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VICTORIÆ REGINÆ.

Cap. clxxxiv.

An Act for extending the Limits of the District within which the *Brighton and Hove* General Gas Company may supply Gas, and for empowering the Company to raise additional Capital; and for other Purposes. [16th July 1866.]

WHEREAS the *Brighton and Hove* General Gas Company (hereafter in this Act called "the Company") are incorporated and empowered for the Purpose of manufacturing and supplying Gas in the Town of *Brighton* and the Parish of *Hove*, and other Parishes in the Neighbourhood thereof, under the Acts described in the First Schedule to this Act (to which Acts the Term "the Company's former Acts" when hereafter used in this Act refers): And whereas under the Company's former Acts the Company's authorized Share Capital is the Sum of One hundred thousand Pounds, and their authorized Loan Capital is the Sum of Twenty thousand Pounds: And whereas the Company have raised of their authorized Share Capital the Sum of Eighty thousand two hundred and thirty-two Pounds, and have also capitalized the Sum of Nineteen thousand seven hundred and sixty-eight Pounds out of the Profits of

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the Company, and have raised of their authorized Loan Capital the Sum of Fifteen thousand Pounds, and have expended the whole of the said Three several Sums in carrying on their Undertaking: And whereas it is expedient that the Limits of the District within which the Company may supply Gas be extended as in this Act provided: And whereas the Demand for Gas within that District is increasing: And whereas it is expedient, with reference to the proposed Extension of Limits and to the increasing Demand aforesaid, that the Company be authorized to raise additional Capital: And whereas it is expedient that the Company's former Acts be amended in certain respects, and that further Powers be conferred on the Company as in this Act expressed: 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 be cited as "The *Brighton and Hove General Gas Company's Act, 1866.*"

10 & 11 Vict.
c. 15. and
26 & 27 Vict.
c. 118. in-
corporated.

2. 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," and "The Gasworks Clauses Act, 1847," are (except where expressly varied by this Act) incorporated with this Act, and "The Gasworks Clauses Act, 1847," shall apply to the Company's Undertaking, Supply, and Profits under the Company's former Acts, as well as to their Undertaking, Supply, and Profits under this Act.

Interpreta-
tion of Terms
in this and
incorporated
Acts.

3. With respect to the Interpretation of Terms in and for the Purposes of this Act the following Provisions shall have Effect; namely,

- (1.) The several Terms to which Meanings are assigned by the Acts incorporated wholly or in part with this Act have in this Act the same respective Meanings:
- (2.) In this Act, and in any Act incorporated wholly or in part with this Act, the Term "Court of competent Jurisdiction" shall have Effect as if the Debt or Demand with respect to which that Term is used was an ordinary Simple Contract Debt, and not a Debt or Demand created by Statute:
- (3.) In this Act, and in any Act incorporated wholly or in part with this Act, the Term "Superior Courts" shall be construed to include all Courts of competent Jurisdiction within the Meaning of this Act:

(4.) The

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- (4.) The Expression "Local Authority" shall mean the Corporation of the Town of *Brighton* and any Commissioners or Trustees for the Time being having the Control or Management of any District or Turnpike Road by virtue of any Act of Parliament within the Limits of the Company's Undertaking :
- (5.) The Term "Two Justices" means Two or more Justices met and acting together, and not being Members of the Local Authority, or any One Police Magistrate or Justice having by Law Authority to act alone for any Purpose with the Powers of Two Justices, and not being a Member of the Local Authority.
4. The Sections of "The Gasworks Clauses Act, 1847," with respect to the Provision for guarding against fouling Water or other Nuisance from the Gas, shall be considered to extend to and include the Sea. For preventing Gas Refuse being allowed to flow into the Sea.
5. The Limits within which the Company may supply Gas are hereby extended so as to comprise and include, in addition to the Town of *Brighton* and the Parish of *Hove* and other Parishes named in Section 2 of the Company's Act of 1839, the Parishes of *Old Shoreham* and *Lancing*. Extension of Limits for Supply of Gas.
6. The Company shall not acquire or use for any Purposes connected with their Undertaking any Land in the Parish of *Hove* of which they were not possessed or entitled to on the First Day of *January* One thousand eight hundred and sixty-six. Company not to acquire further Lands in the Parish of Hove.
7. The Company shall, at the End of the Year One thousand eight hundred and sixty-six, cease to manufacture at their Works in *Hove* any Article, Matter, or Thing from the residual Products obtained in the Manufacture of Gas, and in the Interim shall, as far as practicable, prevent any Nuisance from such Manufacture. Company to cease manufacturing residual Products at Hove.
8. Notwithstanding anything in the Company's former Acts contained, it shall not be lawful for the Company, without the further Authority of Parliament in this Behalf, to erect or make any Works for the Manufacture or Storage of Gas, except on Land now occupied by such Works, or on Land situate between *Shoreham* Harbour and the Sea. Restricting Powers of erecting Works under former Acts.
9. The Company may from Time to Time (in addition to their authorized Share Capital of One hundred thousand Pounds) raise any further Sums, not exceeding in the whole Seventy-five thousand Pounds, by Creation and Issue of new Shares, Preference or Ordinary, or partly Preference and partly Ordinary, as the Company from Time to Power to raise additional Share Capital.

