating the said lands from land belonging or reputed to belong to the North Staffordshire Railway Company and partly by land belonging or reputed to belong to and in the occupation of Jesse Shirley, John Brown Shirley, Joseph Shirley, and Henry Benjamin Shirley, trading under the name and firm of Shirley Brothers, on or towards the west by a road leading to the gasworks at Etruria, and commonly known as Gasworks Lane, and on or towards the south by a road or street called Bedford Street, and on the east by the canal and property of the North Staffordshire Railway Company.