



ANNO VICESIMO & VICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. vii.

An Act for more effectually supplying with Gas the Town and Borough of *Sunderland* and the Neighbourhood thereof in the County of *Durham*.
 [26th June 1857.]

WHEREAS an Act was passed in the Ninth Year of the Reign of Her present Majesty, intituled "The *Sunderland* Gas Act, 1846," whereby the *Sunderland* Corporation Gas Company were incorporated, and were authorized to erect Gasworks, and to purchase Lands, and to supply Gas within certain Limits in such Act defined, and were empowered to raise for such Purposes the Sum of Thirty-two thousand Pounds by Shares, and to borrow, on Mortgage or Bond, the Sum of Ten thousand six hundred Pounds: And whereas by "The *Sunderland* Gas Amendment Act, 1853," the *Sunderland* Corporation Gas Company were empowered to raise an additional Sum of Forty-eight thousand Pounds by the Creation of new Shares, and were empowered to issue the same as Part of the ordinary Share Capital of the Company, or to attach to such Shares, or any Number of them, a preferential Dividend not exceeding Six Pounds *per Centum per Annum*, and the Limits for the Supply of Gas were extended: And whereas the Company were not empowered by the last-mentioned Act to raise any Money on Mortgage or by Bond:

9 & 10 Vict.
c. xxxvii.

16 & 17 Vict.
c. iii.

[Local.] X And

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And whereas the Company have erected and purchased Gasworks and Land, and supply Gas within the Limits defined in the lastly-recited Act, and have raised and expended nearly the whole of the Money by the recited Acts authorized to be raised: And whereas the Company, under the Powers of the recited Acts in that Behalf contained, have resolved that the said Sum of Ten thousand six hundred Pounds, Part whereof has been borrowed on Mortgage, shall be converted into Capital, but such Conversion hath not been carried into complete Effect, nor the Amount due upon Mortgage fully discharged: And whereas the existing Share Capital of the Company is Eighty thousand Pounds, subject to the Increase of the same under the Resolution of the Company before mentioned for the Conversion of the borrowed Money into Capital: And whereas such existing Share Capital is divided into several Classes of Shares and Stock as follows; (that is to say,) Sixty-eight thousand four hundred and ninety Pounds, Part thereof, consolidated into ordinary Stock; Eight thousand Pounds, other Part thereof, consolidated into Stock bearing a preferential Dividend at Five Pounds *per Centum per Annum*; Three thousand five hundred and ten Pounds, the Remainder thereof, divided into Seven hundred and two Shares of Five Pounds each, bearing the same Rate of Dividend according to the Amount represented by and paid up on such Shares as the ordinary Stock of the Company: And whereas the Population of the Borough of *Sunderland* hath of late greatly increased, and many Dwelling Houses, Manufactories, and other Works and Buildings have been erected therein, and in order to meet the additional Demand for Gas occasioned thereby the Company require further Powers of raising Money and also a Site for the Erection of Gasworks in addition to the Works already purchased and erected by them: And whereas the Lands herein-after described will be convenient to the Company and to the Public for the Erection of the additional Gasworks, and it is expedient that the Company be empowered to purchase the same: And whereas a Plan of such Lands, with a Book of Reference thereto, has been deposited with the Clerk of the Peace for the County of *Durham*: And whereas the Company are the only Company supplying Gas in *Sunderland*, and it is expedient that the Name of the Company should be changed, and the Provisions of the recited Acts amended and enlarged: And whereas it will be more convenient that the recited Acts should be repealed, and further, better, and more effectual Powers granted instead thereof; but the Purposes aforesaid 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,)

I. Subject

The Sunderland Gas Act, 1857.

I. Subject to the Provisions herein-after contained, the recited Acts, intituled "The *Sunderland Gas Act, 1846,*" and "The *Sunderland Gas Amendment Act, 1853,*" are hereby repealed, and the *Sunderland Corporation Gas Company* is hereby dissolved.

Recited Acts
repealed and
Company
dissolved.

II. This Act may be cited for any Purpose as "The *Sunderland Gas Act, 1857.*"

Short Title.