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to Time think fit, and any such Ordinary Shares shall form Part of the general Capital of the Company.

No Share to issue until One Fifth paid up.

10. The Company shall not issue any Share under this Act, nor shall any such Share vest in the Person accepting it, unless and until a Sum not being less than One Fifth Part of such Share is paid in respect thereof.

Sale and Distribution of new Shares.

11. The Company shall put up for Sale by Public Auction in Lots of not more than Two Shares each Lot One Half of the Shares hereby authorized to be issued: Provided always, that the Reserve Price for any Share at any such Sale by Auction shall not be less than the nominal Value of the Share, and any Shares which may not be sold at any such Auction may be allotted to such Parties as from Time to Time the Directors think fit at a Price not less than the nominal Value of the Share.

Sales by Auction to be advertised and Premium to be carried to Reserve Fund.

12. The Intention to sell such Shares by Auction shall be advertised for Two successive Weeks in Two Newspapers published in the Borough of *Brighton*, and any Sum of Money which shall arise from any such Sale by way of Premium shall not be considered as Profits of the Company, but shall be carried to and form Part of the reserved Fund of the Company.

Limit of Dividends on new Capital.

13. It shall not be lawful for the Company in any Year to make out of their Profits any larger Dividend on the additional Share Capital of Seventy-five thousand Pounds to be raised under the Powers of this Act than Seven Pounds in respect of every One hundred Pounds actually paid of such Capital on Ordinary Shares, or Six Pounds in respect of every One hundred Pounds actually paid of such Capital on Preference Shares.

Power to raise additional Loan Capital.

14. In addition to any Sum which the Company are for the Time being under their former Acts authorized to borrow on Mortgage, they may from Time to Time borrow on Mortgage any Sums not exceeding in the whole the Sum of Twenty-five thousand Pounds, and for this Purpose the Company's former Acts shall have Effect (subject to the Provisions of this Act) as if the Sum of Forty-five thousand Pounds had been inserted in Section 3 of the Company's Act of 1854 instead of the Sum of Twenty thousand Pounds.

Restrictions on new borrowing Power.

15. The Company may at any Time or Times after the passing of this Act borrow on Mortgage as Part of the said Sum of Forty-five thousand Pounds any Sums not exceeding (with the Money by their former Acts authorized to be borrowed on Mortgage) Twenty-five thousand Pounds; and further, when additional Capital to the Amount of Fifty thousand Pounds shall have been subscribed for or taken under the Provisions of this Act, and One Half of the Amount thereof shall

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shall have been paid up, the Company may in respect thereof from Time to Time borrow on Mortgage as Part of the said Sum of Forty-five thousand Pounds any further Sums not exceeding in the whole Twelve thousand five hundred Pounds; and further, when additional Capital to the further Amount of Twenty-five thousand Pounds shall have been so subscribed for or taken, and One Half of the Amount thereof shall have been paid up, the Company may in respect thereof from Time to Time borrow on Mortgage as Part of the said Sum of Forty-five thousand Pounds any further Sums not exceeding in the whole Seven thousand five hundred Pounds; but the Company shall not borrow any Money under this Act beyond the first-mentioned Sum of Twenty-five thousand Pounds until the whole of the additional Share Capital authorized by this Act in respect of which the Money is borrowed is subscribed for or taken, and until One Half thereof is actually paid up, and until they prove to the Justice who is to certify under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for the whole thereof are issued and accepted, and that not less than One Fifth Part of the Amount of each separate Share has been paid up on account thereof before or at the Time of the Issue or Acceptance thereof, and that all such Shares are taken in good Faith, and are held by the Subscribers or their Assigns, those Subscribers or their Assigns being legally liable for the same; 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.

16. The Mortgagees of the Company may enforce Payment of Arrears of Principal and Interest due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than One Tenth Part of the total Amount of the Money for the Time being borrowed on Mortgage under the Authority of this Act, and remaining due. Arrears may be enforced by Appointment of a Receiver.

