



ANNO TRICESIMO

VICTORIÆ REGINÆ.

Cap. xc.

An Act for extending the Limits of the District within which the *Great Grimsby Gas Company* may manufacture and supply Gas; and for empowering the Company to raise additional Capital; and for other Purposes.

[17th June 1867.]

WHEREAS the *Great Grimsby Gas Company* (in this Act referred to as the Company) are incorporated, and empowered for the Purpose of manufacturing and supplying Gas in the Parish and Borough of *Great Grimsby* in the County of *Lincoln*, under an Act (Local and Personal) of the Session of Parliament of the Ninth and Tenth Years of Her Majesty's Reign (Chapter 117), intituled *An Act for lighting with Gas the Parish and Borough of Great Grimsby in the County of Lincoln* (in this Act referred to as the Company's former Act): And whereas by the Company's former Act it was enacted that Ten thousand Pounds should be the Capital of the Company, divided into One thousand Shares of Ten Pounds each: And whereas by the Company's former Act the Company were empowered from Time to Time to raise any further Sum of Money not exceeding together with the said Sum of Ten thousand

9 & 10 Vict.
c. cxvii.

[Local.]

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Pounds

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Pounds the Sum of Sixteen thousand five hundred Pounds for the Increase of the Capital of the Company, either by Subscription among themselves or by Admission of new Subscribers, or by borrowing Money at Interest on Mortgage or Bond, or by all or any of such Ways: And whereas the Company have raised the whole of their authorized Capital of Sixteen thousand five hundred Pounds by means of Shares, and their Capital now consists of that Sum divided into One thousand Shares of Ten Pounds each, and One thousand Shares of Six Pounds Ten Shillings each: And whereas the whole of the Company's authorized Capital of Sixteen thousand five hundred Pounds is fully paid up, and the Company have expended the whole thereof in carrying on their Undertaking: And whereas it is expedient that the Limits of the District within which the Company are authorized to manufacture and 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 Act be amended in certain respects, and that further Powers be conferred on the Company as in this Act expressed: And whereas the Objects aforesaid cannot be attained without the Authority of Parliament: And whereas Plans describing the Lands which may be taken compulsorily under this Act, and a Book of Reference to those Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of those Lands, and describing those Lands, have been deposited with the Clerk of the Peace for the Parts of *Lindsey* in the County of *Lincoln* (which are in this Act referred to as the deposited Plans and Book of Reference): 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 Titles.

1. This Act may be cited as the "*Great Grimsby Gas Act, 1867,*" and the Company's former Act may be cited as the "*Great Grimsby Gas Act, 1846,*" and this Act and the Company's former Act may be cited together as "*The Great Grimsby Gas Acts, 1846 and 1867.*"

Repeal of
Parts of
former Act.

2. The following Sections of the Company's former Act are hereby repealed, namely, Sections Seven to Twelve, Twenty-two to Thirty-four, and Thirty-seven to Fifty-one, all inclusive, but this Repeal shall not affect the past Operation of any of those Sections, or the Force or Operation of any Order, Regulation, or Instruction made or given, or the Validity or Invalidity of anything done or suffered, or any Right, Title, Obligation, or Liability accrued, before the passing of this Act,
nor

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nor shall this Repeal interfere with the Institution or Prosecution of any Proceeding in respect of any Offence committed against or any Penalty incurred under any of the Sections hereby repealed.

3. The following Acts and Parts of Acts (as far as the same respectively are applicable for the Purposes and are not inconsistent with the Provisions of this Act) are hereby incorporated with this Act; namely,

“The Lands Clauses Consolidation Act, 1845:”

“The Lands Clauses Consolidation Acts Amendment Act, 1860:”

The Provisions of “The Companies Clauses Consolidation Act, 1845,” with respect to the Matters following; (that is to say,) the Distribution of the Capital of the Company into Shares, the Transfer or Transmission of Shares, the Payment of Subscriptions and the Means of enforcing the Payment of Calls, the Forfeiture of Shares for Nonpayment of Calls, the Remedies of Creditors of the Company against the Shareholders, the borrowing of Money by the Company on Mortgage or Bond, the Conversion of borrowed Money into Capital, and the Consolidation of the Shares into Stock so as to apply respectively to Shares or Stock created and Mortgages granted and Money borrowed by the Company under this Act, and to affording Access to the Special Act by all Parties interested:

Parts I. and II. of “The Companies Clauses Act, 1863,” (respectively relating to Cancellation and Surrender of Shares and to additional Capital):

“The Gasworks Clauses Act, 1847:”

And such Acts and Parts of Acts shall (so far as the same are applicable) apply to the Undertaking and Capital authorized by the Company's former Act.