III. All Persons and Corporations who are at the Time of the passing of this Act Proprietors of Shares in the *Sunderland Corporation Gas Company* incorporated and empowered by the recited Acts, or who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of supplying with Gas the District within the Limits of this Act, and for the other Purposes in this Act contained, and for the Purposes aforesaid such Company shall be incorporated by the Name of "The *Sunderland Gas Company,*" (in this Act called "the Company,") and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to hold and purchase Lands for the Purposes of the Undertaking within the Restrictions in this Act and in the Acts incorporated herewith contained.

Re-incor-
poration of
Company.

IV. The Company shall remain and be seised and possessed of and entitled to all Gasworks, Gasometers, Retorts, Apparatus, Pipes, Works, and Conveniences, and all Lands, Easements, Appurtenances, prospective and other Rights, Powers, and Privileges, Real and Personal Estates, and of all Rights and Interests therein or relating thereto whatsoever, of or to which the *Sunderland Corporation Gas Company,* or any Person in trust for them, were or was seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act; and all Rates, Rents, and Monies due or accruing to, and all Securities, Books, Accounts, Documents, Choses in Action, Effects, and Property immediately before the passing of this Act vested in the *Sunderland Corporation Gas Company,* and all other their Privileges, Rights, Titles, Estates, and Interests in the same respectively, except such as are hereby varied, shall, from and after the passing of this Act, remain and continue to be held and enjoyed accordingly for the absolute Use and Benefit of the Company for the Purposes of this Act, and for the same Estates, Terms, and other Interests, as if the said recited Acts had not been repealed, subject nevertheless to the Charges, Interests, and Liabilities (if any) to which, at the Time of the passing of this Act, the same Premises are respectively subject.

Works of
old Com-
pany to re-
main vested
in the new
Company.

V. All

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Convey-
ances, &c.
to remain
in force.

V. All Purchases, Sales, Conveyances, Grants, Assurances, Leases, Mortgages, Bonds, Contracts, Agreements, Securities, and other Acts and Things before the passing of this Act done, entered into, executed, or instituted under or by virtue of the recited Acts or either of them, or with reference to the Purposes thereof respectively, shall be as good, valid, and effectual to all Intents and Purposes whatsoever for, against, and with reference to the Company as they would have been if the recited Acts had not been repealed, and as if the Name of the Company had not been changed, and may be proceeded on and enforced accordingly.

Actions, &c.
not to abate.

VI. Any Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the *Sunderland Corporation Gas Company* previously to the passing of this Act shall not abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect, both in favour of and against the Company, in the same Manner to all Intents and Purposes as if this Act had not passed; and Proceedings for all Offences against the Provisions of the recited Acts, or either of them, committed before the passing of this Act, may be commenced and prosecuted, and all Penalties incurred by reason of such Offences may be sued for in like Manner in all respects as if the recited Acts had not been repealed.

Rates or
Rents now
payable to
continue in
force.

VII. All Rates, Rents, and Charges whatsoever made, charged, or imposed under the recited Acts, and which at the Time of the passing of this Act are due, or if this Act had not passed would have accrued due, shall continue in force until the same shall be altered under the Authority of this Act, and shall be due and payable to the Company, and may be collected, recovered, and enforced by such Means and under such Restrictions and Regulations as any Rates, Rents, or Charges may be collected, recovered, and enforced under this Act.

Continuance
of Liabilities
of Company
under Acts
hereby
repealed.

VIII. Notwithstanding the Repeal of the recited Acts, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered under the recited Acts shall be as valid as if the said recited Acts were not repealed, and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the recited Acts were not repealed and this Act were not passed, would be incident to or consequent on any and everything so done or suffered; and with respect to all such Rights, Liabilities, Claims, and Demands, the Company by this Act incorporated shall to all Intents and Purposes, except as expressly altered by this Act, represent the Company by the first-recited Act incorporated: Pro-
vided

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vided always, that the Generality of the preceding Provision shall not be restricted by any of the other Clauses or Provisions of this Act.

