



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. clxvi.

An Act for granting certain Powers to the *Crays*
Gaslight and Coke Company, Limited.

[29th June 1865.]

WHEREAS in the Year One thousand eight hundred and sixty-three certain Persons formed themselves into a Company, which has been registered under the Companies Act, 1862, in the Name of "The *Crays* Gaslight and Coke Company, Limited," for lighting with Gas the Parishes of *Saint Mary Cray*, *Saint Paul's Cray*, and other Places in the County of *Kent*: And whereas the Company have constructed Gasworks, and are now manufacturing and supplying Gas, to the great Advantage and Convenience of the Inhabitants of those Parishes and Places: And whereas the present Capital of the Company is Five thousand Pounds, divided into One thousand Shares of Five Pounds each, and Eight hundred and seventy-two of such Shares have been subscribed for and taken, and the Company have borrowed on Mortgage of their Gasworks and now owe the Sum of Two thousand Pounds: And whereas it is expedient that the Company should be incorporated by this Act, and that the Company so incorporated should have effectual Powers conferred upon them for the Supply of Gas within the Limits of this Act, and should be empowered to raise further

[*Local.*]

26 C

Capital

The Crays Gas Act, 1865.

Capital for the Purposes of their Undertaking: And whereas the Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited as "The *Crays Gas Act, 1865.*"

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

2. "The Companies Clauses Consolidation Act, 1845," Parts I. and II. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Gasworks Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that the Incorporation with this Act of "The Lands Clauses Consolidation Act, 1845," shall not authorize the Company to purchase or take any Lands otherwise than by Agreement.

Interpre-
tation of
Terms.

3. In construing the incorporated Acts respectively in connexion with this Act, and also in construing this Act, the Expression "the original Company" shall mean the *Crays Gaslight and Coke Company, Limited*, dissolved by this Act; the Expression "the Company," or "the Promoters of the Undertaking," or "the Undertakers," shall respectively mean the Company incorporated by this Act; the Expression "the Special Act" shall mean this Act; the Expression "the Works," "the Gasworks," or "the Undertaking," shall mean the Gasworks and Property by this Act vested in the Company; and the Expression "Superior Court" or "Court of competent Jurisdiction," or any other like Expression in this Act or the Acts incorporated herewith, shall 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 Mean-
ing to Words
in this Act
as in incor-
porated Acts.

4. Except as in this Act otherwise provided, the several Words and Expressions to which Meanings are assigned by the said Acts incorporated herewith, or any of them, shall in this Act have the Meanings so assigned to them respectively, unless there be something in the Subject or Context repugnant to or inconsistent with such Construction.

Limits of
Act.

5. The Limits of this Act shall comprise and include the several Parishes of *Saint Mary Cray, Saint Paul's Cray, North Cray, Foot's Cray, Chislehurst, Orpington, Farnborough, and Chelsfield*, all in the County of *Kent*.

6. The

The Crays Gas Act, 1865.

6. The *Crays* Gaslight and Coke Company, Limited, is hereby dissolved, and the several Persons or Corporations who immediately before the passing of this Act were Proprietors of Shares in such Company, and all other Persons and Corporations who shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be and they are hereby united and incorporated into a Company, for the Purpose of making and supplying Gas within the Limits of this Act, and for other the Purposes by this Act and the said incorporated Acts authorized, by and under the Name of "The *Crays* Gas Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have a Common Seal, and shall and may sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, subject to the Restrictions and Provisions herein and in the said incorporated Acts contained.

Incorporation of Company.

7. All Lands, Works, Erections, Buildings, Rights, and Easements, Monies, Securities, Deeds, Contracts, Agreements, Papers, Books, Plans, Choses in Action, Effects, Claims and Demands, Rights and Remedies whatsoever, which immediately before the passing of this Act were vested in the original Company, or any Person on their Behalf, or of or to which the original Company or any Persons on their Behalf were seised, possessed, or entitled, either at Law or in Equity, or otherwise howsoever, and all Mains, Pipes, Plugs, Lamps, Irons, Retorts, Gauges, Meters, Apparatus, Stock, Matters, and Things which have been by them purchased or provided, laid down, erected, or placed in any Place or House within the Limits of this Act, and which immediately before the passing of this Act were the Property of or belonging to the original Company or any Person on their Behalf, shall be and the same are hereby vested in the Company, to the same Extent and for the same Estate and Interest as the same respectively were at the Time of the passing of this Act vested in the original Company, or any Person on their Behalf, and may be held, used, and enjoyed accordingly.

