



CHAPTER xc.

An Act to enable the Stalybridge Gas Company to purchase additional Land and to raise further Capital and for other purposes. A.D. 1884.
—
[3rd July 1884.]

WHEREAS the Stalybridge Gas Company (in this Act called "the Company") are constituted by the Stalybridge Gas Act 1855 (which repealed a former Act relating to the Company) and are empowered under that Act and the Stalybridge Gas Act 1867 to supply gas within the borough of Stalybridge and certain places in the counties of Chester and Lancaster and the west riding of the county of York: 18 & 19 Vict.
c. 8.
30 & 31 Vict.
c. 29.

And whereas the First Schedule to this Act contains a statement of the capital of the Company authorised by the said Acts and of the amount paid up thereon and the Company owe no money on mortgage or bond:

And whereas the existing works of the Company for the manufacture of gas are inadequate to enable them properly to meet the demand for gas within the limits supplied by the Company and it is expedient that the Company should be authorised to acquire additional lands and to enlarge their works and to raise additional capital:

And whereas plans showing the lands to be acquired under the powers of this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands have been deposited with the clerks of the peace for the counties of Lancaster and Chester and are herein-after referred to as the deposited plans and book of reference:

And whereas it would conduce to the simplification of accounts and the facility and economy of management that the several classes of capital of the Company should be consolidated in manner and subject to the conditions in this Act provided and the provisions relating thereto contained in this Act have been submitted to and approved unanimously by separate meetings of the proprietors of the said classes respectively:

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And whereas it is also expedient that the Acts of the Company should be in some respects amended and that the further powers and conditions herein-after contained should be granted to and imposed upon the Company :

And whereas the purposes aforesaid 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 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 as the Stalybridge Gas Act 1884.

Incorporation of general Acts.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers) and 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 and the Gasworks Clauses Act 1871 shall subject to the provisions of this Act apply to the undertaking of the Company as if the same had been authorised by this Act.

Extending certain provisions of the Companies Clauses Consolidation Act.

3. Subject to the provisions of this Act the clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say) :

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of the right of voting by the shareholders ;

The making of dividends ;

The giving of notices ; and

The provision to be made for affording access to the special Act by all parties interested ;

shall extend and apply to the Company and to the additional capital which they are by this Act authorised to raise.

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated with this Act 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 partly incorporated with this Act shall for the purposes of this Act 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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Interpretation.

5. The Company may from time to time raise (in addition to any capital which they have at present power to raise) any sums not exceeding in the whole seventy-five thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share or stock vest in the person or corporation accepting the same unless and until the full nominal amount of such share or stock (if such share or stock shall be issued at or above par) together with any premium obtained upon the sale thereof shall have been paid in respect thereof: Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of seventy-five thousand pounds: Provided also that the Company shall not under this Act create and issue in any one year following the passing of this Act any greater nominal amount of capital than shall be sufficient to produce in manner aforesaid ten thousand pounds.

Power to Company to raise additional capital.

6. If in any year or years the Company shall not have created and issued under this Act capital to the full amount herein-before prescribed in relation to such year or years they may in any subsequent year create and issue in addition to the amount prescribed for such year such a nominal amount of capital as shall be sufficient together with the amount then raised to produce in manner aforesaid ten thousand pounds in respect of each year following the passing of this Act.

If authorised capital for any year not raised the amount may be made up.

7. The capital in new shares or stock created under the powers of this Act shall subject to the provisions of this Act form part of the capital of the Company.

New shares or stock to form part of capital.

8. Every person who becomes entitled to any such new shares or stock shall in respect of the same be a holder of shares or stock in

Rights of new shares and stock.

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the Company and shall subject to the provisions of this Act be entitled to a dividend with the other holders of shares or stock.

New shares
to be offered
by auction
or tender.

9. Notwithstanding anything in this Act contained the Company shall when any shares or stock created under the powers of this Act are to be issued and before offering the same to the holder of any other shares or stock in the Company and whether the ordinary shares or ordinary stock of the Company are or is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof and notice of the amount of such reserved price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner And provided that no priority of tender shall be allowed to any holder of shares or stock in the Company except that if any bid or offer by tender of any holder or holders of shares or stock in the Company be the same in amount as any bid or offer made by any other person the bid or offer of such holder or holders of shares or stock shall be accepted in preference.

Purchase
money of
capital sold
by auction to
be paid
within three
months.

As to notice
to be given
as to sale &c.
of shares.

10. It shall be one of the conditions of any sale of shares or stock under this Act that the whole nominal amount thereof together with any premiums given by any purchaser at such sale shall be paid to the Company within three months after such sale.

11. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the town clerk of Stalybridge and to the respective clerks of the local boards for any districts wholly or in part within the limits supplied with gas by the Company and to the secretary of the Committee 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 notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the borough of Stalybridge.

Shares or
stock not
sold by
auction or
by tender
to be offered

12. When any shares or stock created under the powers of this Act have been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to

the holders of ordinary shares or ordinary stock of the Company in manner provided by the Companies Clauses Act 1863 Provided always that any shares or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of shares or stock created under the powers of this Act except that at such second offer such shares or stock may be sold at the best price that can be obtained and the reserved price put upon such shares or stock may if the Company think fit be less than the nominal amount thereof.

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to share-
holders.

13. Any sum of money which shall arise from the issue of any such shares or stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend.

Application
of premium
arising on
issue of
shares or
stock.

14. As from the first day of July one thousand eight hundred and eighty-five all the existing stocks of the Company shall be consolidated into a new stock entitled (subject to the provisions of this Act as to increase or decrease of dividend) to dividend at the standard rate.

Consolida-
tion of stock.

As from the said first day of July one thousand eight hundred and eighty-five the several persons and corporations who shall then be proprietors of existing stock of the Company shall become proprietors of the corresponding amount of new consolidated seven per cent. stock in accordance with the subsequent provisions of this Act.

The shares of the Company now or hereafter created under the Act of 1867 shall (as from the first day of July one thousand eight hundred and eighty-five if they shall then be fully paid up and if not then as from the first day of January or the first day of July next after they shall have been fully paid up) be converted into new consolidated seven per cent. stock and the proprietors of those shares shall become proprietors of the corresponding amount of new consolidated seven per cent. stock in accordance with the subsequent provisions of this Act and until such conversion the said shares shall be entitled (subject to the provisions of this Act as to increase or decrease of dividend) to dividend at the standard rate in proportion to the amount respectively paid up thereon.

Provided always that the holders of any shares in the capital of the Company whereon all calls have not been fully paid shall not in respect of those shares be entitled to be registered as holders of

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their respective consolidated stock unless and until they shall respectively have paid up the arrears of calls due on their existing shares and in the meantime those holders shall remain liable as heretofore to the payment to the Company of the sums due from them respectively on their said shares and the rights and remedies of the Company and of those shareholders respectively shall except as by this Act otherwise provided in all respects continue and may be enforced in reference to those shares and the amounts unpaid or in arrear thereon respectively as if this Act had not been passed.

Rate of
conversion.

15. Subject to the provisions of this Act the existing stocks of the Company and the said shares created and issued under the Act of 1867 shall be converted into new consolidated seven per cent. stock under this Act according to the following scale :

For every one hundred pounds of existing ten per centum stock one hundred and forty-three pounds new seven per cent. stock ;

For every one hundred pounds of existing eight per centum stock one hundred and fourteen pounds new seven per cent. stock ;

For every one hundred pounds of existing seven per centum stock one hundred pounds new seven per cent. stock ;

and so in proportion for any quantity less than one hundred pounds ;

For every ten pound share (when fully paid up) ten pounds new seven per cent. stock ;

Provided that notwithstanding anything in this Act contained no person or corporation shall become entitled under this Act to any fractional part of ten pounds of stock in the capital of the Company but in every case in which any such person or corporation would but for this enactment have become entitled to a fractional part of ten pounds of any such stock the directors of the Company may at their option receive from such person or corporation such a further sum in cash as will make up an even sum of ten pounds or pay to such person or corporation in cash the amount of such fractional part of ten pounds.

Consolidated
stock to be
held on the
same trusts
&c. as stock
or shares for
which it is
substituted.

16. The respective allotments of new consolidated seven per cent. stock to which the holders of existing stock or shares by virtue of this Act respectively become entitled in substitution for such last-mentioned stock or shares shall be made by the Company and shall be accepted by and become vested in such holders accordingly and shall (subject to the provisions of this Act with respect to shares whereon all calls have not been fully paid) be forthwith registered in their respective names in the books of the Company and thenceforth held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in upon or to which the stock or shares in lieu whereof the new consolidated stock is respectively substituted were held or were subject to imme-

diately before the said first day of July one thousand eight hundred and eighty-five or upon such substitution taking place as the case may be and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such existing stock or shares and trustees executors or administrators or other incapacitated parties may accept new consolidated stock in substitution for existing stock or shares and may 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 existing stock or shares.