IX. All Persons who immediately before the passing of this Act owe any Money to the *Sunderland Corporation Gas Company*, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Company, and the same shall be recoverable by the Company; and all Debts and Monies which immediately before the passing of this Act are due or owing by or recoverable from the *Sunderland Corporation Gas Company*, or for the Payment of which that Company are or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Company.

Debts due to and by the Company to be paid to and by them.

X. All Resolutions, Orders, Notices, and Proceedings, Calls, and Arrears of Calls, of the *Sunderland Corporation Gas Company*, and the Directors thereof, made and taken before the passing of this Act, and all Books, Accounts, Documents, and Writings whatsoever of or relating to that Company, shall, for the Purposes of this Act, continue of full Force and Effect as if this Act had not passed.

Resolutions, &c. to remain in force.

XI. All Certificates, Sales, Transfers, and Dispositions before the passing of this Act made or executed under the said recited Acts of or in respect of any Shares in the *Sunderland Corporation Gas Company* shall remain in full Force, and continue to be available in all respects.

Certificates and Transfers to remain in force.

XII. All Officers and Persons appointed by virtue of or acting under the Authority of the recited Acts shall continue in their respective Offices and Employments according to their respective Appointments until removed therefrom according to the Provisions of this Act, and all such Officers and Persons shall have the same Powers, Privileges, and Advantages, and all such Officers and Persons and their respective Sureties shall be liable to the same or the like Conditions, Penalties, Obligations, Restrictions, and Regulations, as if such Officers and Servants respectively had been appointed and such Sureties had become bound by virtue of this Act.

Present Officers continued until removed.

XIII. Notwithstanding the Repeal of the said recited Acts, all Books and other Documents relating to the *Sunderland Corporation Gas Company*, which if this Act had not passed would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

Books to be Evidence.

XIV. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Gasworks Clauses Act, 1847," are incorporated with this Act.

8 & 9 Vict. cc. 16. & 18. and 10 & 11 Vict. c. 15. incorporated.

[Local.]

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XV. In

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Interpreta-
tion of cer-
tain Terms.

XV. In construing "The Companies Clauses Consolidation Act," "The Lands Clauses Consolidation Act," and "The Gasworks Clauses Act," for the Purposes of this Act, the Expression "the Special Act" shall mean this Act; and the Expressions "the Works," or "the Undertaking," shall mean the Undertaking and Works by this Act authorized to be made and maintained respectively; the Expression "the Promoters of the Undertaking," or "the Undertakers," shall mean the Company; and the Expression "Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the Company, or which they may construct under the Authority hereof; and the Expression "Quarter Sessions" in the said incorporated Acts shall be construed to mean the Quarter Sessions for the County of *Durham*.

Original and
additional
Capital.

XVI. The Capital of the Company shall be One hundred and ninety thousand six hundred Pounds, whereof Ninety thousand six hundred Pounds shall be distinguished as "original Capital," and One hundred thousand Pounds shall be distinguished as "additional Capital."

Distribution
of existing
Shares and
Stock.

XVII. Every Person and Corporation who immediately before the passing of this Act was possessed of or entitled to a Share or Shares or Stock in the Capital of the *Sunderland Corporation Gas Company*, under the recited Acts or either of them, shall in respect thereof be possessed of or entitled to the same Amount of Stock or to a like Number of Shares of the same Class or Classes respectively, and of the same nominal Value, and marked by the same progressive Number or Numbers, and bearing the same preferential or other Dividend, as such Person or Corporation was possessed of or entitled to immediately before the passing of this Act, and such Stock or Shares are hereby vested in such Persons and Corporations accordingly.

Division of
Capital into
Shares.

XVIII. The original Capital of the Company shall, until the same shall be wholly consolidated into Stock under the Powers contained for that Purpose in "The Companies Clauses Consolidation Act, 1845," remain divided into the same Classes of Stock and Shares as the same was divided into at the Time of the passing of this Act; and the Part of the original Capital unissued at the passing of this Act, and the additional Capital, shall be divided into Shares of Five Pounds each.