Present Property vested in Company incorporated by this Act.

8. Subject to the Provisions of this Act, the Memorandum of Association and the Articles of Association of the original Company shall, as to any future or prospective Operation thereof, from and after the passing of this Act be wholly void and of none Effect, save as herein-after mentioned.

Articles of Association to be void, without Prejudice to Remedies, &c.

9. Notwithstanding the Dissolution of the original Company, and the Avoidance of the said Memorandum of Association and Articles of Association respectively, and except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the original Company shall be as valid

Saving previous Rights and Liabilities.

The Crays Gas Act, 1865.

valid as if that Company had not been dissolved; and such Dissolution and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which if such Company had not been dissolved and this Act had not been passed would be incident to and consequent on any and everything done or suffered, and with respect to all such Rights, Liabilities, Claims, and Demands the Company shall to all Intents and Purposes represent the original Company: Provided always, that the Generality of this Enactment shall not be limited or confined by any of the Provisions of this Act.

Contracts
prior to Act
to be bind-
ing.

10. All Deeds, Bonds, Contracts, and Agreements, Securities, Orders, Resolutions, and Proceedings, and other Acts and Things, done, made, instituted, executed, or entered into before the passing of this Act, by, with, or with reference to the original Company, and now in force, shall be as binding and of as full Force and Effect in all respects against, in favour of, or with reference to the Company, and may be enforced, as fully and effectually as if instead of the original Company the Company had been a Party or privy thereto.

Actions, &c.
not to abate.

11. Nothing in this Act contained shall release, discharge, or suspend any Action, Suit, or other Proceeding at Law or in Equity which shall be pending by or against the original Company, but any such Action, Suit, or other Proceeding may be maintained, prosecuted, or continued by, in favour of, or against the Company (as the Case may be), in the same Manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by, in favour of, or against the original Company.

Gas Rates
due to be
recovered by
Company.

12. All Gas Rates and Rents which immediately before the passing of this Act were due and payable or accruing due and payable to the original Company shall be payable to and may be collected and recovered by the Company in like Manner as the Gas Rates and Rents by this Act authorized to be taken.

Debts due to
and by origi-
nal Company
to be paid
to and by
Company.

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

14. Every

The Crays Gas Act, 1865.

14. Every Clerk or other Officer and Servant of the original Company in Office at the passing of this Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer or Servant of the Company, until he be removed from such Office and Employment, and shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever as if he had been appointed under this Act.

Officers to continue.

15. Every Trustee or other Person in whom or in whose Name any Lands, Works, Erections, Buildings, or Property belonging to the original Company were vested immediately before the passing of this Act, and who has entered into any Bond, Covenant, Contract, or Engagement in respect of or with reference to such Lands, Erections, Buildings, or Property, or any other Contract on behalf of the original Company, shall be indemnified and saved harmless out of the Funds or Property of the Company from all Liability, and against all Loss, Costs, Charges, and Expenses, which he may sustain, incur, or be put unto by reason or in consequence of his having entered into any such Bond, Covenant, Contract, or Engagement.

Trustees of the Company to be indemnified.

16. The Capital of the Company shall be Twenty thousand Pounds, and shall consist of Two thousand Shares of Ten Pounds each, subject to the Provisions herein-after contained as to the Creation of Half Shares of Five Pounds each.

Capital.

17. Subject to the Provisions of this Act, Four thousand three hundred and sixty Pounds of the said Capital shall be appropriated to the several Persons and Corporations who immediately before the passing of this Act were Proprietors of or interested in the Capital of the original Company, in proportion to their respective Shares or Interest at that Time in the Capital of the original Company; and so much of the said Four thousand three hundred and sixty Pounds of the said Capital as is equal to the nominal Value of all the Shares in the said Capital of the original Company (other than Shares held singly or odd Shares remaining after dividing by Two any odd Number of Shares held by the same Person or Persons) is hereby vested in the several Persons and Corporations who immediately before the passing of this Act were Proprietors of Shares of the Capital of the original Company (other than the Shares so held singly and such odd Shares as aforesaid), in proportion to their respective Shares or Interest at that Time in the Capital of the original Company.

Appropriation of Part of Capital.