17. All Mortgages granted by the Company before the passing of this Act shall during their respective Continuance have Priority over any Mortgage granted under this Act. Priority of Mortgages.

18. The Company may create and issue Debenture Stock bearing Interest at a Rate not exceeding that of Five Pounds *per Centum per Annum*. Debenture Stock.

19. All Money raised on account of the additional Share or Loan Capital aforesaid shall be applied to the general Purposes of the Company's Undertaking, and not otherwise. Application of Money.

[*Local.*]

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20. The

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Conversion
of existing
Shares into
Stock.

20. The Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Consolidation of Shares into Stock, are hereby incorporated with this Act in relation to the Share Capital of the Company existing at the passing of this Act, and to the additional Share Capital and the paid-up Shares authorized by this Act, and the same shall be applicable to the whole Share Capital of the Company accordingly.

Special
Audit of
Accounts.

21. The Corporation of *Brighton* shall appoint and pay in every Year a fit Person, and the Company shall appoint and pay another fit Person, which Two Persons (herein-after referred to as the special Auditors) shall together examine and audit the annual Accounts of the Company for the Year in which they shall have been so appointed and for the Year preceding in the Manner and with the Powers provided by "The Companies Clauses Consolidation Act, 1845," the Provisions of which Act shall also apply to the Appointment of such Auditor by the Company; provided that neither of the last-mentioned Auditors need to be a Shareholder.

Providing for
Publication
&c. of
annual
Account.

22. Instead of the Provisions contained in the 38th Section of "The Gasworks Clauses Act, 1847," an Account in the Form and containing the Particulars specified in the Second Schedule to this Act shall be made up by the Company to the Thirtieth Day of *December* in each Year, and shall be published for Two successive Weeks in some Newspaper published and circulating in the Town of *Brighton* in the Month of *March* following, and a Copy of the said Account shall in the same Month be transmitted by the Company free of Charge to the Town Clerk of the Borough of *Brighton*, and to the Clerk of the Peace for the County, under a Penalty of Twenty Pounds for each Default; and the Copies so sent shall be kept by the said Town Clerk and Clerk of the Peace respectively, and shall be open to Inspection by all Persons at all reasonable Hours on Payment of One Shilling for each Inspection, but no other Fee of any kind shall be chargeable in respect of the said Account.

Receipts of
Guardians
&c. to be
sufficient
Discharge.

23. Where any Money is payable to a Shareholder being an Infant or Lunatic, the Receipt of his Guardian or of the Committee of his Estate shall be a sufficient Discharge to the Company for the same.

Scale of
voting.

24. The Scale of voting by Shareholders at General Meetings of the Company shall be as follows; namely, One Vote for every Five Shares up to Fifty Shares, One Vote for every additional Ten Shares above Fifty and up to One hundred Shares, and One Vote for every additional Twenty Shares above One hundred Shares.

Qualification
and Number
of Directors.

25. The Qualification of a Director of the Company shall be the Possession in his own Right of at least One thousand Pounds paid-up Share

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Share Capital in the Undertaking, and the Number of Directors shall not exceed Six, Three to be a Quorum.

26. If any Director dies or resigns or becomes disqualified or incompetent to act as a Director, or ceases to be a Director otherwise than by going out of Office by Rotation, the remaining Directors may, if they think proper, elect in his Place some other Shareholder duly qualified to be a Director, and the Shareholder so elected shall continue in Office as a Director so long only as the Person in whose Place he is elected would have been entitled to continue if he had remained in Office.

Supply of occasional Vacancies in Office of Directors.

27. Notwithstanding anything in the Company's Act of 1839, the Company may, with the Consent in Writing of the *West Hove Improvement Commissioners* acting under the Authority of "The *Hove Improvement Act, 1858*," drain into the Sea, at any Point in any Portion of the Parish of *Hove* which is or shall be from Time to Time within the Jurisdiction of the said Commissioners, any Storm or other inoffensive Waters, and the said Commissioners are hereby authorized to give such Consent either absolutely or on such Terms and Conditions as they from Time to Time think fit.

Drainage with Consent of West Hove Commissioners.

28. Subject to any Contracts now subsisting between the Company and any Consumers, the Price for One thousand Cubic Feet of Gas to be charged by the Company to Consumers by Meter shall not after the Thirty-first Day of *December* next exceed the following respective Amounts; namely, in any Place within the Limits of the Company's Act of 1839 (except that Part of the Parish of *Portslade* which is North of the Upper *Shoreham Road*) Three Shillings and Sixpence, in the said excepted Part of the Parish of *Portslade* Four Shillings; in any other Parish or Place Five Shillings.