Certificates
of old
Shares to
apply to the
Shares cre-
ated under
this Act.

XIX. The Certificates of the Shares or Stock created under the Powers of the recited Acts or either of them, and which shall be existing at the Time of the passing of this Act, shall, until called in, continue to be the Certificates of the said Shares or Stock under this Act, and it shall not be necessary for the Company to issue fresh Certificates in respect of such Shares or Stock, except under the Provisions
of

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of "The Companies Clauses Consolidation Act, 1845," in Cases where such Certificates shall be worn out or damaged, or lost or destroyed, but the Company may, if they think fit, at any Time call in such Certificates, and grant others in the Stead thereof.

XX. All Persons and Corporations in whom any of such Shares or Stock are or may be vested as aforesaid shall stand possessed thereof upon the same Trusts, and subject to the same Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances, as the said Shares or Stock were subject and liable to immediately before the passing of this Act.

Shares to be held upon the same Trusts.

XXI. The Directors may, by Order of a General Meeting, from Time to Time create Shares for raising the additional Capital or any Part thereof, and shall cause the new Shares to be from Time to Time so created, when and as the same shall be issued, to be offered for Sale by Public Auction in such Manner, at such Times, and subject to such Conditions as they shall from Time to Time determine, and shall, One Month at least previously to every such Sale, cause Notice thereof to be given by Advertisement in Two Newspapers published or circulating within the said Borough of *Sunderland*.

New Shares to be sold by Auction.

XXII. All Monies received upon such Sales by way of Premium shall be expended in paying the Expenses of this Act, in extending or improving the Works of the Company, or in paying off Money borrowed or owing by the Company, but shall not be considered as Part of the Capital of the Company entitled to Dividend.

Premiums on Sales not to bear Dividend.

XXIII. If after having created any new Shares the Company determine not to issue the whole of such Shares, they may cancel the unissued new Shares, and may from Time to Time thereafter create in lieu thereof other new Shares of an aggregate Amount not exceeding that of the new Shares so cancelled.

Unissued Shares may be cancelled.

XXIV. Every Person or Corporation who becomes entitled to any new Share shall in respect of the same be a Shareholder in the Company, and shall, subject to the Limitation to the Amount of the Dividend contained in this Act, be entitled to a Dividend with the other Shareholders proportioned to the whole Amount for the Time being paid up on such Share.

As to Dividend on new Shares.

XXV. The prescribed Rate of Dividend upon the original Capital shall be Ten Pounds in the Hundred by the Year on the Amount paid up on such original Capital, and the prescribed Rate of Dividend upon the additional Capital shall be Eight Pounds and Ten Shillings in the

Limiting Rates of Dividend.

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the Hundred by the Year on the Amount paid up on such additional Capital.

Limiting
Amount of
reserved
Fund.

XXVI. The prescribed Sum for the reserved Fund to be formed under the Thirty-first Section of "The Gasworks Clauses Act, 1847," shall not exceed One Tenth of the original Capital and One Tenth of the additional Capital from Time to Time paid up.

Power to
continue
certain Sums
on Mort-
gage.

XXVII. It shall be lawful for the Company to continue on Mortgage of their Undertaking or on Bond such Sums of Money as have been borrowed previous to the passing of this Act until the same shall be paid off in pursuance of the Resolutions of the Company to that Effect.

Application
of Money.

XXVIII. All Money to be raised under the Provisions of this Act shall be applied to the Purposes of the Undertaking by this Act authorized, and to no other Purpose.

Number and
Qualification
of Directors.

XXIX. The Number of the Directors of the Company shall be Twelve, and the Qualification of a Director shall be the Possession by him in his own Right of Five Shares.

Power to
reduce Num-
ber of Direc-
tors.

XXX. It shall be lawful for the Company by Vote of any Ordinary Meeting to reduce the Number of Directors, but so that the reduced Number be in no Case less than Nine.

Quorum of
Directors.

XXXI. The Quorum of a Meeting of Directors shall be Three.

First Direc-
tors to re-
main in
Office until
First Gene-
ral Meeting
after passing
of this Act.

