



ANNO VICESIMO NONO & TRICESIMO

VICTORIÆ REGINÆ.

Cap. cxciii.

An Act for extending the Limits of “*The Sheffield Gas Act, 1855,*” and for authorizing “*the Sheffield United Gaslight Company*” to extend their Works and increase their Capital; and for other Purposes. [16th July 1866.]

WHEREAS by “*The Sheffield Gas Act, 1855,*” (in this Act called “the recited Act,”) “*the Sheffield United Gaslight Company*” (in this Act called “the Company”) were incorporated: And whereas by the recited Act the Capital of the Company was declared to be Two hundred and sixty-four thousand nine hundred and eighty-four Pounds, divided into Shares as follows: £120,000 (Part thereof) divided into 4,800 Class A Shares of £25 each, £15,000 (further Part thereof) divided into 1,600 Class B Shares of £9 7s. 6d. each, £39,264 (further Part thereof) divided into 9,816 Class C Shares of £4 each, and £90,720 (Residue thereof) divided into 4,800 Class D Shares of £16 16s. each, and 1,600 Class E Shares of £6 6s. each: And whereas the Class A Shares and the Class B Shares being respectively fully paid up have been converted into One hundred and thirty-five thousand Pounds Class A Stock, and the Class C Shares being fully paid up, and the Condition of Section 39 of the recited Act relating thereto having been performed, [Local.] 29 Q. have

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have been converted into Thirty-nine thousand two hundred and sixty-four Pounds Class B Stock, and the Class D Shares and the Class E Shares being respectively fully paid up have been converted into Ninety thousand seven hundred and twenty Pounds Class B Stock: And whereas by the recited Act the Company were authorized to borrow on Mortgage or Bond any Sum not exceeding Eighty thousand Pounds, including Forty-nine thousand four hundred and sixty-two Pounds Sixteen Shillings and Ninepence previously borrowed, and they borrowed on Mortgage the Sum of Sixty-five thousand nine hundred and fifty Pounds, inclusive of the Forty-nine thousand four hundred and sixty-two Pounds Sixteen Shillings and Ninepence: And whereas in order to pay off their Mortgage Debts and for their other Purposes the Company afterwards created new Class C Shares to the aggregate Amount of Seventy-nine thousand and sixty-nine Pounds Ten Shillings, and they received Calls on those Shares, and paid off Part of their Mortgage Debt: And whereas the Amount remaining to be called up on the new Class C Shares is Fifty-one thousand three hundred and ninety-five Pounds Three Shillings and Sixpence, whereof Twenty-eight thousand nine hundred Pounds is applicable exclusively for paying off the Company's Mortgage Debt of that Amount: And whereas the Company's present Capital amounts to Three hundred and forty-four thousand and fifty three Pounds Ten Shillings, and consists of Stocks and Shares as follows:

Class A Stock	-	£135,000	0	0
Class B Stock	-	29,984	10	0
2,329 New Class C 30% Shares	-	69,870	0	0
310 New Class C 15% Shares	-	4,650	0	0
533 New Class C 6% Shares	-	3,198	0	0
297 New Class C 3% Shares	-	891	0	0
307 New Class C 1% 10s. Shares	-	460	10	0
Total	-	£344,053	10	0

And whereas the Company's Accounts are made up half-yearly to the Thirtieth Day of *June* and the Thirty-first Day of *December*, and on the Thirty-first Day of *December* One thousand eight hundred and sixty-five their Capital stood as follows:

Authorized to be raised as original Capital under the recited Act, and raised accordingly	-	£264,984	0	0
Authorized to be borrowed with the alternative Power of converting the Loan into Capital	-	80,000	0	0
Converted into new Class C Shares	-	79,069	10	0
Balance not converted	-	930	10	0

New

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New Class C Shares	-	-	£79,069	10	0
Amount of Calls made thereon	-	-	27,674	6	6
Remaining to be paid	-	-	51,395	3	6
Applicable exclusively for paying off the					
Mortgage Debt	-	-	28,900	0	0
Balance	-	-	22,495	3	6
Balance of £80,000	-	-	930	10	0
Total Amount receivable	-	-	£23,425	13	6