Price of Gas.

29. The Company shall, on the Request of any Owner or Occupier of any House, Factory, or Premises within One hundred Feet of which any Main Pipe of the Company shall be laid, furnish to such Owner or Occupier a Supply of Gas to such House, Factory, or Premises at a Rate not exceeding the Rate by this Act limited; and if the Company fail to supply such Gas to any such Owner or Occupier within a reasonable Time after such Request, then and in every such Case, on Proof before Two or more Justices of such Failure, and that the Company had no sufficient Excuse for such Failure to the Satisfaction of such Justices, the Company shall forfeit such Sum not exceeding Five Pounds as the Justices think fit for every Day beyond a Day to be fixed by such Justices during which such Failure shall be allowed to continue: Provided always, that the Company shall not be bound to supply or to continue to supply any Gas under the foregoing Provision

Compelling Company to supply Consumers.

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Provision to any Consumer unless reasonable Security for Payment for the Gas to be supplied for Six Months be given, if required, at the Cost of the Person or Persons requiring such Supply or Continuation of Supply of Gas: Provided also, that the Expense of laying all necessary Service Pipes, except Service Pipes to be laid upon any public Street, Road, or Highway, and not exceeding in Length Twenty-five Feet from the Company's Mains, shall be borne by the Party requiring the same to be laid, and the estimated Cost thereof, if required by the Company, shall be paid to the Company in advance by such Party; and in case of a Dispute between the Company and such Party as to such Costs, the same shall be settled in manner provided by "The Companies Clauses Consolidation Act, 1845," for the Settlement of Disputes by Arbitration.

As to laying the Mains and Service Pipes.

30. Subject to the Provisions of this Act, the Company shall at their own Expense, upon the Request in Writing of any Local Authority, provide, lay down, fix, maintain, and keep in repair all Mains necessary for the proper lighting of such of the Streets within the said Limits as are mentioned in such Request, and provided the Lamps to be supplied shall be fixed at not exceeding the average Distance of Sixty Yards along the Course of any Main to be laid down by the Company for conveying Gas to such Lamps: Provided that the Company shall not be bound to lay down such Mains unless the Local Authorities shall bind themselves to take such Supply for not less than Seven Years.

Company to supply Gas to public Lamps on Request of Local Authority.

31. The Company shall from Time to Time, at the Request in Writing of any such Local Authority, supply all or any of the present public Lamps within the Limits of such Local Authority, or such other public Lamps to be hereafter provided and fixed as aforesaid, with so much Gas, not being less than Five Cubic Feet *per Lamp per Hour*, and to be delivered at and for such Times and Periods, not being less in the whole than Four thousand Hours in each Year, as the Parties on whose Request the Supply of Gas is made may from Time to Time desire.

Price of Gas supplied to public Lamps.

32. The Price to be charged by the Company and to be paid to them by the Local Authority for all Gas so supplied to or for any such public Lamps shall always be calculated and fixed at and according to the lowest Price for the Time being charged by the Company to any private Consumer otherwise than by special Contract in Writing in the Town or Place within which such public Lamps shall be situated.

Meters for public Lamps.

33. The Gas supplied to the public Lamps within the Limits of this Act and the recited Acts shall be consumed by Meter at the Option

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Option from Time to Time of the Local Authority or the Company, and in case of its being consumed by Meter the Meters shall be provided by the Company at the Expense of the Local Authority, but neither Party shall, except as herein-after provided, be entitled to require that a Meter be affixed to more than One in every Fifteen Lamps then supplied with Gas under this Act or the recited Acts: Provided also, that the Company shall be at liberty, if they think fit, to have a Meter affixed to any additional Number of Lamps, they providing such Meters and paying to the Local Authority the additional Expense of providing and adjusting the Lamps, Lamp Posts, and other Things necessary for their Reception and Use: Provided always, that if the Gas shall, under the Provisions of this Act, be supplied to the public Lamps by average Meter Indication, the Company shall, for securing Uniformity of Consumption between the metered and the unmetered Lamps, from Time to Time provide the public Lamps under the Control of the Local Authority with proper regulating Apparatus and Burners, and any Difference between the Parties as to any of the Matters referred to in the present Section shall from Time to Time be settled by Two Justices.

