



ANNO TRICESIMO

VICTORIÆ REGINÆ.

Cap. xxiv.

An Act for authorizing the *South Shields* Gas Company to extend their Works and increase their Capital; and for other Purposes.

[31st *May* 1867.]

WHEREAS by "The *South Shields* Gas Act, 1857," in this Act called "the Act of 1857," the *South Shields* Gas Company (hereafter in this Act called "the Company") was incorporated, and authorized to supply Gas within the Borough of *South Shields* and the Parish of *Jarrow* in the County of *Durham*, both without as well as within the Borough: And whereas the Capital of the Company was declared by the Act of 1857 to be Forty thousand Pounds, whereof Twenty thousand Pounds was called the original Capital, and Twenty thousand Pounds the additional Capital, and the Company were authorized to borrow on Mortgage or Bond Nine thousand eight hundred Pounds: And whereas the Population of the Borough of *South Shields* and of the Parts of the Parish of *Jarrow* without the Borough hath of late Years greatly increased and is still increasing, and numerous Manufactories, Houses, and Buildings have been erected and are in course of Erection, and there is a greatly increasing Demand for a Supply of

20 & 21 Vict.
c. vi.

[*Local.*]

3 T

Gas:

South Shields Gas Act, 1867.

Gas: And whereas the Company have raised and expended the whole of the Share Capital authorized to be raised by the Act of 1857, and have raised on Mortgage and Bond the whole of the Sum authorized to be borrowed by that Act: And whereas the Company have purchased certain Gasworks in *Jarrow* formerly belonging to the *Jarrow Gas Company*, and which Works are more particularly described in Part I. to Schedule (B.) to this Act, and such Works are in operation for the Supply of Gas in *Jarrow*, and it is expedient that the Company be authorized to hold the same as Part of their Undertaking: And whereas for the Purpose of providing for the increasing Demand for Gas it is expedient that the Company be authorized to extend and enlarge their Gasworks, and to erect other Gasworks, and to acquire and hold additional Lands for such Purpose: And whereas the additional Lands required by the Company for the Erection of Works for the Manufacture of Gas are specified in the Schedule (A.) and Parts II. and III. of Schedule (B.) to this Act: And whereas it is also expedient that the Company be authorized to raise further Sums of Money, and that the Limits of the District within which the Company may supply Gas be extended as in this Act provided: And whereas the *Newcastle-upon-Tyne and Gateshead Gas Company* are by the "*Newcastle-upon-Tyne and Gateshead Gas Act, 1864*," also authorized to supply Gas within the Parish of *Jarrow*, and it has been agreed between the Company and the *Newcastle-upon-Tyne and Gateshead Gas Company* that the Powers of the respective Companies should be restricted as in this Act mentioned: And whereas Plans describing the Lands which the Company are by this Act authorized to purchase and take for the Purposes of their Undertaking, with a Book of Reference to the Plans, have been deposited at the Office of the Clerk of the Peace for the County of *Durham*, and are in this Act referred to as the deposited Plans and Book of Reference, and such Lands are more particularly described in Schedule (A.) to this Act annexed: And whereas the Objects of this Act 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:

Short Title.

1. This Act may for all Purposes be cited as "*South Shields Gas Act, 1867*."

8 & 9 Vict.

c. 16.,

10 & 11 Vict.

c. 15., and

23 & 24 Vict.

c. 106. incorporated.

2. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Gasworks Clauses Act, 1847," are (except where expressly varied by this Act) incorporated with and form Part of this Act.

3. The

South Shields Gas Act, 1867.

3. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845,"

Parts of
8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118. incor-
porated.

With respect to the Distribution of the Capital of the Company into Shares;

With respect to the Transfer or Transmission of Shares;

With respect to the Payment of Subscriptions and Means of enforcing the Payment of Calls;

With respect to the Forfeiture of Shares for Nonpayment of Calls;

With respect to the Remedies of Creditors of the Company against the Shareholders;

With respect to the borrowing of Money by the Company on Mortgage or Bond;

With respect to the Conversion of the borrowed Money into Capital;

With respect to the Consolidation of Shares into Stock;

And with respect to affording Access to the Special Act by all Parties interested;

And Part I., Part II., and Part III. of "The Companies Clauses Act, 1863," so far as the Provisions of the same respectively are not varied by this Act, shall be incorporated with this Act.