4. Terms to which Meanings are assigned by the Acts incorporated wholly or in part with this Act, or which have therein special Meanings, have in this Act the same respective Meanings; and in this Act and 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; and the Term “Superior Courts” shall include all Courts of competent Jurisdiction within the Meaning of this Act.

5. This Act shall be construed, as far as may be, together with the Company's former Act as One Act.

6. Subject to the Provisions of this Act and of the Acts incorporated wholly or in part with this Act, the Company may from Time

Incorporation of
8 & 9 Vict.
cc. 16. 18.,
10 & 11 Vict.
c. 15.,
23 & 24 Vict.
c. 106.,
26 & 27 Vict.
c. 118.

Interpretation of
Terms.

This Act
and former
Act to be as
One.

Power to
take Lands
referenced.

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Time to Time enter on, purchase, take, hold, and use the Lands described in the deposited Plans and Book of Reference, or such of them as they require for Purposes of this Act.

Correction
of Errors,
Omissions,
&c.

7. If any Omission, Misstatement, or erroneous Description is found to have been made of any Lands, or of any Owners, Lessees, or Occupiers of any Lands, described or intended to be described in the deposited Plans or Book of Reference, the Company may apply to Two Justices for the Correction thereof, after giving Ten Days Notice to the Owners of the Lands affected by the proposed Correction; and if it appears to such Justices that the Omission, Misstatement, or erroneous Description arose from Mistake they shall certify the same accordingly, stating the Particulars of the Omission, Misstatement, or erroneous Description, and such Certificate shall be deposited with the Clerk of the Peace aforesaid, and shall be kept by him with the other Documents to which it relates, and subject and according to the same Enactments and Provisions as apply to those other Documents, and thereupon the deposited Plans or Book of Reference shall be deemed to be corrected according to the Certificate, and the Company may enter on, take, hold, and use those Lands accordingly.

Power to
erect Gas-
works.

8. On the Lands described in the Schedule to this Act, when purchased by the Company, or any Parts or Part thereof, they may erect, construct, and from Time to Time maintain, alter, remove, or enlarge Retorts, Gasholders, Receivers, Meters, Apparatus, and Works for the Manufacture and storing of Gas, and of Coke and other residual Products obtained in the Manufacture of Gas, and Matters producible therefrom, and all proper Roads, Approaches, and Conveniences for the Purposes of such Works.

No Gas-
works to be
erected
except on
Lands in
Schedule.

9. It shall not be lawful under this Act for the Company to erect Works for the Manufacture of Gas, except on Lands described in the Schedule to this Act, and it shall not be lawful for the Company, except upon the same Lands, to erect any Works for the Storage of Gas within Three hundred Yards of any Dwelling House without the Consent in Writing of the Owner, Lessee, and Occupier of every such Dwelling House.

Power to use
Road from
Pasture
Street.

10. The Company may use for the Purposes of a Road the Strip of Land now set out as a Road or Street called or intended to be called *Sheepfold Street*, and extending in a Northwardly Direction from the Pieces of Land described in the Schedule to this Act to *Pasture Street* in *Great Grimsby*, and may break up that Strip of Land or Street and lay down therein Mains and Pipes for the Conveyance of Gas from or to any Mains or Pipes in *Pasture Street* to or from the said Pieces of Land: Provided that in exercising the Powers hereby given

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given the Company shall cause as little Damage as may be, and shall as soon as possible restore the said Strip of Land or Road to its former State, and shall make Compensation for any Damage which may be done in the Execution of such Powers.

11. The Company may from Time to Time (in addition to their authorized Share Capital of Sixteen thousand five hundred Pounds) raise any further Sums not exceeding in the whole the Sum of Sixty thousand Pounds by Creation and Issue of new Ordinary Shares of not less nominal Amount than Ten Pounds, which shall form Part of the general Capital of the Company.

Power to raise additional Share Capital.

12. 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 till One Fifth paid up.

13. 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.