34. The average Amount of the Indications of all the Meters attached to the public Lamps under the Control of the Local Authority shall, except as herein-after mentioned, be deemed to be the Amount consumed by each such public Lamp, but the said Local Authority may from Time to Time by an Order in Writing, of which Notice under the Hand of the Town Clerk of *Brighton* or the Clerk of any other Local Authority shall be given to the Company, divide the said Borough or Parishes into Districts containing not less than One hundred Lamps, and in such Case the average Amount of the Indications of all the Meters within each such District shall be deemed to be the Amount consumed by each public Lamp under the Control of the Local Authority within the same District, and the Local Authority may from Time to Time alter the Limits of or discontinue any such District; but no District shall be created, altered, or discontinued except upon Three Months Notice by the Local Authority to the Company.

Average
Amount of
Indication
to be deemed
Amount
consumed.

35. The Gas supplied to any such public Lamp shall be permitted to pass unrestrictedly to and from such regulating Apparatus for the whole of the Period during which any such public Lamp shall be lighted.

As to Supply
of Gas to
public
Lamps.

36. If either the Company or the said Local Authority shall dispute the Accuracy of the Registration of any Meter, then such Meter shall be tested in manner provided by the Act passed in the Session of Parliament held in the Twenty-second and Twenty-third

Defective
Meters to be
thrown out
of Account.

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22 & 23 Vict.
c. 66.
(Public.)

Years of the Reign of Her present Majesty, intituled *An Act for regulating Measures used in Sales of Gas*, and if found to register erroneously within the Meaning of the said Act it shall not be deemed to be One of the Meters from which the Average aforesaid shall be determined.

Company to
light public
Lamps.

37. The Company shall, if required by the Local Authority, from Time to Time light, clean, and extinguish all public Lamps to which the Company shall supply Gas, and the Sum to be paid to the Company for such lighting, cleansing, and extinguishing, and for the Use, Maintenance, and Repair of the Service Pipes, Burners, and Stopcocks to be provided and maintained by the Company as aforesaid, shall, unless mutually agreed upon, be settled by Two Justices from Time to Time upon the Application of either Party, and for such Period not less than One Year nor more than Three Years as to such Justices shall seem good: Provided that if such Local Authority elect to light, clean, or extinguish such public Lamps, they shall in such Case pay the Company for the Use, Maintenance, and Repair of the Service Pipes, Burners, and Stopcocks a Sum to be agreed upon between them and the Company, or in case of Dispute to be settled by Two Justices as aforesaid.

Penalty for
Failure to
supply Gas
to public
Lamps or
public Build-
ings.

38. If and whenever the Company wilfully fail to supply Gas as by this Act required to all or any of the public Lamps or public Buildings, they shall, on a summary Conviction before Two Justices, forfeit and pay to the Local Authority such a Sum not exceeding Twenty Pounds for every Offence as the Justices think fit, and a further Penalty not exceeding Five Pounds for every Day after such Conviction during which the Offence continues.

Illuminating
Power and
Purity of
Gas.

39. All Gas supplied by the Company shall be of such illuminating Power as to produce from a Steatite Argand Burner having an external Diameter of 1.10 of an Inch, and an internal Diameter of 0.50 of an Inch, and having Fifteen Holes, each Hole of the Diameter of 0.05 of an Inch, and having a Seven-inch Chimney supported on an ordinary Gallery with a perforated Disc, and consuming not more than Five Cubic Feet of Gas an Hour, a Light equal in Intensity to the Light produced by Fourteen uncased Sperm Candles of Six to the Pound, each burning One hundred and twenty Grains an Hour, and shall be so far free from Sulphuretted Hydrogen as not to discolour moistened Test Paper imbued with Acetate or Carbonate of Lead when exposed for One Minute to a Current of Gas issuing under a Pressure of Five Tenths of an Inch of Water: Provided that if the Council of the Borough of *Brighton* shall at any Time, by Notice under the Hand of their Town Clerk, require that Gas of not less than the illuminating Power of Fifteen such Candles shall be supplied,
the

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the Company shall within Six Months from the Service of such Notice supply Gas of Fifteen Candle Quality (such Quality to be ascertained, *mutatis mutandis*, as herein-before mentioned with respect to Gas of Fourteen Candles Quality), and in such Case the Company may charge a Price not exceeding Three Shillings and Ninepence *per* One thousand Cubic Feet in lieu of Three Shillings and Sixpence *per* One thousand Feet as herein-before is mentioned.

40. The Company shall within One Month after the passing of this Act deposit at the Town Hall at *Brighton* a Model of the Burner required by this Act, and such Model shall be verified by the Inspector acting for *Brighton* under the Public General Act of the Twenty-second and Twenty-third Years of the Reign of Her present Majesty, Chapter 66, in such Manner as he thinks best, and shall be kept by the Town Clerk, and all Consumers of the Company's Gas shall at all reasonable Times be allowed to inspect the said Model.