18. And whereas divers of the Shareholders in the Capital or Joint Stock of the original Company are the Holders of One Share

Power to create Half Shares for

[Local.]

26 D

only,

The Crays Gas Act, 1865.

certain Pur-
poses.

only, or of an odd Number of Shares, in that Capital or Joint Stock: Therefore the Company may and shall at the First Ordinary General Meeting held after the passing of this Act create such Number of Shares (to be called Half Shares) of Five Pounds each in the Capital of the Company as shall be equal to the Number of single Shares in the Capital of the original Company which shall at the Time of the passing of this Act be held separately as aforesaid, and of the single Shares which will remain after dividing by Two every odd Number of Shares held by the same Shareholder or Shareholders in the Capital of the original Company, and upon the Creation of such Half Shares One of such Half Shares shall belong and be appropriated to and be vested in the Proprietor or Proprietors respectively of each such single Share as aforesaid, or his or their then legal Representative or Representatives: Provided always, that every Two such Half Shares shall be deemed to represent and be in lieu of One of the Shares of Ten Pounds each of which the Capital of the Company is by this Act declared to consist; and all such Half Shares shall form Part of the Four thousand three hundred and sixty Pounds of that Capital by this Act appropriated to the Proprietors of the original Company: Provided also, that if at any Time after the Creation of such Half Shares Two of such Half Shares shall become vested in the same Person or Persons or Corporation, such Two Half Shares shall immediately thereupon become *ipso facto* consolidated into One Share of Ten Pounds, and shall for ever thereafter be dealt with accordingly.

Half Shares
to be num-
bered.

19. Such Half Shares shall be numbered consecutively, beginning with Number One, and every such Share shall be distinguished by its appropriate Number; and after the Consolidation of any Half Shares into Shares of Ten Pounds each the last-mentioned Shares shall be numbered consecutively next after the then existing Shares of Ten Pounds each, and shall thenceforth be distinguished by their appropriate Numbers.

As to the
Word
"Share" in
8 & 9 Vict.
c. 16. and
26 & 27 Vict.
c. 118.

20. In construing this Act, and in connexion with this Act, the Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," and of "The Companies Clauses Act, 1863," incorporated with this Act, the Word "Share" shall include "Half Share."

Payment of
Calls on
substituted
Shares.

21. The Persons and Corporations to whom the new Shares which represent the said Sum of Four thousand three hundred and sixty Pounds shall be appropriated shall be liable to pay and shall pay the Difference between the total Amount paid on the Shares for which such new Shares are substituted and the nominal Amount of such new Shares, when and as the same shall be called for.

22. The

The Crays Gas Act, 1865.

22. The Company shall call in and cancel the existing Certificates of Shares in the original Company, and issue in lieu thereof Certificates of the substituted Shares, in the Form and under the Conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the Holders of such existing Certificates of Shares shall not be entitled to any Certificates of Proprietorship under this Act until they have delivered up to the Company to be cancelled the Certificates of Proprietorship issued to them before the passing of this Act, or shall have proved to the reasonable Satisfaction of the Company the Loss or Destruction thereof.

Company to call in and cancel existing Share Certificates, and issue new Certificates in lieu thereof.

23. Every Share so appropriated as aforesaid shall vest in the Person or Corporation entitled thereto upon the same Trusts and subject to the same Powers, Provisions, Declarations, Agreements, Charges, Liens, and Incumbrances as immediately before the passing of this Act affected the then existing Shares or Share in the Capital of the original Company for which it is substituted, and so as to give Effect to and not to revoke any Will or Testamentary Disposition of or affecting such then existing Shares or Share.

Existing Trusts, &c. attached to new Shares.

24. The Company may from Time to Time raise, by the Creation and Issue of new Ordinary Shares of Ten Pounds each, or of new Ordinary Stock, or either of those Modes, the whole or any Part of the Sum of Fifteen thousand six hundred and forty Pounds, the Remainder of the Capital of Twenty thousand Pounds: Provided always, that no Share or Stock shall be issued by the Company, or shall vest in the Person accepting the same, until not less than Twenty *per Centum* on the nominal Amount thereof shall have been paid up thereon.

Creation and Issue of new Shares.

25. Every Shareholder shall be entitled to One Vote for every Share of Ten Pounds held by him, provided that not less than Five Pounds shall have been paid up in respect of such Share.

Scale of voting.