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17. The Company shall call in the certificates of the stock or shares for which new consolidated stock shall be substituted under the powers of this Act and shall issue in exchange for those certificates to the respective proprietors thereof free of charge certificates of new consolidated stock of the respective amounts to which those proprietors are by this Act respectively entitled Provided always that in the meantime and until such exchange of certificates shall be made the existing certificates shall (according to the amounts of stock or shares which they respectively represent) have and possess the same rights and advantages as if they were certificates for those respective amounts of new consolidated stock issued under the provisions of this Act.

Certificates for stock to be called in and others issued.

18. If the certificate for any existing stock or shares for which new stock is or may be substituted be lost or destroyed then upon proof thereof to the satisfaction of the directors of the Company the directors shall deliver to the person entitled thereto a certificate for the amount of new consolidated stock to which he is under this Act entitled.

If certificate lost or destroyed another to be issued for the amount.

19. All transfers or other dispositions of any stock or shares of the Company as existing at the passing of this Act or at any time up to the conversion thereof into new consolidated stock under the provisions of this Act shall after and notwithstanding this Act be valid and have due effect given to them respectively as transfers of the respective amounts of new consolidated stock which the stock or shares thereby expressed to be transferred or disposed of respectively represent or which are or may be substituted for the same under the provisions of this Act although the instrument transferring or disposing thereof respectively shall describe the same by the name or denomination which the stock or shares transferred or disposed of had before such conversion And the bequest of any specific nominal amount of any existing stock of the Company converted by this Act into stock of larger nominal amount shall be held to apply to a nominal amount of new

Transfers of shares although by their present names to be valid.

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Profits of
Company
defined.

20. From and after the first day of July one thousand eight hundred and eighty-five the profits of the Company to be divided among the shareholders in any year on the ordinary share capital or stock of the Company shall not (except as in this Act provided) exceed the rate of seven per centum per annum on the amount paid up thereon which rate is in this Act referred to as the standard rate of dividend.

Dividend
dependent
on price
charged.

21. From and after the first day of July one thousand eight hundred and eighty-five the standard price to be charged by the Company for gas supplied by them shall be per thousand cubic feet as follows viz. :—

For gas supplied within the borough of Stalybridge
(as defined by the Stalybridge Improvement Acts
1828 and 1881) the district of the Mossley Local
Board and the hamlet of Luzley in the parish of
Ashton-under-Lyne - - - - - 3s. 6d.

For gas supplied in the remaining portion of the Com-
pany's district - - - - - 3s. 9d.

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

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

And in respect of any year during 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 shall have been reduced be increased above the standard rate by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds.

If profits
exceed the
amount
limited
excess may

22. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the standard rate of dividend and the dividend on the preference capital (if any) the excess beyond the sum necessary for that purpose may

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—
be invested
and form
insurance
fund.

from time to time to the extent of one per centum per annum upon the paid-up capital of the Company be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth of the paid-up capital of the Company which sum shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Company from accident strikes or other circumstances which in the opinion of a justice due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction shall happen Provided that when and so often as the said fund shall reach one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth as aforesaid.

23. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the standard rate of dividend on the ordinary shares or stock of the Company the excess or such portion of it as is not carried to the insurance fund shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Application
of excess of
profits over
standard rate
of dividend.

24. Where in any year the amount of the standard rate of dividend of the Company on the ordinary share capital or stock of the Company shall by reason of a diminution of the standard price charged by the Company in such year be increased then out of the amount of the divisible profits of the Company applicable to the payment of such increase 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 and any reserve or other fund of the Company existing at the passing of this Act 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 standard rate of dividend on the ordinary shares or stock of the Company and save as in this Act

Power to
create a
reserve fund
out of divi-
dends in
excess of the
standard
rate of divi-
dend and
application
thereof.

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Power to borrow.

25. The Company may from time to time subject to the provisions of this Act borrow on mortgage of their undertaking (in addition to any money which they are now authorised to borrow) any sum or sums not exceeding in the whole one-fourth part of the amount of the additional capital by this Act authorised to be raised and at the time actually issued by shares or stock but no part thereof shall be borrowed until the whole of the shares or stock at the time issued together with the premium (if any) realised on the sale thereof shall have been fully 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 such shares and stock and premium (if any) have been issued and fully paid up and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Appointment of receiver.

26. Section 12 of the Act of 1867 is hereby repealed but without prejudice to any proceedings which may have been taken or commenced thereunder and the mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages 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 by whom the application for a receiver is made shall not be less than five thousand pounds in the whole.

As to conversion of borrowed money into capital.

27. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage or any part thereof by the creation of shares or stock instead of borrowing or to convert into capital the amount borrowed under the provisions of this Act unless in either case all dividends upon the shares or stocks so created are limited to a rate not exceeding five pounds per centum per annum.