Model of
Burner to be
deposited.

41. The Corporation of the Borough of *Brighton* shall within Six Months after the passing of this Act cause to be erected from Time to Time and at all Times at their own Expense in a Testing House at or near to the Town Hall in *Brighton* an experimental Meter furnished with a Burner of the Description herein-before specified, with other necessary Apparatus for testing the illuminating Power of the Gas; and in order to test the illuminating Power and Purity of the Gas supplied by the Company the Corporation may by Order under their Common Seal, or any other Local Authority may by Order evidenced as by Law required, appoint some competent Person, not being a Member or Officer or Servant of the Corporation or of the Local Authority, to proceed to the said Testing House in which such experimental Meter is erected, and the Person so appointed may at any Time between Three in the Afternoon and Twelve at Night, Notice in Writing of such Appointment and of the Day and Hour at which such Person will attend having been given to the Company not less than Three Hours previously to the Time fixed by being left at their Office, and in the Presence of the Superintendent or other Officer of the Company or other Person appointed by them, if he shall be in attendance, and if not, then in his Absence, make Experiment of the illuminating Power and Purity of the Gas, 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 Two Justices, after hearing the Parties, that the illuminating Power or Purity of the Gas supplied by the Company is not, when so tested, equal to the illuminating Power or Purity by this Act prescribed, then the Company shall forfeit such Sum not exceeding Twenty Pounds as the Justices shall determine.

Corporation
to erect
experimental
Meters for
testing their
Gas.

42. When

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Power to
Justices to
make Order
on hearing of
Complaint.

42. When on the Hearing, and whether or not the Company have appeared, it appears to the Justices that the Complaint of the Local Authority against the Company is well founded, the Justices shall make an Order declaring that it is well founded, and order the Company to pay any Penalties thereby incurred, and to remove, within a reasonable Time to be expressed in their Order, the Grounds of Complaint, and they may by such Order direct that any specific Acts shall, within such a reasonable Time to be expressed in such Order, be done by the Company for removing the Grounds of Complaint, and the Justices may make any Order for the Payment of the Costs they think fit.

Company to
remove
Cause of
Complaint.

43. When the Company are served with any such Order so made they shall, within the Time thereby limited, remove the Ground of Complaint, and pay the Penalty and Damages (if any) and Costs (if any) thereby ordered to be paid by them.

Costs of
Experiments
according to
Event.

44. The Costs of every such Experiment (including the Remuneration of the Person making the same) and of any Proceedings before Justices as aforesaid shall be borne and paid as follows; (that is to say,) in the event of any Penalty being inflicted on the Company the Costs of both Parties shall be paid by the Company, but in case a Penalty is not inflicted then the Company's Costs shall be paid by the Corporation or other Local Authority making the Experiment.

Power to
contract for
Supply of
Meters, &c.

45. The Company may from Time to Time contract with any Person or Persons for providing him or them with Pipes, Burners, Meters, and Lamps, and for the Repair thereof.

Power to
let Meters,
&c.

46. The Company may let at a Rent any Meter and any Fittings for Gas, and such Rent shall be recoverable as Rent due to the Company for Gas is recoverable, and such Meters or Fittings shall not be subject to Distress for Rent of the Premises where the same are used, or to be taken in Execution under any Process of a Court of Law or Equity, or any Fiat or Sequestration in Bankruptcy, against the Person having Possession thereof.

Consumption
by Meter.

47. Subject to the Provisions of this Act with respect to public Lamps, the Company may require that any Gas supplied by them be consumed by Meter, and may provide and let Meters accordingly, unless the Consumer provides the same at his own Expense, in which Case the Meter and so much of the Pipe extending thereto from the Main as do not belong to or are not under the Control of the Company shall be in all respects constructed, laid, affixed, maintained, and kept in repair to the reasonable Satisfaction of the Company, otherwise the Company may cut off the Supply of Gas to the Consumer; and

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and as soon as the Consumer complies with the Provisions of this Section the Company shall restore the Supply for the Residue of the Term of the Contract; but nothing in the present Enactment shall affect any Contract between the Company and any Consumer subsisting at the passing of this Act.

48. If any Consumer of the Gas of the Company or other Person fraudulently or by culpable Negligence injures or suffers to be injured any Meter or Fittings belonging to the Company under his Control, or alters the Index to any Meter, or otherwise fraudulently prevents any Meter from duly registering the Quantity of Gas used, or in any Manner fraudulently uses or consumes the Gas of the Company, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, without Prejudice to the Right of the Company to recover the Amount of any Damage by them sustained.