And whereas the Company in the carrying on their Undertaking have incurred Debts properly chargeable against Capital, and which are not secured by any Instrument under the Company's Seal, to the Amount of Twenty thousand Pounds or thereabouts, so that they have only Three thousand four hundred and twenty-five Pounds or thereabouts applicable to the Extension of their Works: And whereas under the recited Act (Section 42) the prescribed Rate of Dividend on the Class A Stock is Ten Pounds in the Hundred by the Year, and on the other Capital of the Company is, while their general Charge for Gas exceeds Three Shillings and Sixpence for One thousand Cubic Feet, Eight Pounds in the Hundred by the Year, and when it is reduced to Three Shillings and Sixpence for One thousand Cubic Feet Ten Pounds in the Hundred by the Year: And whereas the maximum Charge for Gas prescribed by the said recited Act is Four Shillings for One thousand Cubic Feet, and the Company's present general Charge for Gas is Three Shillings and Sixpence for One thousand Cubic Feet: And whereas the Population and Buildings within the Limits of the recited Act and in the immediate Neighbourhood thereof have since the passing of the recited Act greatly increased, and it is expedient that the Limits within which the Company may supply Gas be extended, and the Company be authorized to extend their Gasworks: And whereas under the recited Act (Section 77) the Company have by Agreement purchased the Lands specified in the Schedule A. to this Act annexed, and it is expedient that they be authorized to use the same for the Purposes of their Gasworks: And whereas it is expedient that the Company be authorized to increase their Capital: And whereas Experience has shown that the Increase of the Rate of Dividend on the Company's Capital in proportion to the Decrease of the general Charge for Gas has worked beneficially for the Public, and it is expedient that in order to induce the Company to exert themselves to reduce still further the Price of Gas supplied by them the Rate of Dividend out of Profits which they may pay on their further Capital be increased in proportion to the Reduction of their general Charge for Gas supplied by them: And whereas it is expedient that the recited Act be in other respects amended: And whereas the Objects of this Act

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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:

Short Title. 1. This Act may for all Purposes be cited as "*Sheffield Gas Act, 1866.*"

8 & 9 Vict. cc. 16. & 18.,
10 & 11 Vict. c. 15.,
23 & 24 Vict. c. 106., and
26 & 27 Vict. c. 118. incor-
porated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and Section 6 to Section 65, both inclusive, and 161 and 162, of "The Companies Clauses Consolidation Act, 1845," and Parts I. and II. of "The Companies Clauses Act, 1863," and "The Gasworks Clauses Act, 1847," are (except where expressly varied by this Act) incorporated with and form Part of this Act: Provided that this Act shall not authorize the Purchase of Land otherwise than by Agreement.

Same Mean-
ings to
Words in
incorporated
Acts as in
this Act, &c.

3. The several Words and Expressions to which by the Acts in whole or in part incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context; and the Expression "Superior Courts" or "Court of competent Jurisdiction" in the recited Act and this Act respectively shall for the Purposes of the recited Act and this Act respectively be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute; and Section 38 of "The Gasworks Clauses Act, 1847," shall for the Purposes of this Act be read and have Effect as is provided by Section 4 of the recited Act.

Recited Act
and this
Act to have
Effect as one.

4. The recited Act as amended by this Act and this Act shall be read and have Effect as if they were One Act.

Extension
of Limit for
Supply of
Gas.

5. The Limits of the District within which the Company may supply Gas comprise, for the Purposes of the recited Act as amended by this Act and this Act, not only the Townships and Places mentioned in Section 3 of the recited Act, but also the Places following; (that is to say,)

The Townships of *Totley* and *Dore* in the Parish of *Dronfield*, and the Extra-parochial District of *Beauchief* or *Beauchief Abbey*, all in the County of *Derby*, and so much of the Township of *Kimberworth* in the Parish of *Rotherham* in the County of *York* as is within Eight hundred Yards from any Point of either of the Parishes of *Sheffield* and *Ecclesfield* in the County of *York*.

6. So

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6. So much of Section 64 of the recited Act as limits the Amount of Remuneration of Managing Director is by this Act repealed.

Repeal of Part of Sec. 64 of 18 & 19 Vict. c. xiv.

7. In addition to their present Capital of Three hundred and forty-four thousand and fifty-three Pounds Ten Shillings, and without Prejudice to their Power to raise as Capital the Nine hundred and thirty Pounds Ten Shillings which they have not raised, the Company from Time to Time may by the Creation of new ordinary Shares raise any Sums not exceeding in the whole Three hundred and fifty thousand Pounds.

Increase of Capital.

8. The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of the Share be paid in respect thereof.

Shares not to issue until One Fifth paid up.

9. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

Calls.

10. The prescribed Rate of the Profits to be divided amongst the Shareholders in any Year upon the Shares to be created under the Powers of this Act shall be as follows; (namely,)

Limiting Dividend on new Shares.