14. 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; that is to say,

Limiting Dividends 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 maximum Charge for Gas shall exceed Three Shillings and Threepence *per* One thousand Cubic Feet;

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

15. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Nineteen thousand Pounds, but

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not more than Four thousand Pounds; Part thereof, shall be borrowed until the whole additional Capital by this Act authorized is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such additional Capital has been subscribed for, issued, and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share in such Capital has been paid on account thereof before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such 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.

Arrears may be enforced by Appointment of a Receiver.

16. 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 than One thousand five hundred Pounds in the whole.

Application of Money.

17. All Money raised under this Act, whether by Shares or by borrowing, shall be applied for the Purposes of this Act and the Company's former Act only.

Scale of voting.

18. The following shall be the Scale of voting at General Meetings of the Company: Every Holder of not less than Twenty Pounds in nominal Amount of Capital shall have One Vote for every Twenty Pounds of the nominal Amount of Capital held by him up to and including Two hundred Pounds, and an additional Vote for every Forty Pounds of the nominal Amount of Capital held by him beyond Two hundred Pounds.

Power to take additional Lands by Agreement.

19. The Company may from Time to Time by virtue of this Act (in addition to the Lands which they are authorized to take compulsorily under this Act, and in addition to any Extent of Lands which they hold or are authorized to take by Agreement independently of this Act) purchase or take by Agreement and hold any Lands within the Limits of their former Act or this Act, not exceeding in Extent in the whole Four Acres,

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20. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers for compulsory Purchases limited.

21. 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 Purposes of their former Act or of this Act.

Power to sell Lands.

22. The Limits within which the Company may supply Gas are hereby extended so as to comprise and include, in addition to the Parish and Borough of *Great Grimsby*, the Parishes of *Scarcho*, *Bradley*, *Laceby*, *Little Coates*, *Great Coates*, *Waltham*, and *Clee*, all which Parishes and Places are situate in the Parts of *Lindsey* in the County of *Lincoln*; and, subject to the Provisions of this Act, the Provisions of the Company's former Act shall extend and apply to the Parishes and Places aforesaid as if those Parishes and Places had been by Name mentioned as included in the Limits of that Act with the Parish and Borough of *Great Grimsby* in Section 52 of the Company's former Act, and those extended Limits shall be deemed the Limits of this Act; provided that such Limits shall not include, and the Company shall not, without the Consent of the *Cleethorpes Gas Company*, under their Common Seal, lay down Mains or supply Gas in any Part of the Parish of *Clee* lying to the Eastward of a Line commencing from the *Cleethorpes Branch* of the *Manchester, Sheffield, and Lincolnshire Railway* at a Point on that Railway Six Chains distant, measured Eastward along that Railway from the Boundary of the Parishes of *Grimsby* and *Clee*, passing thence in a straight Line along the Centre of the Road separating the *Albert Buildings* from the *Alexandra Buildings* to the Point where the *East Lincolnshire Railway* crosses the public Highway leading from *Grimsby* to the Village of *Clee*, and from thence passing along the *East Lincolnshire Railway* to the Boundary of the Parish of *Waltham*.

Extension of Limits for Supply of Gas.

23. In and at the Gasworks to be erected by the Company as aforesaid they may (subject to the Provisions of this Act and of the Acts incorporated wholly or in part with this Act manufacture and store Gas and Coke and other residual Products obtained in the Manufacture of Gas, and Matters producible therefrom: Provided that nothing in this Act contained shall exempt the Company from being proceeded against for any Nuisance.

Power to manufacture Gas.

24. Subject to the Provisions of this Act and of the Acts incorporated wholly or in part with this Act, the Company may supply and sell Gas for public and private Consumption within the Limits of this

Power to supply Gas and sell Products, &c.

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this Act, and light or contract for the lighting of Streets and Public Buildings within those Limits, and sell and dispose of at the Works and elsewhere Coke and other residual Products obtained in the Manufacture of Gas, and Matters producible therefrom.

Power to supply Gas Fittings, &c.

25. The Company may manufacture, purchase, supply, hire, sell, let, lay down, place, and maintain Gas Fittings, Meters, Pipes, Pillars, Lamp Posts, Lamps, Burners, and other Articles and Things connected with Gasworks, or with the Supply of Gas for public or private Consumption, in such Manner as the Company think proper, and generally may carry on such Operations and Business as are for the Time being usually carried on by Gas Companies,

Power to hold Licences under Letters Patent.

