ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

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## *Cap.* cxxxvii.

## An Act for extending the Limits of the *Bolton* Gas Company's Act, 1854, and for other Purposes. [30th *June* 1864.]

WHEREAS by the *Bolton* Gas Company's Act, 1854, the *Bolton* Gas Company (in this Act called the Company) were authorized to supply Gas and to carry on the Business of a Gas Company within the Borough of *Bolton* and the Townships, Hamlets, or Places of *Sharples-Lower-End*, *Great Lever*, *Rumworth*, *Tonge with Haulgh*, *Tonge*, *Darcy Lever*, *Bradshaw*, *Turton*, *Lostock*, *Middle Hulton*, *Halliwell*, *Heaton*, *Horwich*, and *Little Bolton*, in the several Parishes of *Bolton-le-Moors*, *Middleton*, and *Deane*, all in the County Palatine of *Lancaster*: And whereas it is expedient that the Limits of that Act be extended so as to include the several Townships, Parishes, or Places in that Behalf in this Act specified: And whereas by the recited Act it was provided that the Ordinary Meetings of the Company should be held in the Month of *August* in every Year, and the Number of Directors should be Nine, and all the Directors should retire from Office at the yearly Ordinary Meeting but should be re-eligible: And whereas the Company are desirous and it is expedient that those Provisions be repealed, so that Ordinary Meetings of the Company be held and the Directors retire in

17 & 18 Vict. c. xx.

in accordance with the Provisions in that Behalf of "The Company's Clauses Consolidation Act, 1845," which is incorporated with the recited Act: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 for all Purposes be cited as "*Bolton* Gas Company's Act, 1864."

Recited Act and this Act to be read as One.

**2.** The recited Act and this Act shall be read and executed and shall have effect as if they were One Act, but this Act shall not have any retroactive Operation.

Interpretation of Terms.

**3.** The Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act, 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.

Extension of Limits of Act of 1854.

**4.** From and after the passing of this Act the Limits of "The *Bolton* Gas Company's Act, 1854," shall extend to and include the several Townships, Parishes, and Places following; that is to say, *Breightmet* and *Harwood*, both in the County Palatine of *Lancaster*; and that Act as amended by this Act, and this Act together, may and shall accordingly, for all Purposes of the recited Act and this Act, be put in execution within those extended Limits as well as within the original Limits of that Act.

Sects. 32. & 35. of 17 & 18 Vict. c. xx. repealed.

**5.** Section 32. of the *Bolton* Gas Company's Act, 1854, with respect to Ordinary Meetings of the Company, and Section 35. thereof, with respect to the Retirement of Directors, are by this Act repealed.

As to illuminating Power of Gas.

**6.** 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 an Hour, a Light equal in Intensity to the Light produced by Sixteen Sperm Candles of Six to the Pound, burning One hundred and twenty Grains an Hour; and shall, with respect to its Purity, be so far free from Sulphuretted Hydrogen that it shall not discolour Paper imbued with Acetate or Carbonate of Lead when that Test is exposed to a Current of Gas issuing for One Minute under a Pressure of Five Tenths of an Inch of Water.

**7.** Within

Company to provide Meter for testing illuminating Power of Gas.

**7.** Within One Month after the Completion of the new central Offices of the Company intended to be erected in *Bolton*, the Company shall erect and thenceforth maintain in a Room to be provided for such Purpose in such Offices an Experimental Meter connected with a Main supplied with Gas by or having connexion with each of the Company's Gas Manufactories, such Experimental Meter being furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas an Hour, with other Apparatus proper and sufficient for testing the illuminating Power of the Gas.

Power to Justices to order illuminating Power of Gas to be tested.

**8.** Any Justice, if and whenever he receives a Requisition in Writing, signed by any Five or more of the Persons paying Gas Rents to the Company, complaining that the Gas supplied by the Company is not of the illuminating Power or of the Purity by this Act prescribed, from Time to Time, by Writing under his Hand, may appoint some competent Person, not being a Member or Officer or Servant of the Council of the Borough or a Servant of the Company, to have Access to the Experimental Meter and other Apparatus, and make Experiments on the illuminating Power and Purity of the Gas; and the Person so appointed, on giving Three Hours previous Notice in Writing to the Company at their chief Office, at any reasonable Hour in the Daytime, on producing the Order shall be entitled to have such Access and to make the Experiments accordingly, and, if the Company so require, in the Presence of the Manager or other Officer of the Company, and of any other Person appointed by the Company.

Penalty for supplying Gas of inferior illuminating Power.

**9.** If and whenever it is proved to the Satisfaction of any Two Justices for the County of *Lancaster*, not being Shareholders of the Company or Members of the *Bolton* Corporation, after Summons served upon the Company, and after hearing the Parties, that the illuminating Power or Purity of the Gas supplied by the Company did not, when so tested, equal the illuminating Power or Purity by this Act prescribed, then and in every such Case the Company shall, upon summary Conviction before such Justices, forfeit any Sum not exceeding Twenty Pounds as such Justices determine.

Costs of testing Gas to abide the Event.

**10.** In the event of any such Penalty being imposed on the Company, then the Costs of all Parties of and attending the testing of the Gas, including the Remuneration to be paid to the Person so testing the Gas, and the Costs of the Proceedings before the Justices, shall be ascertained by the Justices, and shall be paid, with the Penalty, by the Company; but in the event of the Gas being found, when tested, to be of not less illuminating Power nor of less Purity than by this Act prescribed, then those Costs shall be ascertained by the Justices, and shall be paid by the Consumers signing the Requisition; or in

case the Company shall prove to the Satisfaction of such Justices that the Defect in the illuminating Power or Purity arises from a Cause absolutely beyond the Control of the Company, then One Moiety of the Costs so to be ascertained as aforesaid shall be paid by the Company, and the other Moiety by the Consumers signing the Requisition; and in either Event the Costs so ascertained shall be paid or levied accordingly.

Expenses of Act.

**11.** All the Costs, Charges, and Expenses of and incident to the preparing and applying for, obtaining, and passing of this Act shall be paid by the Company.

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