26. The Company may, when and so soon as the Sum of Five thousand six hundred and forty Pounds, Part of the new Capital by this Act authorized to be raised, is subscribed for or taken, and One Half thereof has been paid up, from Time to Time borrow on Mortgage any Sums not exceeding in the whole, together with any Sums previously borrowed and then remaining due, the Sum of Two thousand five hundred Pounds; and when further Part of such new Capital to the Amount of Five thousand Pounds shall have been subscribed for, and One Half thereof paid up, the Company may borrow on Mortgage a further Sum not exceeding One thousand two hundred and fifty Pounds; and when further Capital to the Amount of Five thousand Pounds, being the Remainder of such new Capital,

Further Borrowing Powers.

The Crays Gas Act, 1865.

Capital, shall have been subscribed for, and One Half thereof paid up, the Company may borrow on Mortgage a further Sum not exceeding One thousand two hundred and fifty Pounds; but the Powers of borrowing under this Act shall not arise until the Company shall prove 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 the then Capital of the Company has been subscribed for or taken *bonâ fide*, and is held by Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, and also that One Half of such Capital has been paid up, of which Proof having been given the Certificate of such Justice under that Section shall be sufficient Evidence.

Priority of former Mortgages.

27. All Mortgages granted by the original Company before the passing of this Act, and which are in force at the Time of the passing of this Act, shall during the Continuance thereof, and as regards the Lands and Hereditaments and Property therein comprised, have Priority over all Mortgages to be granted by virtue of this Act.

Arrears may be enforced by Appointment of a Receiver.

28. The Mortgagees of the Company may enforce the Payment of the Arrears of Principal and Interest due on such Mortgages by the Appointment of a Receiver, and the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Five hundred Pounds.

Application of Money.

29. All Money to be raised under the Provisions of this Act by means of Shares or Stock, or by Exercise of the Powers of borrowing, shall be applied to the Purposes by this Act authorized, and to no other Purpose.

General Meetings.

30. The First Ordinary General Meeting of the Shareholders of the Company shall be held within Six Months after the passing of this Act, and the future Ordinary General Meetings shall be held in the Months of *May* and *November* in every Year.

Quorum of General Meeting.

31. The Quorum of General Meetings (whether ordinary or extraordinary) of the Company shall be Ten Shareholders present, personally or by proxy, holding in the aggregate not less than One thousand Pounds in the Capital of the Company.

Number and Qualification of Directors.

32. The Number of Directors shall be Nine, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares at the least in the Undertaking.

Number of Directors may be reduced.

33. The Company may from Time to Time, by Vote of any General Meeting, reduce the Number of Directors; provided that the Number when so reduced be not less than Five.

34. The

The Crays Gas Act, 1865.

34. The Quorum of a Meeting of the Directors shall be Three.

Quorum of Meeting of Directors.

35. The Persons who at the Time of the passing of this Act are the Directors of the original Company shall be the First Directors of the Company, and they shall continue in Office until the First Ordinary Meeting to be held in the Year One thousand eight hundred and sixty-six; and at such Meeting the Shareholders present, personally or by proxy, shall elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body.

First Directors.

36. The Company may, in and upon the Land specified in the Schedule to this Act, from Time to Time maintain, alter, improve, enlarge, and extend their existing Gasworks, and may do all such Acts as they think proper for supplying Gas within the Limits of this Act, and may make, store, and supply Gas accordingly, and may manufacture, sell, provide, supply, and deal in Coke, Coal, Tar, Pitch, Asphaltum, Ammoniacal Liquor, Oil, and other Products and Residuum of any Materials employed in or resulting from the Manufacture of Gas, and also Meters, Fittings, Tubes, Pipes, and other Articles and Things in any way connected with Gasworks or with the Supply of Gas, as they from Time to Time shall think fit: Provided always, that nothing in this Act contained shall authorize the Company to erect Works for the Manufacture of Gas except upon the Lands specified in the Schedule to this Act.

Powers as to Construction of Gasworks, &c.

37. The Company may, for the Purposes of their Undertaking, purchase, take, and hold, by Agreement, but not otherwise, any Lands and Hereditaments, not exceeding in the whole Three Acres, which the Company may from Time to Time require for the Purposes of their Works and Undertaking; but no Lands shall be used by them for the Purpose of manufacturing Gas, excepting the Lands at present occupied by the Company for that Purpose, or Lands immediately adjoining thereto.