Debenture stock.

28. 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 after the passing of this Act created and issued 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 mortgages and stock were authorised) and shall have priority over all principal moneys secured by such mortgages.

29. All money to be raised by the Company on mortgage or debenture stock under the provisions of 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 any debts incurred or engagements entered into by them after the passing of this Act: Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Consolidation Act 1845 or the Lands Clauses Consolidation Acts Amendment Act 1860 or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company 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 nor shall anything herein-before contained affect any claim for land taken used or occupied by the Company for the purposes of their works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

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Priority of mortgages and debenture stock over other debts.

30. All moneys raised under this Act whether by shares stock debenture stock or borrowing shall be applied for the purposes of this Act and for the general purposes of the Company being in all cases purposes to which capital is properly applicable.

Application of moneys.

31. Subject to the provisions and for the purposes of this Act the Company may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference and specified in the Third Schedule to this Act.

Power to purchase lands.

32. In addition to the lands mentioned in this Act the Company may at any time purchase and hold lands not exceeding eight acres and the proviso to section 15 of the Act of 1867 limiting to sixteen acres the amount of land to be held by the Company is hereby repealed. But nothing in this Act contained shall authorise the Company to manufacture gas or any residual products except upon the lands described in the Second and Third Schedules to this Act.

Power to purchase additional land by agreement.

33. Subject to the provisions of this Act the Company may from time to time on the lands described in the Second and Third Schedules to this Act or any part thereof erect make maintain alter enlarge or discontinue retorts gasholders receivers meters apparatus and works for the manufacture and storing of gas and any residual products arising in the manufacture of gas together with all necessary and proper conveniences and manufacture and store gas coke tar pitch asphaltum ammoniacal liquor and all other

Power to erect and maintain gasworks and manufacture and store gas on lands in schedule.

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products and residuum of any materials employed in or resulting from the manufacture of gas.

Period for compulsory purchase of lands.

34. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing thereof and the prescribed period for the purposes of section 127 of the Lands Clauses Consolidation Act 1845 shall be ten years from the passing of this Act.

Pressure of gas.

35. 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 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.

Quality of gas.

36. The prescribed number of candles shall be sixteen.

Testing-place.

37. The prescribed testing place for the purpose of the twenty-eighth section of the Gasworks Clauses Act 1871 shall be the existing testing place at the Company's works.

Burner.

38. The prescribed burner shall be Sugg's London Argand Burner No. 1 with a six-inch by one-and-three-quarter-inch glass chimney but if at any time the gas flame tail over the top of that glass a six-inch by two-inch chimney shall be used or any other burner which the Company may from time to time adopt with the approval of the Board of Trade.

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

39. If any person is required by the Company to give to them security for the payment of the price or rent of the 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.

Power to lay pipes against buildings.

40. The Company with the consent of the owner and occupier of any building may lay any pipe branch or any other necessary apparatus from any main or branch pipe into through or against

such building for the purpose of lighting it and may with the like consent provide and set up any apparatus necessary for securing to such building a proper and complete supply of gas and for measuring and ascertaining the extent of such supply and may from time to time with the like consent repair replace alter discontinue and remove any such pipe branch or apparatus.

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41. No shareholder of the Company shall by reason of being a shareholder be disqualified from being or acting as a member of any sanitary or local authority or be liable to any penalty as such notwithstanding that the sanitary or local authority of which he is a member may enter into any contract with the Company or the directors for the time being: Provided that no such shareholder being a member of such sanitary or local authority shall be entitled to vote in or concerning any such contract.

Shareholder may be a member of sanitary authority.

42. The Company may from time to time enter into and carry into effect any contract or arrangement with any sanitary or local authority having powers within any part of the limits of this Act or any corporation companies bodies or persons for the supply of gas in bulk by the Company within the limits of the Company's supply for any period not exceeding under any one such contract or arrangement seven years and may from time to time by mutual consent vary suspend or rescind any such contract or arrangement or enter into or carry into effect other contracts or arrangements in lieu thereof or in addition thereto.

Contracts for supplying gas for public purposes.

43. The Company may on the request of the owner or occupier of any premises within the limits of the Company's supply give and continue to give a supply of gas for heating and ventilating such premises or for motive power cooking or other purpose on such premises and may furnish and lay any pipes stoves apparatus fittings or conveniences for the purposes of this section on such terms and conditions in all respects as may be agreed on between the Company and such owner or occupier as aforesaid.

Power to supply gas for heating cooking and other purposes.

