ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. cclix.

An Act for better lighting with Gas Parts of the Parishes of *Walthamstow* and *Leyton* in the County of *Essex*, and for conferring further Powers in relation thereto on the County and General Gas Consumers Company (Limited); and for other Purposes. [25th *July* 1864.]

WHEREAS the County and General Gas Consumers Company (Limited) was established under Memorandum of Association bearing Date the Fourth Day of *February* One thousand eight hundred and fifty-six for the Purpose of manufacturing and supplying Gas in various Towns and Places in the United Kingdom and elsewhere, and was incorporated with limited Liability pursuant to such Memorandum of Association (the Certificate of Incorporation bearing Date the Sixth Day of *February* One thousand eight hundred and fifty-seven) under the Provisions of "The Joint Stock Companies Act, 1856," by the Name or Style of "The County and General Gas Consumers Company (Limited):" And whereas in fulfilment of the Objects and Purposes of their Incorporation the said Company are now manufacturing Gas at Gas-works acquired by and belonging to them in the Parish of *Leyton* in

the County of *Essex*, and are and for some Time past have been supplying Gas in certain Parts of the Parishes of *Walthamstow* and *Leyton* in the said County: And whereas the Objects of the said Company within the Limits of this Act would be carried out more beneficially to the Public and to themselves if Parliamentary Powers were granted to them for maintaining, renewing, and replacing their existing Works, Mains, Pipes, and other Apparatus, and for laying down other Mains and Pipes for supplying Gas within the Limits of this Act, and otherwise in relation to their said Undertaking: 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 any Purpose be cited as "The County and General Gas Consumers Company, Limited, (*Lea Bridge* District,) Act, 1864."

10 & 11 Vict. c. 15. incorporated.

2. "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 Act may be expressly modified by this Act, and shall be held applicable as well to the Mains, Pipes, and Works of the Company already laid down and constructed by them as to the Mains, Pipes, and Works hereafter to be laid down and constructed by them within the Limits of this Act.

Same Meanings to Words in this Act as in incorporated Act.

3. Except as in this Act otherwise provided, the several Words and Expressions to which Meanings are assigned by the Act incorporated herewith shall in this Act have the same Meanings so assigned respectively, unless there be something in the Subject or Context repugnant to such Construction; and the Expression "the Company" shall mean the County and General Gas Consumers Company (Limited); the Expression "Superior Court," or "Court of competent Jurisdiction," or other like Expression in this or the incorporated Act, 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; and the Expression "Local Authority" shall include all Corporations, Local Boards of Health, Commissioners, Trustees, Inspectors, or other Persons having the Control of the Streets or Authority to light the same within the Limits of this Act.

Limits of Act.

4. The Limits of this Act shall be held to comprise the Parishes of *Walthamstow* and *Leyton* in the County of *Essex*, except such Portions of the Parish of *Leyton* as are situate South-east of the following

following Line, namely, a Line commencing at the River *Lea*, and following the centre Line of the Roads or Lanes known as *Marsh Lane*, *Park Road*, *Cooper's Lane*, *James's Lane*, passing near *Forest Farm*, and terminating in the *Assembly Road* at a Point Seven hundred Yards from *Whips Cross*.

Provisions of 23 & 24 Vict. c. 125., the Metropolis Gas Act, not to apply.

5. None of the Provisions of "The Metropolis Gas Act, 1860," shall apply to the District within the Limits of this Act, notwithstanding that the same or any Portion thereof may at any Time hereafter be included within the Limits of the "Metropolis" as defined by the said Act, or within any Extension thereof which may hereafter be made under the Provisions of an Act of the Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty: Provided that if the Company shall supply Gas within any of the Parishes or Places, or any Parts thereof, mentioned in Schedules A., B., and C. respectively to the last-mentioned Act, then the Provisions of "The Metropolis Gas Act, 1860," shall be held to apply to the Company in respect of such Parishes and Places or Parts thereof respectively.

Power to maintain existing Works.

6. Subject to the Provisions in this Act and the incorporated Act contained, it shall be lawful for the Company to continue, maintain, and use, and from Time to Time renew, all existing Buildings, Machinery, Retorts, Gasholders, and other Works and Apparatus belonging to them within the Limits of this Act, and from Time to Time to erect and maintain all such other Buildings, Machinery, Retorts, Gasholders, and other Works and Apparatus as they shall deem necessary for effectually making and supplying Gas within the Limits of this Act, and to manufacture and supply Gas accordingly; but the Company shall not erect any Buildings, Machinery, or other such Works as aforesaid on any Lands within the Limits of this Act, except the Lands upon which their existing Buildings, Machinery, and other Works as aforesaid are situate.