Power to purchase Lands.

38. The Company, with the Consent of the Owner and Occupier of any Building, may lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipe, into, through, or against such Building, for the Purpose of lighting it, and may, with the like Consent, provide and set up an Apparatus necessary for securing to such Building a proper and complete 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, Branch, or Apparatus.

Power to lay Pipes against Buildings.

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39. Every

The Crays Gas Act, 1865.

Consumers
may be re-
quired to
consume by
Meter.

39. Every Consumer of Gas supplied by the Company shall, on being required by the Company so to do, consume such Gas by Meter; and all such Meters shall be subject to the Provisions of the Act for regulating Measures used in Sales of Gas; and, until a Meter be examined and stamped under the Provisions of that Act, it shall be approved by the Company, and may from Time to Time be examined and tested by them; and any Meter may be provided, sold, or let to Hire by the Company to the Consumer.

Fraudulently
injuring
Meters, &c.

40. Every Person who shall wilfully, fraudulently, or by culpable Negligence injure or suffer to be injured any Meter or Fittings belonging to the Company, or shall fraudulently alter the Index to any Meter from duly registering the Quantity of Gas supplied, 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 forfeit and pay to the Company a Sum not exceeding Five Pounds; and the Company may in addition thereto recover the Amount of any Damages by them sustained; and the Company may also discontinue the Supply of Gas to the Person so offending, and notwithstanding any Contract previously existing; and the Existence of artificial Means for causing such Alteration or Production, when such Meter shall be under the Custody or Control of the Consumer, shall be *primâ facie* Evidence that the same has been fraudulently, knowingly, or wilfully caused by the Consumer using such Meter.

Power to
Company to
remove Pipes
from unoccu-
pied Pre-
mises, on
giving Notice
to Owner.

41. In all Cases in which the Company are by "The Gasworks Clauses Act, 1847," incorporated with this Act, authorized to cut off and take away the Supply of Gas from any House, Building, or Premises, then, if such House, Building, or Premises be unoccupied, the Company, their Agents, Servants, or Workmen, after giving Twenty-four Hours previous Notice to the Owner, by serving the Notice on him, or by Letter under the Hand of the Secretary of the Company sent by Post addressed to such Owner, or, if the Owner or his Address be not known to the Company, by fixing such Notice for Three Days on some conspicuous Part of such House, Building, or Premises, may enter into such Building and Premises between the Hours of Nine in the Forenoon and Four in the Afternoon, and remove and carry away any Pipe, Meter, or Fittings, or other Works the Property of the Company, making Compensation to such Owner for the Damage (if any) which may be occasioned to him thereby.

Limiting the
Price of Gas.

42. The Price to be charged by the Company for Gas supplied to Persons who shall burn the same by Meter shall not exceed Seven Shillings *per* One thousand Cubic Feet for the Two Years next after the passing of this Act, and from and after the Expiration of such Two Years shall not exceed Six Shillings *per* One thousand Cubic Feet.

43. It

The Crays Gas Act, 1865.

43. It shall be lawful for the Company or their Directors from Time to Time to enter into or make any Contract or Agreement with the Persons having the Control, Direction, or Management of any Highway, Street, or Bridge within the Limits of this Act, for lighting and supplying the same or any Part thereof with Gas, or for providing the same with Lamp Pillars and Posts, Lamp Brackets, Meters, Lamps, and Glasses, and for the Repair thereof respectively, and also from Time to Time to make and enter into any Contract or Agreement for lighting or supplying with Gas any Church, Chapel, Shop, Inn, Tavern, Dwelling House, Manufactory, Warehouse, or other public or private Building, in such Manner, under such Conditions, and upon such Terms as shall be mutually agreed upon.

Power to
Company to
contract for
lighting
Streets.

44. All the Gas supplied by the Company shall be of such Quality as to produce from an Argand Burner having Fifteen Holes and a Seven-inch Chimney, and consuming Five Cubic Feet of Gas *per* Hour, a Light equal in Intensity to the Light produced by Fourteen Sperm Candles of Six in the Pound burning One hundred and twenty Grains *per* Hour.

Quality of
Company's
Gas.