44. In case any person who has been supplied with gas by the Company or who is liable under this Act to any payment in respect of a supply of gas or the use or repair of any meter fails after demand thereof in writing left upon the premises of such person by the Company their agent or collector to pay the amount due in respect of the supply or of the meter any justice on application by the Company shall issue his summons to the person requiring him to appear at a time and place named therein and then and there to show cause why the sum so demanded should not be paid and if on the appearance of the person or in default of appearance after proof of the service of the summons either personally or if he cannot be

Recovery of debts before justices.

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Expenses
of Act.

45. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Company.

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

PRESENT CAPITAL.

Description.	Amount at passing of Act.	Title of Act authorising.	Maximum Rate of Dividend.	How much paid up.	Amount of new seven per cent. Consolidated Stock to be issued in exchange.
Stock - -	£ 20,000	Act of 1855	10 per cent.	All - -	£ 28,600
Stock (£10,000 created instead of borrowing).	40,000	Act of 1855	8 per cent.	All - -	45,750
Stock - -	25,000	Act of 1867	7 per cent.	All - -	25,000
2,500 shares of £10 each.	24,750	Act of 1867	7 per cent.	£4 per share on 2,475 shares, and nothing on 25 shares at present unissued.	25,000

SECOND SCHEDULE.

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PART I.

The lands belonging to the Company at the date of this Act.

Lands situate in the hamlet of Micklehurst in the township of Tintwistle in the parish of Mottram-in-Longdendale in the county of Chester comprising two acres and thirty-two perches or thereabouts bounded on the north by a cotton mill and land occupied by Messieurs Samuel Buckley and Samuel Lees on the south by the main road or highway leading from Saddleworth to Stalybridge on the east by a narrow strip of land lying between the said land of the Company and the Huddersfield Canal and forming part of or connected with the embankment of that canal and on the west by a newly formed road leading from the said main road or highway to the said mill and land of the said Messieurs Samuel Buckley and Samuel Lees.

PART II.

Lands situate in the said hamlet of Micklehurst in the township of Tintwistle and parish of Mottram-in-Longdendale comprising two acres two roods and seventeen perches or thereabouts now in the occupation of Mary Lees bounded on the north by land in the occupation of the said Mary Lees on the south by the cotton mill and land occupied by the said Messieurs Samuel Buckley and Samuel Lees on the east by a narrow strip of land lying between the land now describing and the Huddersfield Canal and forming part of or connected with the embankment of that canal and on the west by the River Tame.

PART III.

Lands belonging to the Company situate in the borough of Stalybridge comprising two acres one rood and ten perches or thereabouts bounded on the northerly side in part by the southerly end of Gerrard Street in other part by the southerly side of Winton Street and on the remaining part by land and buildings of Mr. Hugh Hassall on the easterly side in part by the westerly side of Lawton Street in other part by the westerly side of Gerrard Street and on the remaining part in an irregular line by land and buildings of Messieurs George Cheetham and Sons on the southerly side in part by the northerly side of a road or way leading from Gas Street to the cotton mills of the said George Cheetham and Sons and on the remaining part in an irregular line by the northerly side of Gas Street and on the westerly end by land of John Frederick Cheetham.

A.D. 1884.

PART IV.

Lands situate in the borough of Stalybridge being part in the township and parish of Ashton-under-Lyne in the county of Lancaster and in part in the township of Dukinfield and parish of Stockport in the county of Chester comprising four acres three roods and thirty perches or thereabouts bounded on the north-east by the towing-path of the Huddersfield Canal on the south-east by the River Tame on the south-west by land in the occupation of Jacob Lomas and on the north-west by land and works in the occupation of Charles Waterhouse.

THIRD SCHEDULE.

The lands which may be acquired by the Company under the powers of this Act:

(i.) A piece of land containing one rood and eighteen perches or thereabouts belonging to or reputed to belong to George Waterhouse and occupied as a dwelling-house and works by Charles Waterhouse abutting on the south-west side of the towing-path of the Huddersfield Canal where it passes under Clarence Street which piece of land is bounded on the north-east by the said towing-path on the south-east by the Company's property on the south-west by land belonging or reputed to belong to the trustees of the late Earl of Stamford and Warrington and on the west by and including a part of Clarence Street or the road in continuation of Clarence Street leading in the direction of Dukinfield.

(ii.) A piece of land containing nine acres or thereabouts belonging or reputed to belong to the trustees of the late Earl of Stamford and Warrington and occupied by Jacob Lomas lying to the south of the land lastly herein-before described and bounded on the north-easterly side thereof in part by the land lastly described and on the other part by land belonging to the Company on the south-east south and south-west by the River Tame and on the west by and including a part of Clarence Street or the road in continuation of Clarence Street leading in the direction of Dukinfield.