4. 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 Act of 1857 and this Act respectively shall, for the Purposes of the Act of 1857 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.

Same
Meanings to
Words in
incorporated
Acts as in
this Act, &c.

5. The Company may from Time to Time raise (in addition to the Capital which they have raised and are authorized to raise) any further Sums not exceeding in the whole Forty thousand Pounds by the Creation of new Ordinary or new Preference Shares, or (at the Option of the Company) by both of those Modes.

Power to
raise addi-
tional
Capital.

6. 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 such Share shall have been paid in respect thereof.

Shares not
to issue until
One Fifth
paid up.

7. 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

Calls.

South Shields Gas Act, 1867.

Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

Preference Shareholders not entitled to vote except with Consent of Company. Privileges, &c. of the Holders of new Capital.

8. No Person shall be entitled to vote in respect of any Share created under this Act to which a preferential Dividend shall be assigned, unless the Company shall at the Time of the Creation and Issue of such Preference Shares have determined otherwise.

9. Save as in this Act or in the Acts incorporated herewith otherwise provided, the Holders of Shares or Stock in the additional Capital hereby authorized to be raised shall be entitled in respect thereof to the like Rights, Qualifications, and Privileges, and be subject to the like Forfeitures, Provisions, and Liabilities, as the Holders of Shares or Stock in the Capital of the Company authorized to be raised by the Act of 1857.

As to the Votes of Proprietors of such Shares.

10. Save as in this Act otherwise provided, the Proprietors of any Shares to be issued under the Authority of this Act shall be entitled to such Number of Votes in respect thereof as the nominal Amount represented by such Shares would have entitled them to if the Shares had been original Shares of the Company.

Limit of Dividends on new Capital.

11. The Company shall not in any Year make out of their Profits any larger Dividend on the additional Share Capital of Forty thousand Pounds to be raised under the Powers of this Act than Seven Pounds in respect of every Hundred Pounds actually paid of such Capital on Ordinary Shares, or Six Pounds in respect of every Hundred Pounds actually paid of such Capital on Preference Shares.

Power to borrow on Mortgage.

12. The Company may from Time to Time, in addition to the Sum of Nine thousand eight hundred Pounds authorized to be borrowed by the Act of 1857, borrow on Mortgage or Bond in respect of every Twenty thousand Pounds of the additional Capital by this Act authorized any Sums not exceeding in the whole Five thousand Pounds for every Twenty thousand Pounds of such additional Capital.

Restriction on borrowing.

13. Provided that no Part of the respective Sum of Five thousand Pounds to be so borrowed shall be borrowed until the whole of the respective Twenty thousand Pounds of Capital in respect of which it is to be borrowed is subscribed for, issued, and accepted, 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 Twenty thousand Pounds of Capital has been subscribed for, issued, and accepted, and One Half thereof has been paid up, and not less than

South Shields Gas Act, 1867.

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 Twenty 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 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.

14. The Mortgagees of the Company may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less in the whole than Three thousand Pounds. Arrears may be enforced by Appointment of a Receiver.

15. All Mortgages and Bonds granted by the Company in pursuance of the Act of 1857, 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. Existing Mortgages to have Priority.

16. The Company may create and issue Debenture Stock, and the prescribed Rate of preferential Interest shall be Five Pounds *per Centum per Annum*. Debenture Stock.

17. All Monies raised under this Act, whether by Shares, Debenture or other Stock, or by borrowing, shall be applied only for the Purposes of the Act of 1857 as amended by this Act, and of this Act. Application of Monies.

18. After the passing of this Act the Qualification of a Director of the Company shall be the Possession in his own Right of not less than Thirty Shares in the Undertaking, and the Twenty-fifth Section of the Act of 1857 shall be read as if Thirty Shares had been inserted therein instead of Twenty Shares. Future Qualification.

19. Subject to the Provisions of this Act, the Company may for the Purposes of their Undertaking purchase, take, and hold the Lands delineated on the deposited Plans and described in the deposited Book of Reference thereto, and more particularly described in the Schedule (A.) to this Act annexed. Additional Lands.

20. The Powers by this Act granted to the Company for the compulsory Purchase of Lands shall not be exercised after Three Years from the passing of this Act. Powers for compulsory Purchases limited.

[Local.]

3 U

21. If

South Shields Gas Act, 1867.

Errors, &c., Omissions in Plans, &c. may be corrected by Two Justices who shall certify the same.