XXXII. The several Persons who on the passing of this Act are the Directors of the Company shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, when they shall retire from Office, and their Places be supplied by the Election of such Number of Directors, not less than Nine, as may be determined on at such Meeting; and at the Ordinary Meeting to be held in the Year One thousand eight hundred and fifty-eight, and in every subsequent Year, the Directors shall retire from Office in the Rotation and Manner provided in "The Companies Clauses Consolidation Act, 1845:" Provided always, that any of the Directors so retiring shall forthwith or at any future Period be re-eligible.

Ordinary
Meetings to
be held
yearly.

XXXIII. The First Ordinary Meeting of the Company shall be held in the Month of *September* One thousand eight hundred and fifty-seven, and an Ordinary Meeting of the Company shall be held in the Month of *September* in every subsequent Year, or at such other stated Period or Periods as shall be appointed for that Purpose by an
Order

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Order of a General Meeting, of which Ten Days Notice at least shall be given in some Newspaper published in the County of *Durham*; and all Meetings, whether ordinary or extraordinary, shall be held within the Borough of *Sunderland*.

XXXIV. The Quorum for all Meetings of Shareholders, whether ordinary or extraordinary, shall be Twenty Shareholders, holding in the aggregate not less than Two thousand Pounds in the Capital of the Company. Quorum for Meetings of Shareholders.

XXXV. At all Meetings of the Company every Shareholder shall be entitled to vote according to the following Scale; (that is to say,) Votes of Shareholders:
 For Shares or Stock representing a nominal Value in the Capital of the Company of Five Pounds and less than Twenty-five Pounds, One Vote;
 For Shares or Stock representing a nominal Value of Twenty-five Pounds and less than Fifty Pounds, Two Votes;
 For Shares or Stock representing a nominal Value of Fifty Pounds and less than One hundred and fifty Pounds, Three Votes;
 For Shares or Stock representing a nominal Value of One hundred and fifty Pounds and less than Two hundred and fifty Pounds, Four Votes;
 For Shares or Stock representing a nominal Value of Two hundred and fifty Pounds and upwards, Five Votes;
 And no Shareholder shall have more than Five Votes.

XXXVI. It shall be lawful for the Directors, without the Direction or Sanction of a General Meeting, from Time to Time to declare and pay, in the Interval between any Two Ordinary Annual General Meetings, a Half Year's Dividend out of the Profits of the Company to the Shareholders. Directors may declare Dividends half-yearly.

XXXVII. The Newspaper in which Advertisements relating to the Affairs of the Company shall be inserted shall be some Newspaper published in *Sunderland*. Newspaper for Advertisements.

XXXVIII. If any Money be payable to any Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his respective Guardian or Committee shall be a sufficient Discharge to the Company for the same. Receipts on behalf of incapacitated Persons.

XXXIX. The Limits of this Act for the Supply of Gas shall extend to and include the Parish of *Sunderland near the Sea*, the Townships of *Bishopwearmouth*, *Bishopwearmouth Panns*, *Monkwearmouth*, *Monkwearmouth-shore*, and *Southwick*, all in the County of *Durham*; and the Limits within which the Gasworks may be continued, maintained, Limits of Act for Supply of Gas and Erection and Maintenance of Gasworks.

[Local.]

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tained,

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tained, erected, and made are the Lands described in the Schedule of this Act, and the Lands whereon at the Time of the passing of this Act the Works of the Company for the Manufacture of Gas are situated.

Power to purchase Lands.

XL. Subject to the Provisions of this Act, the Company may, for the Purposes of their Undertaking, enter upon, purchase, take, and use the Lands and Hereditaments in the Schedule to this Act particularly described, or such Part thereof as the Company may from Time to Time require for the Purposes of the Works and Undertaking.

Period for compulsory Purchases limited.

XLI. The Powers by this Act granted to the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after Two Years from the passing of this Act.

Company may by Agreement purchase other Lands.

XLII. The Company may by Agreement purchase such other Lands within the Limits of this Act as, subject to the Restrictions of this Act, the Company may deem requisite for any of the Purposes of their Undertaking, but the Company shall not hold at any One Time more than Fifteen Acres of Land.