26. The Company may take, hold, and use any Licence or Authority (not being exclusive) under any Letters Patent for the Use of any Invention relative to the Manufacture or Distribution of Gas, or the Utilization of residual Products obtained in the Manufacture of Gas.

Company to erect a Meter to test Quality of Gas.

27. The Company shall within Twelve Months from the passing of this Act cause to be erected in some Part of their Works an experimental Meter furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney capable of consuming Five Cubic Feet of Gas *per Hour*, with other necessary Apparatus, for testing, and so situate and arranged as to test, the illuminating Power of all the Company's Gas, and shall at all Times keep the experimental Meter and Apparatus in good Repair and working Order,

Illuminating Power,

28. All Gas supplied by the Company shall be at the testing Place of such illuminating Power as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, consuming not more than Five Cubic Feet of Gas *per Hour*, a Light equal in Intensity to that produced by not less than Fourteen uncased Sperm Candles of Six to the Pound, each burning at the Rate of One hundred and twenty Grains *per Hour*.

Power to test the illuminating Quality of the Gas.

29. It shall be lawful for Two Justices, on the Application of any Consumers of the Gas of the Company, not being less than Five in Number, by Order in Writing, to appoint some competent Person to proceed to the Works of the Company, and the Person so appointed may at any reasonable Hour in the Daytime, on producing the said Order, enter on the Premises of the Company, and in the Presence of the Manager or other Officer of the Company make Experiment of the illuminating Power of the Gas by means of such experimental Meter and other Apparatus, and the Company and their Officers shall afford all reasonable Facilities and Assistance to the making of such Experiment; and if it shall be proved to the Satisfaction of any Two Justices, after

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after hearing the Parties, that the illuminating Power of the Gas supplied by the Company did not, when so tested as aforesaid, equal the illuminating Power by this Act prescribed, or that the Company or their Officers refused to afford such reasonable Facilities as aforesaid, or hindered or prevented the making of such Experiment, in any such Case the Company shall forfeit such Sum not exceeding Twenty Pounds as the Justices shall determine.

30. The Costs of and attending such Experiment, including the Remuneration to be paid to the Person making the same and the Costs of the Proceedings before the Justices, shall be ascertained by 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 no such Penalty being imposed on the Company then those Costs shall be paid by the Consumers making such Application as aforesaid.

Cost of Experiment to be paid according to the Event.

31. The Price charged by the Company for Gas consumed by Meter shall not exceed the Rate of Four Shillings and Sixpence *per* Thousand Cubic Feet.

Price of Gas.

32. The Company shall, on the Request in Writing of the Owner or Occupier of any Building or Part of a Building within One hundred Feet of which any Main of the Company is laid, furnish to such Owner or Occupier a Supply of Gas for such Building or Part of a Building on the following Conditions; namely,

Obligations on Company as to Supply.

First, that the Owner or Occupier making such Request do, if required by the Company, give to them at his own Expense reasonable Security for Payment for the Gas to be supplied;

Second, that such Owner or Occupier do pay the Cost of and the Expenses of laying all necessary Pipes for such Supply beyond the Line of Street or Road where the Main of the Company is placed;

Third, that such Owner or Occupier do, if required by the Company, pay in advance the estimated Amount of such Costs and Expenses;

And any Dispute as to any Matter arising under the present Section shall be settled by Arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," respecting Matters thereby directed to be settled by Arbitration.

33. The Company shall not be entitled to require from the incoming Tenant of any Property the Payment of Arrears of Gas Rent or Meter Rent left unpaid by any former Tenant, unless the incoming Tenant has undertaken with such former Tenant to pay or exonerate him from the Payment of such Arrears.

Incoming Tenant not liable for Arrears.

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Power to
lay Pipes
against
Buildings.

34. The Company, with the Consent of the Owner or Occupier of any Building, may lay any Pipe or other Apparatus into, through, or against such Building for the Purpose of lighting it, and may, with the like Consent, provide and set up on or against any such Building any Apparatus necessary for securing to such Building a proper Supply of Gas, and for measuring and ascertaining the Extent of such Supply, and may from Time to Time with, the like Consent, repair, replace, alter, or discontinue and remove any such Pipe or Apparatus.

Consumers
may be re-
quired to
consume by
Meter.