Certificate to be deposited.

Power to purchase other Lands.

Certain Lands not to be taken except with the Consent of the North-eastern Railway Company.

Limiting Quantity of Land to be held.

Power to make additional Gas-works.

21. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the deposited Plan or deposited Book of Reference, or in the Schedule to this Act, it shall be lawful for the Company, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, to apply to Two Justices for the Correction thereof, and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace for the County of *Durham*, and shall also be deposited with the Parish Clerk of the Parish of *Jarrow*, and such Certificate shall be kept by such Clerk of the Peace and Parish Clerk respectively along with the other Documents to which they relate, and thereupon such Plan, Book of Reference, or Schedule shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Company to take the Lands in accordance with such Certificate.

22. In addition to the Lands by the Act of 1857 vested in the Company, and the Lands already or hereafter purchased by the Company under the Powers therein contained, and also in addition to the Lands comprised in Schedule (A.) to this Act, the Company may hold, and by Agreement purchase and hold, the Lands comprised in Schedule (B.) to this Act, or any Parts thereof, and also by Agreement purchase and hold any other Lands: Provided always, that the Company shall not purchase or otherwise exercise the Powers of this Act in respect of the Lands comprised in Part III. of Schedule (B.) without the Consent in Writing of *Cuthbert George Ellison* Esquire, his Heirs or Assigns, and of the *Tyne Coal Company (Limited)*.

23. The Company shall not, except with the Consent in Writing of the *North-eastern Railway Company* under their Common Seal, purchase or take any of the Lands described in Part III. of Schedule (B.) to this Act annexed which that Railway Company may at the Time of the passing of this Act have Power to purchase compulsorily, and shall require for the Purposes of their own Undertaking.

24. The Quantity of Land which the Company may hold at any One Time for the Purposes of their Undertaking shall not exceed Ten Acres.

25. The Company may from Time to Time make, maintain, alter, and use Works for the Manufacture of Gas on the Lands specified in Schedules

South Shields Gas Act, 1867.

Schedules (A.) and (B.) to this Act annexed, or upon any Part or Parts of such Lands.

26. The Company shall not make or maintain any Works for the Manufacture of Gas except on the Lands specified in the Schedule to the Act of 1857, and in Schedules (A.) and (B.) to this Act annexed respectively, nor shall they, except on such Lands specified in the Schedule to the Act of 1857, and in Schedules (A.) and (B.) to this Act, or immediately adjoining thereto respectively, erect Works for the Storage of Gas within Three hundred Yards of any Dwelling House existing at the Time of the Acquisition by the Company of the Lands for such Storage Works without the Consent in Writing of the Owner, Lessee, and Occupier of every such Dwelling House.

Restriction
as to Erection
of Works.

27. The Limits of the District within which the Company may supply Gas shall extend to and include the Parish of *Boldon* in the County of *Durham*, in addition to the Borough of *South Shields*, and the Part of the Parish of *Jarrow* in this Act mentioned, and it shall be lawful for the Company within such extended Limits to exercise the same Powers as they could have exercised if such extended Limits had been included within the Limits of the Act of 1857.

Extent of
Limits of
Supply of
Gas.

28. Notwithstanding anything to the contrary in "The *Newcastle-upon-Tyne and Gateshead Gas Act, 1864*," so much only of the Parish of *Jarrow* as is situate to the West of a Line drawn in a straight Direction from the End of *Hebburn Quay* to the Village of *Fellgate* on the *Shields and Newcastle Turnpike Road* shall be within the Limits within which the *Newcastle-upon-Tyne and Gateshead Gas Company* may supply Gas, and that Company shall not exercise any of the Powers of that Act in the Part of the Parish of *Jarrow* East of that Line; and, notwithstanding anything to the contrary in the Act of 1857, so much only of the Parish of *Jarrow* as is situate East of that Line shall be within the Limits within which the Company may supply Gas, and the Company shall not exercise the Powers of the Act of 1857 or of this Act in the Part of the said Parish West of that Line.

Regulating
the Parts of
the Parish
of *Jarrow* to
be supplied
by Company
and by New-
castle Com-
pany.