Penalty for
injuring
Meters,
Fraud, &c.

49. The Section of the Company's Act of 1839, numbered 77, (relating to the Recovery of Rents) is hereby repealed.

Repeal of
Sect. 77 of
2 & 3 Vict.
c. xxxviii.

50. Nothing in the Company's former Acts or in this Act, or any Act incorporated wholly or in part with this Act, shall prevent the Company from recovering any Sum of Money not exceeding Fifty Pounds due to them for the Supply of Gas, or for Coke, Tar, or other Materials supplied by the Company, or for the Sale, Hire, or fixing of Meters or Fittings, or for Damages, Costs, or Expenses, by Action or Proceeding in such Manner as is by Law provided for the Recovery of Debts not exceeding Fifty Pounds, and any Judge of a County Court or Justice shall not be disqualified from acting by reason of his being liable under any Act to the Company for any Gas Rent, Meter Rent, or other Charge.

Small Sums
recoverable
in County
Court.

51. In case any Consumer leave the Premises where Gas was supplied to him without paying to the Company the Gas Rate or Meter Rent then due from him, the Company shall not therefore refuse to supply Gas to the next Tenant of the Premises on his Payment, or Tender of Payment, or giving Security for Payment of the Rate or Rent to become due to the Company for the Supply of Gas to such next Tenant, or Meter Rent.

Incoming
Tenant not
to be liable
for Arrears
of Gas Rents.

52. Except in Cases of pressing Necessity from the Escape of Gas or other Emergency, nothing herein or in the Acts incorporated herewith shall authorize the Company, without the Consent in Writing under the Hand of the Clerk to the Local Authority, to break up any Street, Road, or Highway within the Town of *Brighton* or Parish of *Hove* for the Purpose of laying down any Main Pipes between the Thirty-first Day of *July* in any Year and the First Day of *February* in the following Year.

Streets not
to be opened
between cer-
tain Periods.

[*Local.*]

28 *M*

53. The

The Brighton and Hove General Gas Company's Act, 1866.

Company to
make Map of
Mains.

53. The Company shall within One Year after the passing of this Act make a Map of the District within the Borough of *Brighton*, and also of the Districts within the Jurisdiction of every other Local Authority within which their Main Gas Pipes then lie, on a Scale of not less than Two Feet to a Mile, and shall mark thereon the Line of all their then existing Mains, and shall once in every Year correct the Map, and make such Additions thereto as will show the Line of all their Mains.

As to the
Custody and
Inspection of
Map.

54. Every Map so made by the Company, or a Copy thereof, with the Time when it was made or was last so corrected expressed thereon, shall be delivered to the Town Clerk of the Borough of *Brighton*, and the same, or a Copy thereof, shall be kept by the Company at their principal Office in the Borough of *Brighton*, and shall at all reasonable Times be open to the Inspection of the Council of the said Borough and of any other Local Authorities and their Officers respectively, who may take Copies or Extracts from the same, and the Secretary of the Company may charge and take the Sum of One Shilling for every Inspection of such Map at the Office of the Company.

Penalty on
Company for
every
Default.

55. If the Company fail to comply with any of the Requirements of this Act with respect to such Map, they shall for every such Offence forfeit and pay to the Local Authorities of the District as to which any such Default shall be made any Sum which Two Justices may adjudge, not exceeding Ten Pounds.

Arbitration
between
Local Authority
and
Company as
to Meters,
&c.

56. If and whenever any Difference shall arise between the Company and the Local Authority either as to the Lamps to which Meters shall be affixed, or as to the Mode or Places of affixing the same, or as to the Registration or taking the Registration of any Meters, or as to the Burners to be used for the Lamps, or as to the Amount to be paid in accordance with the Provisions of this Act for Gas supplied to the public Lamps, public Clocks, and public Buildings in the District, or as to any other Matter connected therewith, the Matter in difference shall, except where otherwise provided by this Act, be settled by Two Justices.

Company's
Fireplaces,
&c. to con-
sume their
own Smoke.

57. Every Fireplace or Furnace of the Company constructed after the passing of this Act in order to be used in either of the Parishes of *Brighton*, *Hove*, or *Aldrington* in the Manufacture of Gas by the Company shall be so constructed as to consume the Smoke arising from the Combustibles used in such Fireplace or Furnace, and every such Fireplace or Furnace of the Company now existing within either of the said Parishes and used for the Purposes aforesaid, and not so constructed as to consume the Smoke arising from such Fireplace or
Furnace,

The Brighton and Hove General Gas Company's Act, 1866.

