ANNO VICESIMO TERTIO

VICTORIÆ REGINÆ.

Cap. xxvii.

An Act for granting further Powers to the *Croydon* Commercial Gas and Coke Company.

[15th *May* 1860.]

WHEREAS by "The *Croydon* Commercial Gas and Coke Act," passed in the Tenth and Eleventh Years of the Reign of Her Majesty Queen *Victoria*, the *Croydon* Commercial Gas and Coke Company (in this Act called the Company) was incorporated, and was authorized to raise a Share Capital of Twenty thousand Pounds, and to borrow on Mortgage or Bond any Sums of Money not exceeding in the whole Six thousand six hundred Pounds: And whereas the Company have proceeded to put into execution the Provisions of that Act, and they have raised the whole of the Share Capital, and have borrowed the whole of the Money they are authorized to borrow, and have expended the whole of such Money for the Purposes of the Act: And whereas the Demand for Gas within the Limits of the Act is greatly increasing, and the Company are desirous of being able to create and raise an additional Share Capital, and to raise an additional Sum of Money on Loan, and it is expedient that some of

10 & 11 Vict. c. cxxiv.

the Provisions of the recited Act should be amended; but these Objects 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.

I. This Act may be cited for any Purpose as "*Croydon* Gas Act, 1860."

Recited Act to extend to this Act.

II. "The *Croydon* Commercial Gas and Coke Act," and the several Acts incorporated therewith, are incorporated with and shall be construed as forming Part of this Act, so far as those Acts respectively are applicable to the Provisions of this Act.

Power to raise further Capital;

III. In addition to the existing Share Capital of the Company of Twenty thousand Pounds, the Company may from Time to Time, by an Order of an Extraordinary Meeting, raise, by the Creation and Issue of new Shares in their Undertaking, any Sum or Sums of Money not exceeding in the whole the further Sum of Twenty thousand Pounds.

To be divided into Shares.

IV. Any further Sum or Sums of Money which shall be so created shall be divided into Shares of Five Pounds each, and shall be considered as Part of the general Capital of the Company, and shall be subject to the same Provisions in all respects, whether with reference to the Payment of Calls, or to the Forfeiture of Shares on Nonpayment of Calls, or otherwise, as if it had been Part of the original Capital of the Company, except as to the Times of making Calls thereon, and the Amount of such Calls, which respectively the Directors of the Company may, subject to this Act, from Time to Time fix as they think fit.

Limiting Calls.

V. One Pound *per* Share shall be the greatest Amount of any One Call which shall be made in respect of any Shares created under the Authority of this Act, and Two Months at the least shall intervene between successive Calls, and not more than Four Fifths of any Share shall be called in any One Year.

Limiting the Amount of Dividend

VI. The Profits of the Undertaking to be divided in any Year amongst the Holders of Shares to be created under the Authority of this Act shall not

not exceed the Rate of Seven Pounds and Ten Shillings in the Hundred by the Year on the Capital for the Time being paid up in respect of such Shares, unless a larger Dividend be at any Time necessary to make up the Deficiency of any Dividend in any preceding Year. on new Capital.

VII. The Company may, in addition to the Money which they have borrowed under the recited Act, borrow on Mortgage such Sums of Money as may from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, not exceeding in the whole One Fourth of the additional Capital which at the Time of exercising such borrowing Powers shall have been created under the Authority of this Act, but no Part of such Sums shall be borrowed until the whole of the said additional Capital in respect of which such Powers are to be exercised shall have been subscribed for *bonâ fide*, and shall be held by Subscribers or their Assigns, and for which such Subscribers or their Assigns shall be legally liable, and One Half thereof shall have been paid up. Power to borrow on Mortgage.

VIII. All Mortgages and other Securities granted by the Company, and in force at the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages granted under this Act. Existing Mortgages, &c. to have Priority.

IX. All Money raised under the Provisions of this Act, whether by means of Shares or by the Exercise of the Powers of borrowing, shall be applied to the Purposes of the Undertaking by the recited Act and this Act authorized, and to no other Purpose. Application of Money.