35. Every Consumer of Gas supplied by the Company shall, on being required by them, consume such Gas by Meter, to be supplied either by the Company or (if so agreed) by the Consumer, and in that Case to be approved by the Company.

Register of
Meter to be
prima facie
Evidence.

36. The Register of the Meter shall be *prima facie* Evidence of the Quantity of Gas consumed by any Customer of the Company in respect of which any Gas Rent is charged and sought to be recovered by the Company.

Power to
Company to
let Meters.

37. The Company may let for Hire any Meter for ascertaining the Quantity of Gas consumed or supplied, and any Fittings thereto, for such Remuneration in Money and on such Terms with respect to Repair of such Meter and Fittings, and for securing the Safety and Return to the Company of such Meter, as may be agreed upon between the Hirer and the Company, and such Remuneration shall be recoverable in the same Manner as the Gas Rents due to the Company, and such Meters and 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 Proceedings in Bankruptcy against the Persons having Possession thereof.

Notice to
Company of
putting up
Meters, &c.

38. Before any Person connects or disconnects any Meter through which any of the Gas of the Company is intended to be or has been registered he shall give not less than Twenty-four Hours Notice in Writing to the Company of his Intention to do so, and any Person offending against this Enactment shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Repair of
Meters.

39. Every Consumer of Gas of the Company shall at all Times at his own Expense keep all Meters belonging to him whereby any Gas of the Company is registered in proper Order for correctly registering such Gas, in default whereof the Company may cease to supply Gas through such Meters, and the Company shall at all reasonable Times have Access to and be at liberty to take off, remove, test, inspect, and replace any Meter belonging to a Consumer, such taking off, Removal, testing, inspecting, and replacing to be done at the Expense of the
Company

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Company if the Meter be found in proper Order, but otherwise at the Expense of the Consumer.

40. The Company, after Forty-eight Hours Notice in Writing under the Hand of the Secretary or some other Officer of the Company to the Occupier, or if there is no Occupier then the Owner or Lessee of any Building or Lands in which any Pipe, Meter, or Fitting belonging to the Company is laid or fixed, and through or in which the Supply of Gas is from any Cause other than the Default of the Company discontinued, may enter such Building or Lands between the Hours of Nine in the Morning and Four in the Afternoon, or at any other Time with the Authority in Writing of a Justice, for the Purpose of removing and may remove every such Pipe, Meter, and Fitting, repairing all Damages caused by such Entry or Removal, and every such Notice shall be served by being delivered to the Person for whom it is intended, or left at his usual or last known Place of Abode or Business in *England*, or if such Person or his usual Place of Abode or Business in *England* is not known to the Company after proper Inquiry, then by being affixed on some conspicuous Part of such Building or Lands.

Power to
remove
Meters and
Fittings.

41. If any Person wilfully, fraudulently, or by culpable Negligence injures or suffers to be injured any Pipe, Meter, or Fitting belonging to the Company, or fraudulently alters the Index to any Meter, or fraudulently prevents any Index from duly registering the Quantity of Gas supplied, he shall (without Prejudice to any other Right or Remedy for the Protection of the Company or the Punishment of the Offender) for every such Offence be liable to a Penalty not exceeding Five Pounds, and the Company may in addition thereto recover the Amount of any Damages sustained by them, and the Company may also discontinue the Supply of Gas to the Person so offending until the Injury is remedied and the Amount of the Damages are paid, notwithstanding any Contract previously existing; and the Existence of artificial Means for causing such Alteration or Prevention when the Meter is under the Custody or Control of the Consumer shall be *prima facie* Evidence that the same has been fraudulently caused by the Consumer using such Meter.

Fraudulently
injuring
Meters, &c.

42. If and whenever any Person supplied with Gas under this Act wilfully does or causes to be done anything in contravention of any of the Provisions of this Act, or wilfully fails to do anything which under this Act ought to be done for Prevention of Waste, Misuse, or undue Consumption of Gas, the Company may cut off or stop any Pipe by or through which Gas is supplied to him, and may cease to supply him with Gas as long as the Cause of Injury remains or is not remedied, and also may recover in any Court of competent Jurisdiction

For prevent-
ing Frauds
and Waste of
Gas.

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Jurisdiction from every Person so offending the Amount of all Damage sustained by them by reason thereof, and the Remedies of the Company under this Enactment shall be in addition to their other Remedies in this Behalf.