Power to construct Gasworks.

XLIII. Subject to the Provisions in this Act and the said incorporated Acts contained, it shall be lawful for the Company from Time to Time to make, construct, lay down, and maintain, alter or discontinue such Retorts, Gasometers, Receivers, Drains, Sewers, Machinery, and other Works and Apparatus, and also such Houses and Buildings and Approaches thereto, upon the Lands belonging to the Company or hereby authorized to be purchased by them, and to do all such other Acts as they shall think necessary, consistently with the Provisions of this Act, for supplying Gas within the Limits of this Act, and to sell, manufacture, and dispose of Coke and other Residuum arising or to be obtained from the Materials used in the Manufacture of Gas in such Manner as the Company may think proper.

As to Lands for Erection of Gasworks.

XLIV. The Company shall not erect any Works for the Manufacture of Gas except upon the Lands on which Gasworks have been already erected by the Company, or on Lands immediately adjoining thereto, and upon the Lands specified in the Schedule to this Act annexed.

Company empowered to lay Pipes for lighting Buildings.

XLV. It shall be lawful for the Company, with the Consent of the Owner and Occupier of any Building, to lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipes into, through, or against such Building for the Purpose of lighting the same, and

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and with the like Consent to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

XLVI. Every Consumer of the Gas of the Company shall, upon Request in Writing by the Company, consume the Gas by Meter, to be found and provided either by the Company at the Expense of the Consumer, or, at the Option of the Consumer, by the Consumer and approved by the Company: Provided always, that the Provision aforesaid shall not extend to Gas supplied for public Lighting, unless otherwise mutually agreed upon between the Company and the Persons having the Control of such public Lighting.

Consumers of Gas may be required to consume Gas by Meter.

XLVII. 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 Four Shillings *per* Thousand Cubic Feet.

Limiting Charge for Gas supplied by Meter.

XLVIII. 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.

Quality of Company's Gas.

XLIX. The Company shall within Six Months after the passing of this Act cause to be erected in some convenient Part of their Works 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.

Company to erect a Meter to test Purity of Gas.

L. It shall at any Time be lawful for the Council of the Borough of *Sunderland*, by Order in Writing, to appoint some competent Person, not being a Member, or Officer or Servant of the Mayor, Aldermen, and Burgesses of such Borough, to proceed to the Works of the Company, and the Person so appointed, on giving Six 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 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 Directors or Shareholders of the Company, after hearing

Power to Council of the Borough to test the Purity of the Gas.

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Penalty in case of Default.

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 Twenty Pounds as the said Justices shall determine.

Cost of Experiment to be paid according to the Event.

LI. 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 Mayor, Aldermen, and Burgesses to the Company, and shall be paid or levied accordingly.

Pipes to be laid in Streets.

LII. The Company shall afford a Supply of Gas for the Purpose of lighting any Street within the Borough of *Sunderland* which the Mayor, Aldermen, and Burgesses of that Borough (herein-after called the Corporation) may think reasonable to be lighted, and in respect of which the Corporation shall be willing to pay to the Company the Contract Price for the Time being of a public Light for every Fifty Yards of Main Pipe required to be laid by the Company for the Purpose of lighting such Street; and the Company shall provide all Service Pipes necessary for lighting such public Lights.

Company to afford a Supply of Gas for private Lighting.

LIII. The Company shall afford a Supply of Gas to the Occupier of any Tenement situate within the Borough, from any Street in which any Main Pipe of the Company shall be laid, and shall at their own Expense lay down so much of the Service Pipe leading from such Main Pipe to such Premises as shall be necessary to be laid between such Main Pipe and the Side of such Street for the Purpose of affording such Supply.

How Pipes to be laid over Wearmouth Bridge.