The Rate of Seven Pounds in the Hundred by the Year on the Amount from Time to Time paid up on such Shares so long as the Company's general Charge for Gas shall exceed Three Shillings and Threepence *per* One thousand Cubic Feet;

The Rate of Seven Pounds Ten Shillings in the Hundred by the Year so long as such general Charge shall exceed Three Shillings but not exceed Three Shillings and Threepence *per* One thousand Cubic Feet;

The Rate of Nine Pounds in the Hundred by the Year so long as such general Charge shall exceed Two Shillings and Ninepence but not exceed Three Shillings *per* One thousand Cubic Feet; and

The Rate of Ten Pounds in the Hundred by the Year so long as such general Charge shall be at or under Two Shillings and Ninepence *per* One thousand Cubic Feet.

11. The Company from Time to Time may borrow on Mortgage in respect of their present Capital any Sums not exceeding in the whole Eighty-six thousand Pounds, and in respect of every Fifty thousand Pounds of the additional Capital by this Act authorized any Sums not exceeding in the whole Twelve thousand five hundred Pounds.

Power to borrow on Mortgage.

Sheffield Gas Act, 1866.

Restriction
on borrow-
ing.

12. Provided, That no Part of the respective Sum of Twelve thousand five hundred Pounds to be so borrowed shall be borrowed until the whole of the respective Fifty thousand Pounds of Capital in respect of which it is to be borrowed is subscribed for, and One Half thereof is paid up, and the Company prove to the Justice who is to certify under Section 40 of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of the respective Fifty thousand Pounds of Capital has been issued and accepted, and One Half thereof has been paid up, and not less than One Fifth Part of the Amount of every separate Share has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that the respective Fifty thousand Pounds of Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that the Subscribers or their Assigns are legally liable for so much thereof as remains unpaid, of which Proof having been given the Certificate of the Justice that satisfactory Proof to that Effect has been given to him shall be sufficient Evidence.

Receiver for
Mortgagees.

13. 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 is made shall not be less in the whole than Five thousand Pounds.

Existing
Mortgages
to have
Priority.

14. All Mortgages granted by the Company in pursuance of the recited Act, and subsisting at the Time of the passing of this Act, shall during the Continuance thereof have Priority over all Mortgages granted in pursuance of this Act.

Application
of Monies.

15. All Monies raised under this Act, whether by Shares or by borrowing, shall be applied only for the Purposes of the recited Act as amended by this Act and this Act.

Power to
make addi-
tional Gas-
works.

16. The Company may from Time to Time make, maintain, alter, and use Works for the Manufacture of Gas in the Lands specified in Schedule A. to this Act annexed.

Restriction
as to Erec-
tion of
Works.

17. Nothing in this Act contained shall authorize the Company to make or maintain any Works for the Manufacture of Gas except in the Lands vested in the Company by the recited Act, and the Lands specified in Schedule B. to the recited Act and in Schedule A. to this Act annexed respectively.

Power to
Purchase
Lands.

18. In addition to the Lands by the recited Act vested in the Company, and the Lands already or hereafter purchased by the
Company

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Company under the Powers therein contained, the Company may by Agreement purchase or acquire any other Lands not exceeding in Quantity Fifty Acres, or any Estate, Term, or Interest in any such Lands: Provided always, that the Company shall not erect any Works for the Storage of Gas upon any Lands so to be purchased or acquired within Three hundred Yards of any Dwelling House existing at the Time of such Purchase or Acquisition without the Consent in Writing of the Owner, Lessee, and Occupier of every such Dwelling House.

19. The Provisions of Section 93 of the recited Act shall not apply to Gas supplied within the Townships of *Totley Dore* and *Kimberworth* or the Extra-parochial District of *Beauchief* or *Beauchief Abbey*, and the Company's general Charge for Gas shall mean the Charge to Consumers within the Limits defined by the recited Act not having such a special Contract as is referred to in that Section.

Certain Provisions of recited Act not to apply to Supply of Gas in certain Townships.

20. The Eighty-eighth Section of the recited Act is hereby repealed, and from and after the passing of this Act all the Gas supplied by the Company shall be of such an illuminating Power as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, and consuming not more than Five Feet of Gas an Hour, a Light equal in Intensity to the Light produced by Fifteen Sperm Candles of Six to the Pound, each Candle burning One hundred and twenty Grains *per* Hour.

Quality of Company's Gas.

21. The Company shall (within Six Months after the Commencement of this Act) on each of their existing Works where they manufacture Gas, and (within Six Months after they shall manufacture Gas on any other Works) on such other Works, erect and, so long as such Works respectively shall be used for the Manufacture of Gas, maintain thereon respectively such an experimental Meter, and so furnished as is provided for and mentioned in Section 90 of the recited Act, and Section 91 of the recited Act shall apply in such and in the same Manner as if this Provision had been contained in the recited Act; and if the Corporation shall at any Time or Times hereafter at their own Expense provide a suitable Office situate within One hundred Yards of the South-west Corner of the present Town Hall in *Sheffield* (namely, the Corner where the Two Streets called respectively *Castle Street* and *Waingate* meet), or in any other Situation within the Borough of *Sheffield* to be from Time to Time agreed upon between the Company and the Corporation, or in case of Difference to be fixed by the Court of Quarter Sessions of the West Riding of the County of *York*, and shall by an Order under their Common Seal request the Company to erect and maintain in such Office such an experimental Meter and Apparatus as is mentioned in Section 90 of the recited Act, the

Experimental Meters to be provided in certain Places.