Purposes of Act.

7. The Objects and Purposes for which this Act may be put into operation by the Company shall be the manufacturing, supplying, and Sale of Gas within the Limits of this Act, and the Sale of Coke and other residual Products arising or produced from the Manufacture of Gas, and the doing of such Acts, and providing within such Limits such Meters, Pipes, Lamp Posts, and Conveniences in connexion with and for the Purposes of such Supply, as the Company may deem necessary or expedient, but subject in all things to the Limitations contained in this Act and in the Act incorporated herewith.

For Protection of Sewers of

8. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of, or so

Metropolitan and other Boards.

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, 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 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

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.

Limiting Amount of Dividends.

9. And whereas the Sum of Fourteen thousand Pounds will be required for enabling the Company to carry out in the first instance the Purposes of this Act, including therein the Monies already expended by them in relation thereto: Therefore a separate Account shall be kept by the Company of the said Sum of Fourteen thousand Pounds, and of all other Sums of Money which shall hereafter be laid out and expended by them in carrying into further Effect the Objects and Purposes of this Act, and in paying the Costs, Charges, and Expenses attending the passing thereof; and the Provisions of "The Gasworks Clauses Act, 1847," with respect to the Amount of Profit to be received by the Company shall, as regards the Profits which may accrue to the Company from the Supply of Gas within the Limits of this Act, be applicable to the said Sum of Fourteen thousand Pounds, and such other Sums as may be hereafter laid out as aforesaid, which several Sums shall, for the Purpose of estimating such last-mentioned Profits, be deemed to be the paid up Capital applicable to the Objects and Purposes of this Act according to the Intent and Meaning of the said Provisions of "The Gasworks Clauses Act, 1847:" Provided nevertheless, that the Profits to be divided by the Company upon the Capital expended for the Purposes of this Act shall not exceed Ten Pounds *per Centum per Annum* in respect of the said Sum of Fourteen thousand Pounds, nor Seven Pounds and Ten Shillings *per Centum per Annum* in respect of any additional Capital which shall from Time to Time be actually expended by them for the Purposes of this Act; provided also, that the additional Capital which the Company may expend within the Limits of this Act shall not exceed Twenty-six thousand Pounds.

Price of Gas.

10. From and after the passing of this Act it shall not be lawful for the Company to charge a higher Price for Gas than Six Shillings and Fourpence *per* Thousand Cubic Feet.

Power to Company to require Consumers to use Meters.

11. Every Consumer of Gas supplied by the Company shall, upon the Request of the Company, consume the Gas so supplied by Meter.

Consumer to keep his own Meter

12. Every Consumer of Gas of the Company shall at all Times, at his own Expense, keep all Meters belonging to him, whereby any Gas

in proper Order.

Gas of the Company is registered, in proper Order for correctly registering such Gas, in default whereof the Company may cease to supply Gas through such Meter; and the Company shall have Access to and be at liberty to take off, remove, test, inspect, and replace the same at all reasonable Times, such taking off, Removal, testing, inspecting, and replacing to be done at the Expense of the Company if the Meter be found in proper Order, but otherwise at the Expense of the Consumer.

Power to remove Meters and Fittings.

13. It shall be lawful for the Company, their Agents or Workmen, after giving Twenty-four Hours Notice in Writing to the Occupier, or if unoccupied then to the Owner or Lessee of any Land, House, or Building in which any Pipes, Mains, Meters, or Fittings belonging to the Company are laid or fixed, and through or in which the Supply of Gas shall from any Cause be discontinued, to enter such Land, House, or Building between the Hours of Nine in the Forenoon and Four in the Afternoon, and to remove such Pipes, Mains, Meters, or Fittings, repairing all Damages caused by such Removal; and every such Notice shall be served by being delivered to the Person for whom it is intended, or left at his usual or last known Place of Abode, or sent by Post addressed to such Person, or if such Person or his Address be not known to the Company then by being affixed on some conspicuous Part of such Land, House, or Building.

As to Quality of Gas.

14. 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 Thirteen Sperm Candles of Six in the Pound, burning One hundred and twenty Grains *per* Hour.

Test Meter to be erected.