Recovery of Sums due.

43. If any Person fails to pay any Gas Rent, Meter Rent, Rate, Damages, Costs, Expenses, or other Sum due to or recoverable by the Company under this Act or any Act wholly or in part incorporated with this Act, they may recover the same, with Costs, by Proceedings in any Court of competent Jurisdiction, or if the Amount thereof is not *bonâ fide* disputed the same may be levied by Distress (the Person in default being first duly summoned), and any Justice may issue his Warrant accordingly, and the Remedies of the Company under this Section shall be in addition to their other Remedies for Recovery of any such Rent, Rate, Damages, Costs, Expenses, or other Sum.

Contents of Summons, &c.

44. Any Summons or Warrant issued for any of the Purposes of this Act may contain in the Body thereof or in a Schedule thereto several Names and several Sums.

Cost of Distress.

45. Any Justice who issues a Warrant of Distress for any of the Purposes of this Act may order that the Costs of the Proceedings for Recovery of the Money to be levied be paid by the Person liable to pay such Money, and in that Case such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress.

Liability to Gas Rent not to disqualify Justices.

46. A Justice or a Judge of any Court shall not be disqualified from acting in the Execution of this Act by reason of his being liable to the Payment of any Gas Rent, Meter Rent, Rate, or Charge under this Act, or of his being a Shareholder of the Company.

Shareholders not disqualified from acting as Members.

47. 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 Council of the Borough of *Grimsby*, or as a Member of any Corporation, Local Board of Health, or Public Body within the Limits of the Company's former Act or this Act, or be liable to any Penalty, notwithstanding such Council, Board, Corporation, or Body enter into or are interested in any Contract with the Company, but a Shareholder of the Company being a Member of such Council, Corporation, Board, or Public Body shall not as such Member vote concerning any such Contract.

Proceedings in Bankruptcy, &c.

48. The Secretary, 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 in any Proceedings in any Bankruptcy Court or County Court

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

49. Penalties imposed on the Company for one and the same Offence by several Acts of Parliament shall not be cumulative, and for this Purpose this Act and any Act incorporated wholly or in part with this Act shall be deemed several Acts. Penalties not cumulative.

50. Previously to the Company commencing to lay any Pipes or Mains or to do any Work which may in any way interfere with or in any other Manner affect the Rails or any other Property of the Manchester, Sheffield, and Lincolnshire Railway Company (in this Act called the Railway Company), the Company shall give to the Railway Company at least Three Days Notice in Writing of such their Intention, describing the Manner in which it is proposed to interfere with the Rails or Property of the Railway Company, and such Notice shall be given to or left with the Secretary of the Railway Company at his Office. Company to give Notice before interfering with the Property of the Manchester, Sheffield, and Lincolnshire Railway Company.

51. When it shall be necessary under the Powers of this Act to interfere with the Rails or Property of the Railway Company, all such Works of which such Notice shall have been so given to them shall be executed under the Direction and Management and to the Satisfaction of their Engineer for the Time being; and in case of any Difference as to the Mode of executing such Work such Matter so in difference shall be referred to an Engineer to be appointed by the Magistrates sitting in Petty Sessions at Grimsby aforesaid, whose Decision shall be binding on both Parties, and all Expenses incurred by the Railway Company in any way relating to the Execution of such Works or the Appointment of such Arbitrator shall be paid by the Company. Works interfering with the Manchester, Sheffield, and Lincolnshire Company to be executed under the Direction of their Engineer.

52. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company. Expenses of Act.

Great Grimsby Gas Act, 1867.

The SCHEDULE to which the foregoing Act refers.

Two adjoining Pieces or Parcels of Land belonging to the Mayor, Aldermen, and Burgesses of the Borough of Grimsby, situate in the Parish of Great Grimsby, abutting on or towards the East and North on Land belonging or reputed to belong to Edward Heneage, Esquire, and on or towards the West and South on Lands and Premises belonging or reputed to belong to the East Lincolnshire Railway Company, leased to the Great Northern Railway Company, and which Two Pieces or Parcels of Land contain in the whole Five Acres Three Roods and Thirty-six Perches or thereabouts, and now are or late were respectively in the Tenure or Occupation of John Atkinson and George Holland, and are respectively known by the Names of East High Briggs and East Goose Gate.

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