29. The Company may (but only for the Purposes of the Company within the Limits of the Act of 1857 and of this Act) contract for, take, and use any Leave, Licence, or Authority to work, use, exercise, or put in practice any Invention or Inventions under any Letters Patent at any Time heretofore made or hereafter to be made granting any Right or Privilege of working, using, exercising, or vending any Invention in relation to the Manufacture and Distribution of Gas, or the Utilization of the residual Products arising from the

Powers to
take Licences
of Patent
Rights.

South Shields Gas Act, 1867.

the Manufacture of Gas, or otherwise in relation thereto, but not so as to acquire an exclusive Right to the Working, Use, Exercise, or putting in practice of any such Invention or Inventions, and may also manufacture and sell, let, or deal in Gas Fittings, Tubes, Meters, Pipes, and all other Articles and Things in any way connected with Gasworks, or with the Supply of Gas to the Consumers thereof, in such Manner as the Company may think proper, and generally carry on the Business usually carried on by Gas Companies, or which is or may become incident thereto: Provided that nothing in this Act contained shall prevent the Company from being liable to an Indictment for Nuisance, or to any other legal Proceeding to which they may be liable in consequence of any such Operations.

Nothing to exempt Company from being indicted for a Nuisance.

Maximum Charge for Gas.

30. The maximum Charge for Gas supplied by the Company without the Borough of *South Shields*, and without the Local Government District of *Jarrow*, shall be the Sum of Five Shillings *per* 1,000 Cubic Feet, and the Charge for Gas supplied within the Borough of *South Shields*, and within the Boundary of the Local Government District of *Jarrow*, shall be Four Shillings *per* 1,000 Cubic Feet, and if Payment be made within Six Weeks of the Amount becoming due the Company shall make a Deduction by way of Discount at the following Rates; that is to say,

To Consumers whose Consumption of Gas for the Quarter of a Year shall not have exceeded 50,000 Cubic Feet, at the Rate of Five *per Cent.* :

To Consumers whose Consumption of Gas for the Quarter of a Year shall have exceeded 50,000 Cubic Feet, but shall not have exceeded 100,000 Cubic Feet, at the Rate of Seven and a Half *per Cent.* :

To Consumers whose Consumption of Gas for the Quarter of a Year shall have exceeded 100,000 Cubic Feet, and shall not have exceeded 200,000 Cubic Feet, Ten *per Cent.* :

To Consumers whose Consumption of Gas for the Quarter of a Year shall have exceeded 200,000 Cubic Feet, and shall not have exceeded 300,000 Cubic Feet, Fifteen *per Cent.* :

To Consumers whose Consumption of Gas for the Quarter of a Year shall have exceeded 300,000 Cubic Feet, and shall not have exceeded 500,000 Cubic Feet, Twenty *per Cent.* :

To Consumers whose Consumption of Gas for the Quarter of a Year shall have exceeded 500,000 Cubic Feet, Thirty *per Cent.*

Liability for public Lighting.

31. The Company shall supply Gas to and clean, light, and extinguish every public Lamp at a Charge of One Shilling for every Week during which such Lamp shall be lighted, and every Burner shall be of such Size and Make as to consume at least Five Cubic Feet of Gas an Hour with a Water Pressure of One Inch and a Quarter: Provided

South Shields Gas Act, 1867.

Provided nevertheless, that the Mayor, Aldermen, and Burgesses of the Borough of *South Shields* and the Local Board of Health for the *Jarrow* District (in this Act referred to as the Lighting Authorities) respectively shall be at liberty at any Time or Times between the Twenty-sixth Day of *April* and the Twenty-third Day of *August*, both inclusive, to diminish the Number of public Lamps to be lighted by the Company to a Number which shall not be less than One Half of the whole Number of public Lamps within the lighted District of the Company within the Parish of *Jarrow*.

32. All the 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 with a Seven-inch Chimney supported upon 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 such Gas shall be so far free from sulphuretted Hydrogen as not to discolour moistened Test Paper imbued with Acetate, or Carbonate of Lead when such Test Paper is exposed for One Minute to a Current of Gas issuing under a Pressure of Five Tenths of an Inch of Water, and shall not contain more than Five and a Half Grains of Sulphur in Twenty-five Cubic Feet of Gas: Provided that the Company and the Lighting Authorities, or either of them, may from Time to Time agree upon any other Mode of Test by which to ascertain the illuminating Power or Purity of the Gas; and the Company shall be liable, during the Continuance of every such Agreement, to have their Gas tested in the Manner prescribed by the Agreement instead of in the Manner herein-before specially prescribed.