45. The Company shall, within Twelve Months from the passing of this Act, cause to be erected, in some Part of their Works fit for testing all the Gas provided by the Company, an Experimental Meter, furnished with an Argand Fifteen-hole Burner and a Seven-inch Chimney, or other approved Burner and Chimney capable of consuming Five Cubic Feet of Gas *per* Hour, with other necessary Apparatus, so situated or arranged as to test the illuminating Power of all the Gas supplied to the Consumers.

Company to
erect a Meter
to test Qua-
lity of Gas.

46. 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, on giving Six Hours previous Notice in Writing to the Company, may, at any reasonable Hour in the Daytime, on producing the said Order, enter on the Premises of the Company, and in the Presence of the Superintendent or other Officer of the Company make Experiment of the illuminating Power of the Gas, by means of the Experimental Meter and other Apparatus before mentioned; and the Company and their Officers shall afford all reasonable Facilities and Assistance for the making of such Experiment; and if it shall be proved to the Satisfaction of any Two Justices not being Directors or Shareholders of the Company, after hearing the Parties, that the illuminating Powers of the Gas supplied by the Company did not when so tested as aforesaid equal the illuminating Power by this Act

As to testing
the Quality
of Gas.

Act

The Crays Gas Act, 1865.

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, unless reasonable Cause be shown to the Justices for the Deficiency in the illuminating Power, forfeit such Sum not exceeding Twenty Pounds as the Justices shall determine, under the Circumstances of the Case.

Costs of Experiment by whom to be paid.

47. The Costs of and attending such Experiment, including the Remuneration to be paid to the Person making the same, and the Costs of the Proceedings before the Justices, shall be ascertained by such Justices, and in the event of any Penalty being imposed on the Company shall be paid, together with such Penalty, by the Company; but in the event of the Gas being found when tested to be of not less illuminating Power than is by this Act prescribed, or in the event of no Penalty being imposed, such Costs shall be awarded to be paid by such Consumers, as the Case may be, to the Company, and shall be paid or levied accordingly.

Penalties not cumulative.

48. Penalties imposed on the Company for One and the same Offence by several Acts of Parliament shall not be cumulative, and for such Purpose this Act and the Acts incorporated herewith shall be deemed several Acts.

Sums undisputed may be recovered by Distress.

49. All Sums of Money due to the Company for the Supply of Gas, or for the Hire or fixing of Meters or Fittings, and all Damages, Costs, and Expenses by this Act or any Act incorporated herewith directed to be paid, and the Amount of which shall not be *bonâ fide* disputed, may (the Party in default being first duly summoned) be levied by Distress, and any Justice, on Application, may issue his Warrant accordingly.

Contents of Warrant.

50. Any One 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.

Warrant may include Costs.

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

Recovery of Sums due to Company.

52. Whenever any Person neglects to pay any Rate or Sum due to the Company, the Company may recover the same in any Court of

The Crays Gas Act, 1865.

of competent Jurisdiction for the Recovery of Debts of the like Amount, and the Remedies of the Company under this Enactment shall be in addition to their other Remedies for the Recovery of such Rate or Sum.

53. No Justice shall be disqualified from acting in the Execution of this Act by reason of his being liable to the Payment of any Gas Rent or other Charge under this Act. Liability to Gas Rate not to disqualify Justice.

54. In addition to the Power given by "The Gasworks Clauses Act, 1847," in this Behalf, the Company may recover the Rent of any Gas, or the Price or Rent of any Pipe, Burner, Meter, Lamp, or Fittings supplied, sold, delivered, or let to Hire by the Company, together with the Expense of cutting off the Service Pipe or Gas, by Action in any Court of competent Jurisdiction, although the Demand in respect thereof may be less than Twenty Pounds. Rent for Gas and Fittings under Twenty Pounds.

55. All the Costs, Charges, and Expenses of applying for and obtaining this Act or incident thereto shall be defrayed by the Company. Expenses of Act.

The Crays Gas Act, 1865.

The SCHEDULE referred to in the foregoing Act.

Parish in which Lands are situate.	Description of Lands.
Saint Paul's Cray in the County of Kent.	Certain Pieces or Parcels of Land, with Gasworks and Buildings thereon, bounded on the East by a private Road leading from the Works of the Crays Gaslight and Coke Company, Limited, to the Highway leading into Saint Mary Cray, and on the West, North, and South by a Field called Letts Field, Part of a Farm belonging to the Right Honourable Viscount Sydney, and now occupied by Messieurs Pascall.

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