Furnace, shall within Two Years from the passing of this Act be so altered in its Construction as to consume such Smoke; and if after such Period the Company use for the Purposes aforesaid any Fireplace or Furnace not so altered as aforesaid, or use any such Fireplace or Furnace constructed after the passing of this Act and not so constructed as aforesaid, or shall so negligently use any such Fireplace or Furnace as not to consume the Smoke arising from the Combustibles used therein, the Company shall be liable to a Penalty of Forty Shillings for every Day during any Part of which such Furnace or Fireplace shall be so used or continued, after One Month's Notice in Writing shall have been given to the Company by the Local Authority to remedy or discontinue the Use of the same: Provided always, that nothing in this Section contained shall affect or apply to Retorts for the Manufacture of Gas.

58. Nothing contained in this Act or the Company's former Acts shall empower the Company to create a Nuisance. Acts not to authorize Nuisance.

59. Save as herein expressly enacted, nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authority vested in the Corporation of *Brighton* or in any Local Authority, or affect any existing Contract as to the Supply of Gas. Saving of Rights of Corporation of Brighton.

60. The Costs, Charges, and Expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Company. Expenses of Act.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

THE COMPANY'S FORMER ACTS.

Session and Chapter.	Title or Short Title.	Short Description used in foregoing Act.
2 & 3 Vict. c. xxxviii.	An Act for better lighting with Gas the Town of Brighton and the several Places therein mentioned in the County of Sussex.	The Company's Act of 1839.
6 & 7 Vict. c. xxi.	An Act to amend an Act of the Second Year of Her present Majesty's Reign, for better lighting with Gas the Town of Brighton and the several Places therein mentioned in the County of Sussex.	The Company's Act of 1843.
17 & 18 Vict. c. xlii.	The Brighton and Hove Gas Act, 1854	The Company's Act of 1854.

THE

The Brighton and Hove General Gas Company's Act, 1866.

THE SECOND SCHEDULE.

ANNUAL STATEMENT OF ACCOUNTS showing the actual State and Condition of the Concerns of the Brighton and Hove General Gas Company for the Year ending the 31st Day of December 18' .

Dr. PROFIT AND LOSS. Cr.

18 June 30th	£ s. d.	18 June 30th	£ s. d.
To Coals - - - - -		By Balance brought from last Year's Account	
„ Purifying Materials and Process		„ Sale of Gas after deducting	
„ Repair and Maintenance of Meters, Mains, Service Pipes, and other Works - - -		„ £ 7 estimated Discounts and bad Debts - - - - -	
„ Wages - - - - -		„ Coke and Breeze - - - - -	
„ Lamps, providing, lighting, extinguishing, cleaning, and repairing - - - - -		„ Tar and other Residuals and Fittings - - - - -	
„ Rates and Taxes - - - - -			
„ Salaries, Collectors Commission, and Payments to Directors - - -			
„ Interest on Loans - - - - -			
„ Professional Charges and incidental Expenses - - - - -			
„ per Cent. on Cost of Works for Depreciation - - - - -			
„ Dividends paid to Proprietors, viz. :			
„ per Cent. on £ Capital raised under Act of 2nd Vict. c. 38. - - - - -			
„ per Cent. on £ Capital raised under Act of 6 Vict. c. 21. - - - - -			
„ Do. 17 Vict. c. 42. - - - - -			
„ Do. 29 Vict. c. - - - - -			
„ Miscellaneous Payments—			
Amount carried to Reserve Fund - - - - -			
Balance carried to next Year's Account - - - - -			
£		£	

Dr. BALANCE SHEET. Cr.

£ s. d.	18 June 30th	£ s. d.
To Capital raised—		By Cost of Works, £
Under Act Vict. 2, c. 38. - - -		„ Deduct for Depreciation - - -
„ Do. do. Vict. 6, c. 21. - - -		„ Add Extensions made during the Year - - - - -
„ Do. do. Vict. 17, c. 42. - - -		„ Amount invested of the Reserve Fund - - - - -
„ Do. do. Vict. 29, c. - - - - -		„ Calls unpaid - - - - -
„ Amount of Loans - - - - -		„ Amount owing to the Company for Gas, Coke, residual Products - - - - -
„ Reserve Fund - - - - -		„ Fittings, &c. (exclusive of estimated bad Debts) - - -
„ Amount owing by the Company		„ Coals in Stock - - - - -
„ Unclaimed Dividends - - - - -		„ Residual Products and other Stocks - - - - -
„ Balance as above - - - - -		„ Cash in Hands of Treasurer and Cashier - - - - -
£		£

LONDON:

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