Quality of Gas.

33. The Purity of the Gas supplied by the Company shall be estimated by the Process known as Dr. *Letheby's* Sulphur Test, the Description of which is as follows; namely, the Gas shall be burned from a *Leslie's* Burner at a Rate of not more than One Cubic Foot per Hour, and the Products of the Combustion of the Gas shall be conveyed, together with an Excess of Ammonia, into a Glass Receiver with an educt Tube of not less than Three Feet in Length, and not more than Three Quarters of an Inch in Diameter, whereby the condensable Products of Combustion shall be condensed, and the Sulphur therein shall be estimated as Sulphate of Baryta, according to the best chemical Method applicable in that Behalf.

Process for ascertaining Purity.

34. The Company shall, within Six Months after the passing of this Act, cause to be erected, and shall from Time to Time and at
[Local.] 3 X all

Erection of experimental Meter.

South Shields Gas Act, 1867.

all Times maintain in some Part of each of their Works at which the Supply for the Time being is manufactured, an experimental Meter furnished with a Burner of the Description herein-before specified, with other necessary Apparatus for testing the illuminating Power and Purity of the Gas; and in order to test the illuminating Power and Purity of all the Gas supplied by the Company as it issues from the Works, the lighting Authorities, or either of them, within the lighted District of the Parish of *Jarrow*, may, by Order under the Common Seal, respectively appoint some competent Person, not being a Member or Officer or Servant of the Lighting Authorities, or either of them, to proceed to the Premises of the Company on which such experimental Meter is erected, and the Person so appointed may at any Hour between Nine of the Clock in the Morning and Nine of the Clock in the Evening, 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 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, not being Shareholders or Directors of the Company, after hearing the Parties, that the illuminating Power or Purity of the Gas supplied by the Company did not, when so tested, equal the illuminating Power or Purity by this Act prescribed, or that the Company or their Officers refused to afford such reasonable Facilities as aforesaid, or wilfully hindered or prevented the making of the necessary Experiments, then the Company shall forfeit such Sum not exceeding Twenty Pounds as the Justices shall determine.

Order of
Justices.

35. When on the Hearing, and whether or not the Company have appeared, it appears to the Justices that the Complaint of the Lighting Authorities, or either of them, against the Company is well founded, the Justices shall make an Order declaring that it is well founded, and ordering the Company to pay any Penalties thereby incurred, and to remove within a reasonable Time the Grounds of Complaint, and they may by such Order direct that any specific Acts shall be done by the Company for removing the Grounds of Complaint, and the Justices may make any Order for the Payment of the Costs in accordance with the Provisions of this Act in that Behalf, and all Orders so made shall be final and binding on the Parties.

Company to
pay Penalty
and Costs.

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

37. The

South Shields Gas Act, 1867.

37. The Costs of, and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Cost of Proceeding before the Justices, shall be ascertained by the 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 nor of less Purity than is by this Act prescribed, such Costs shall be awarded to be paid to the Company by the Lighting Authority requiring such Experiment to be made, and shall be paid or levied accordingly.

Costs of extra-Amount how to be borne.

38. The Company shall undertake the repairing of the public Lamps supplied with Gas by them, and shall receive for so doing such Remuneration as shall be agreed upon between them and the Lighting Authorities respectively; and if no Agreement be come to, then the Amount so to be paid shall be determined by Arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845."

Repair of public Lamps.

39. The following Sections of the Act of 1857 are by this Act repealed:

Certain Sections of first-recited Act repealed.

Section 44, regulating the maximum Charge for Gas:

Section 45, requiring Differences as to public lighting to be settled by Arbitration:

Section 46, as to Quality of Company's Gas:

Section 47, requiring Company to erect a Meter to test Quality of Gas:

Section 48, giving Power to Local Board to test Quality of Gas:

Section 49, as to Cost of Experiment.

40. A Person shall not, by reason of his being a Shareholder of the Company, be disqualified from being or acting as a Member of any Municipal Corporation or Local Board of Health now existing or hereafter to exist within the Limits of this Act, or be liable to any Penalty notwithstanding any such Corporation or Local Board of Health 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 any Municipal Corporation or Local Board of Health within the Limits of this Act.

41. No Judge of a County Court or Justice shall be disqualified from acting in the Execution of this Act or the Act of 1857 by reason of his being liable to any Gas Rent, Meter Rent, or other Charge under this Act or the Act of 1857, or by reason of his being a Shareholder in the Company.