X. The maximum Price at which Gas shall be sold by the Company to all Persons who shall burn the same by Meter shall not exceed Six Shillings *per* Thousand Cubic Feet. Limit of Price for Gas.

XI. The Company shall and they are hereby required, from Time to Time and at such Times as they may be called on so to do by the Local Board of Health for the District of *Croydon* (in this Act called the Local Board), or other the Persons charged by Act of Parliament with the lighting of any Street or Place within the Parish of *Croydon*, supply Gas to all public Lamps or Burners adjoining or near to any of the Mains of the Company, and that may be required for lighting any Street or Place within the Parish, for such Price, upon such Terms, and during such Hours as shall be settled by Agreement between the Company and the For the Supply of Gas to public Lamps.

Local

Local Board, or other the Persons charged as aforesaid with the lighting of any such Street or Place, and in case any Dispute shall arise between such Parties on any of such Matters the same shall be settled by Arbitration, under the Provisions in "The Companies Clauses Consolidation Act, 1845," with respect to the Settlement of Disputes by Arbitration.

Quality of Gas.

XII. 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 Twelve Sperm Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

A Meter to test Purity of Gas to be erected.

XIII. Within Six Months after the passing of this Act the Company shall cause to be erected in some Part of their Works or of their principal Office in *Croydon*, so situated as to afford a Test for all the Gas supplied by the Company, an experimental Meter, 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 *per* Hour, with other necessary Apparatus for testing the illuminating Power of the Gas.

Local Board of Health, &c. may appoint Persons to test the Purity of Gas.

XIV. The Local Board, or any Consumers of Gas of the Company, not being less than Five, may, by Order in Writing, appoint some competent Person, not being a Member or Officer or Servant of the Local Board, to proceed to the Works of the Company; and the Person so appointed, on giving Three 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 Superintendent or other Officer of the Company make Experiment of the illuminating Power of the Gas from all or any of the Gasholders of the Company, by means of the experimental Meter and other Apparatus before mentioned, and the Company and their Officers shall afford all reasonable Facilities and Assistance for making such Experiment; and if it shall be proved to the Satisfaction of any Two Justices, not being Members of the Local Board or Shareholders of the Company, 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

pany shall forfeit such Sum not exceeding Twenty Pounds as the Justices shall determine.

Costs of Experiment to be paid according to the Event.

XV. 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 to the Company by the Local Board, or by the Consumers who appointed the Person to test the Gas, as the Case may be, and shall be paid or levied accordingly.

Undisputed Rates or Rents may be recovered by Distress.

XVI. All Gas Rates or Rents, or Remuneration for Gas, due to the Company, and all Damages, Costs, and Expenses by this or the recited Act, or any Act incorporated therewith, directed to be paid, and all Costs of furnishing and fixing any Gas Meters or Pipes, and the Amount of which shall not be disputed, or which, in the Opinion of the Justices after mentioned, is not fairly disputable, may be levied by Distress, and any Justice, on Application, may issue his Warrant accordingly.

Cost of Proceedings may be included in Warrant of Distress.

XVII. Any Justice who shall issue any Warrant of Distress for the Recovery of any Money payable under this or the recited Act, or any Act incorporated therewith, may order that the Costs of the Proceedings for the Recovery of such Money shall be paid by the Persons liable to pay such Sum of Money, and such Costs may be ascertained by such Justice, and may be included in the Warrant of Distress for the Recovery of such Money.

Several Names and Sums may be included in One Warrant.

XVIII. Any Number of Names and Sums may be included in any Warrant of Distress, or Notice obtained or given by the Company for any of the Purposes of this Act, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto.

Sums due to Company may be recovered by Action.

XIX. The Company may recover any Sum of Money which shall be due to them from any Person for Gas Rates or Gas Rents, or for the furnishing or fixing of any Gas Meter or Pipe, or for Damages, Costs, or Expenses, by Action or Proceedings in any Court of competent Jurisdiction for the Trial of an Action of Debt of the like Amount.

Expenses of Act.

XX. The Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing of this Act shall be paid by the Company.

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