LIV. The Company shall not, without the Consent of the Corporation, lay down or place any additional Mains, Pipes, or other Works across the Bridge called *Wearmouth Bridge*, but the Company may maintain, and from Time to Time renew, repair, and alter the Two existing Mains or Pipes belonging to the Company, and may substitute others in lieu thereof, provided the aggregate Weight of the Mains and Pipes belonging to the Company between the Two Abutments of the said Bridge shall not at any One Time, except with the like Consent, exceed the aggregate Weight of the existing Mains or Pipes of the Company between such Abutments; and the Company shall not carry any

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any Gas Pipe through or into any Sewer or Drain in the Borough belonging to the Corporation without their Consent.

No Pipes through Sewers.

LV. And with reference to the Clauses of "The Gasworks Clauses Act, 1847," with respect to the breaking up of Streets for the Purpose of laying Pipes, it shall be lawful for the Corporation to appoint a Person to act within their Jurisdiction, to whom shall be entrusted the Superintendence specified in such Clauses; and the Corporation may from Time to Time remove such Person and appoint any other in his Stead; and the Company shall pay to the Corporation such Proportion of the Wages (not exceeding Thirty Shillings per Week) of such Person as shall from Time to Time be agreed upon between the Company and the said Corporation, or as in case of Dispute shall be settled by Two Justices; and any Two Justices may upon Complaint of the Company, and after Notice to the Corporation, remove such Person from his Office, and the Corporation shall in such Case appoint another in his Place and Stead.

As to Appointment of Person to superintend opening of Streets.

LVI. If any Person wilfully, fraudulently, or by culpable Negligence injure or suffer to be injured any Meter or Gas Apparatus or Fitting belonging to the Company, or fraudulently alter the Index to any Meter, or any Part of such Meter, or the Pipes connected therewith, or shall knowingly and wilfully prevent any Meter used or intended to be used under the Provisions of this Act from duly registering the Quantity of Gas supplied, every Person so offending shall for every such Offence forfeit to the Company any Sum not exceeding Five Pounds, and the Company may, in addition thereto, recover the Amount of any Damages by them sustained; and the Existence of artificial Means for causing such Prevention, where such Meter shall be under the Custody or Control of the Consumer, shall be *primâ facie* Evidence that the same has been knowingly and wilfully caused by the Consumer using such Meter.

Penalty for damaging, &c. Meter.

LVII. In addition to the Powers given by "The Gasworks Clauses Act, 1847," and this Act in this Behalf, the Rent of any Gas from Time to Time due under this Act, or the Price or Rent of any Pipe, Burner, Lamp, Meter, or Fitting from Time to Time supplied, sold, delivered, or let to Hire under this Act, together with the Expense of cutting off the Service Pipe or Gas, may be recovered by the Company by Action or other Proceeding in any Court of competent Jurisdiction, although the Demand in respect thereof be less than Twenty Pounds.

Recovery of Rent for Gas and Fittings under 20l.

LVIII. Any Justice who issues any Warrant of Distress for the Recovery of any Sum payable under this Act may order that the Costs of the Proceedings for the Recovery of such Sum shall be
 [Local.] A a paid

Costs of Proceedings may be included in

The Sunderland Gas Act, 1857.

Warrant of Distress. paid by the Person liable to pay such Sum, and such Costs shall be ascertained by such Justice, and shall be included in the Warrant of Distress for the Recovery of such Sum.

Several Names in One Warrant, &c. LIX. Several Names and several Sums may be included in One Warrant, Summons, or Notice under this Act, and either in the Body thereof, or in the Schedule thereto.

Expenses of Act. LX. All the Costs, Charges, and Expenses incurred by or on behalf of the Company in applying for and obtaining this Act, or incident thereto, shall be defrayed by the Company.

The Sunderland Gas Act, 1857.

SCHEDULE referred to in the foregoing Act.

LANDS and Premises in the Township of Ryhope and Parish of Bishopwearmouth in the County of Durham, containing Seven Acres or thereabouts, bounded on the North by a Road leading from the Blue House in the Township and Parish of Bishopwearmouth aforesaid to the Sea Shore; on the South by Land belonging to the Trustees of the late Robert Matthews, deceased; on the East by the Sunderland and Durham Branch of the North-eastern Railway Company; and on the West by a Road leading from Sunderland to Ryhope.

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