County Court Judges and Justices not disqualified.

42. Section

South Shields Gas Act, 1867.

Section 53
of first-
recited Act
repealed.

42. Section 53 of the Act of 1857, relating to the Recovery of undisputed Rates, is by this Act repealed.

Recovery of
Charges for
Gas.

43. In case any Person who shall have been supplied with Gas by the Company, or who shall be liable to Payment in respect of a Supply of Gas under or by virtue of the Provisions of the Act of 1857 or this Act, or for the Hire, furnishing, or fixing of Meters or Fittings, or for any Damages, Costs, or Expenses under the Act of 1857 or this Act, or any Act incorporated therewith, shall neglect or refuse to pay the Amount due for the Space of Fourteen Days after Demand thereof by the Company, their Agent or Collector, it shall be lawful for any Justice to issue his Summons to such Person requiring him to appear at a Time and Place named therein, and then and there to show cause why the Sum so demanded should not be paid; and if on the Appearance of such Person, or, in default of Appearance, after Proof of the Service of the Summons either personally or at the last known Place of Abode or of Business of such Person, no sufficient Cause can be shown to the contrary, it shall be lawful for any Justice to issue his Warrant of Distress for the Seizure and Sale of the Goods and Chattels of such Person for the Recovery of the Amount which may be proved before such Justice to be due from such Person, together with such Costs, including the Costs of cutting off the Gas, if the same shall have been cut off by the Company, as to such Justice shall seem just and reasonable.

Power to
sell Land
not wanted.

44. The Company from Time to Time may sell, dispose of, and convey for their Estate or Interest all or any Part of the Lands belonging to the Company comprised in Part I. of Schedule (B.) to this Act which they consider to be not wanted for the Purposes of this Act or of the Act of 1857.

Expenses of
Act.

45. 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.

South Shields Gas Act, 1867.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

In the Townships of South Shields and Westoe, or One of them, in the Parish of Jarrow or Saint Hilda, the Lands, Houses, and Property situate to the South-west of the present Gasworks, and bounded by Oyston Street on or towards the South-east, partly by the Road abutting upon the Station of the North-eastern Railway Company called the Low Station and partly by Saint Hilda's Charity School on or towards the South-west, partly by Coronation Street and partly by Saint Hilda's Charity School adjoining Coronation Street on or towards the North, and by the present Gasworks on or towards the North-east.

SCHEDULE (B.)

PART I.

The existing Gasworks of the Company purchased from the Jarrow Gas Company situate in the said Township of Hedworth, Monkton, and Jarrow, in the Parish of Jarrow in the County of Durham, upon Lands which formed Part of a Field called North Dunkirk, abutting on the South on a Brick Garth now in the Occupation of Robert Haswell, on the North on a Road running at the Back of Dunkirk Place, on the West on Land belonging to Thomas Drewett Brown, Esquire, and on the East on Premises belonging to the said Thomas Drewett Brown in the Occupation of William Armstrong.

PART II.

Lands, Houses, and Property in the Township of Westoe in the Parish of Jarrow bounded on or towards the North, North-east, and North-west by the River Don, on or towards the East by Jarrow Slake, on or towards the South by a public Highway leading from South Shields to Jarrow and Gateshead, on or towards the West by a public Landing Place, and on or towards the South-west by Premises belonging to Mistress Mary Heath.

PART III.

In the Township of Hedworth, Monkton, and Jarrow, in the said Parish of Jarrow, the Lands, Houses, and Property bounded on or towards the North in part by the Hebburn Colliery Waggonway

[*Local.*]

3 Y

where

South Shields Gas Act, 1867.

where it passes by the Side of the Road to the North and West of the Pit of that Colliery, under Lease to the Tyne Coal Company, called Pit A, and in other part by the Works of Pit A, and the Gardens and Houses between the Ballast Hill of Pit A and High Lane Row, on or towards the South by the Line of Railway about to be constructed by the North-eastern Company, on or towards the East in part by High Lane Row, and in part by the Hebburn Colliery Works, Pit A, and on or towards the South-west by a Field belonging to Cuthbert George Ellison, Esquire, and in the Occupation of Messieurs George Riddle the elder, George Riddle the younger, and Edward Riddle, with an Approach or Access to such last-mentioned Lands across the Hebburn Colliery Waggonway.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.