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the Company shall also within Two Months from the Receipt of such Order, at the Expense of the Corporation, erect in such Office such Meter and Apparatus, and during the Continuance of such Order at their own Expense maintain and keep the same in good working Order and Condition (such Office Meter and Apparatus to be during the Continuance of such Order in the Custody of the Corporation); and the Chemist or other Person appointed under Section 89 of the recited Act may at all reasonable Times in the Daytime, on giving Two Hours previous Notice in Writing to the Company, by delivering the same at the principal Office of the Company, and on Production of a Certificate under the Hand of the Mayor of the Borough of *Sheffield* of his Appointment, enter the Office so provided as aforesaid for the Purpose of making, and forthwith in the Presence of the Superintendent or any other Officers of the Company, if he or they think fit to be present, make, Experiments on the illuminating Power and Purity of the Gas by means of the experimental Meter and other Apparatus so provided in such Office, and in such Experiments the Company, their Officers and Servants, shall render all necessary Assistance; and if it be proved to the Satisfaction of any Two Justices, after hearing the Parties, that the illuminating Power of the Gas supplied by the Company is not such an illuminating Power as is required by this Act, or if it shall be proved in like Manner that such Gas contains a sufficient Quantity of Sulphurated Hydrogen to discolour the usual Test Paper, then the Company shall for every such Offence forfeit a Sum not exceeding Ten Pounds: Provided also, that it shall not be lawful for the Corporation or the Chemist, or other Person so appointed as aforesaid, to publish or make public the Result of any Experiments they may at any Time make, unless such Notice as by the recited Act or this Act is required to be given before the making of such Experiments shall have been duly given.

Power to
sell Land not
wanted.

22. The Company from Time to Time may sell, dispose of, and convey for their Estate or Interest therein all or any Part of any Lands now or hereafter belonging to the Company, and which they consider to be not wanted for the Purposes of this Act or of the recited Act.

Recovery of
Sums due to
the Com-
pany.

23. Where any Person fails to pay any Sum due to the Company, or any Expenses payable to them, the Company may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction for the Recovery of Debts of like Amount, and the Remedies of the Company for the Recovery of Monies are cumulative.

Proceedings
in Bank-
ruptcy, & c.

24. The Secretary or Treasurer or any Director of the Company, or any Person authorized by any special or general Authority under the Common Seal of the Company, may represent, and act for the
Company

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Company in any Proceedings in Bankruptcy Court or County Court in all respects as if the Proceedings were the Proceedings of the Secretary, Treasurer, or Director, or other Person, and not of the Company.

25. A Person shall not by reason of his being a Shareholder of the Company be disqualified from being or acting as a Member of the Corporation, whether as a Municipal Corporation or as a Local Board of Health, or otherwise, or be liable to any Penalty notwithstanding the Corporation enter into or are interested in any Contract with or for the Company: Provided that no Shareholder being a Member of the Corporation shall as such Member vote concerning any such Contract.

Shareholders not disqualified from acting as Members of the Council of Sheffield.

26. No Judge of a County Court or Justice shall be disqualified from acting in the Execution of this Act or the recited Act by reason of his being liable to any Gas Rent, Meter Rent, or other Charge under this Act or the recited Act, or by reason of his being a Shareholder of the Company.

County Court Judges and Justices not disqualified.

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

Expenses of Act.

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and the said Corporation shall be empowered to purchase any land or lands...

SCHEDULE (A.) referred to in the foregoing Act.

Lands situate in the Township of Brightside Bierlow in the Parish of Sheffield in the West Riding of the County of York abutting on or towards the East or South-east on the Sheffield and Rotherham Branch of the Midland Railway, on or towards the West or North-west partly on Lands of the Right Honourable the Earl Fitzwilliam, and partly on the Churchyard and Premises belonging to Saint Thomas's Church at Grimesthorpe, on or towards the North and North-east on Lands of the said Earl Fitzwilliam, and on or towards the South or South-west on a Highway called Baggaley Lane, the total Quantity thereof being Nine Acres One Rood Thirty-eight Perches or thereabouts.

27. All the Costs, Charges and Expenses of and incurred by the Corporation...

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