15. The Company shall within Six Months cause to be erected in some convenient Part of their Gasworks an experimental Meter furnished with an Argand Fifteen Hole Burner and a Seven-inch Chimney capable of consuming Five Cubic Feet of Gas *per* Hour, with other necessary Apparatus for testing the illuminating Power of the Gas, and in default the Company shall forfeit and pay a Sum of Forty Shillings, and a like Sum for every Day during which such Default shall continue.

Power to local Authority to test illuminating Power of the Gas.

16. Any Local Authority within the Limits of this Act may, and, on the Requisition in Writing of any Fifteen or more Persons being Consumers of the Gas of the Company, shall, at any Time after such experimental Meter and other Apparatus shall have been erected, by Order in Writing, appoint a Chemical Examiner or Gas Engineer, not

not being a Member or Officer or Servant of any such Local Authority, or a Shareholder in or Officer of any Company supplying Gas within the Limits of this Act, to proceed to the Works of the Company; and the Person so appointed, on giving Forty-eight Hours previous Notice in Writing to the Company, may at any reasonable Hour in the Daytime, on producing the said Order, enter on the Premises of the Company, and in the Presence of the Engineer or other Officer of the Company make Experiment of the illuminating Power of the Gas by means of the experimental Meter and other Apparatus before mentioned, and the Company and their Officers shall afford all reasonable Facilities and Assistance to the making of such Experiment; and if it shall be proved to the Satisfaction of any Two Justices not being Members of such Local Authority, or Directors or Shareholders of any Company supplying Gas within the Limits of this Act, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company did not, when so tested as aforesaid, equal the illuminating Power by this Act prescribed, or that the Company or their Officers refused to afford such reasonable Facilities as aforesaid, or hindered or prevented the making of such Experiment, in any such Case the Company shall forfeit such Sum, not exceeding Five Pounds, as the said Justices shall determine.

Costs of Experiment.

17. The Costs of and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Costs of the Proceedings before the Justices, shall be ascertained by such Justices, and in the event of any Penalty being imposed on the Company shall be paid, together with such Penalty, by the Company; but in the event of the Gas being found, when tested, to be of not less illuminating Power than is by this Act prescribed, such Costs shall be awarded to be paid by the said Local Authority, and shall be paid or levied accordingly.

Recovery of Rents.

18. If any Person supplied with Gas or a Gas Meter by the Company neglect to pay the Rent due for the same to the Company, it shall be lawful for the Company, or the Directors, or any Person acting under their Authority, to summon the Party in default before a Justice, and the Justice may order that the Sum so due, or any Part thereof, may be levied by Distress and Sale of the Goods and Chattels of the Person neglecting to pay the same, wherever such Goods and Chattels may be found, the Surplus (if any) being rendered to the Persons so neglecting to pay, after Deduction of the necessary Charges for such Distress and Sale, and the Justice shall issue his Warrant accordingly.

19. Whenever

The County and General Gas Consumers Company, Limited, (Lea Bridge District,) Act, 1864.

Recovery of Sums by Action.

19. Whenever any Person neglects to pay any Rent or Sum due to the Company, the Company may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction, and the Remedy of the Company under this Enactment shall be in addition to their other Remedies for the Recovery of such Rent or Sum.

Contents of Warrant.

20. Any Summons or Warrant issued for any of the Purposes of this Act may contain in the Body thereof, or in a Schedule thereto, several Names and several Sums.

Warrant shall include Costs.

21. Any Justice who issues a Warrant of Distress for any of the Purposes of this Act may order that the Costs of the Proceedings for the Recovery of the Money to be levied shall be paid by the Person liable to pay such Money, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Penalties not cumulative.

22. Penalties imposed on the Company for one and the same Offence by several Acts of Parliament shall not be cumulative, and for this Purpose this Act and the Act incorporated herewith shall be deemed several Acts.

Liability to Gas Rate not to disqualify Justices.

23. No Justice shall be disqualified from acting in the Execution of this Act by reason of his being liable to the Payment of any Gas Rent, Rate, or other Charge under this Act.

Commencement and Continuance of Act.

24. This Act shall continue in force for the Term of Four Years from the passing thereof, and shall then determine, but without Prejudice to anything theretofore lawfully done by the Company, or to any then existing Right, Liability, Claim, or Demand by or against the Company.

Expenses of Act.

25. All the Costs, Charges, and Expenses of and incident to the passing of this Act, and preparatory thereto, shall be paid by the Company.

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