CHAPTER cxxxviii.

An Act for incorporating and conferring powers upon the Andover Lighting and Power Company and for other purposes. A.D. 1905.

[4th August 1905.]

WHEREAS in the year one thousand eight hundred and thirty-eight certain persons formed themselves into a Company under the name of the Andover Gas and Coke Company (herein-after referred to as "the Limited Company") for the purpose of supplying the town of Andover in the county of Southampton and the neighbourhood thereof with gas and generally for carrying on the business usually carried on by gas companies and such Company were duly registered on the tenth day of June one thousand eight hundred and ninety-one under the Companies Acts 1862 to 1883:

And whereas the share capital of the Limited Company consists of fourteen thousand pounds divided into one thousand four hundred shares of ten pounds each and the whole of such shares have been subscribed and fully paid up and the Limited Company have received in the way of premiums on such share capital the sum of four thousand five hundred and eighty-six pounds seventeen shillings and sixpence:

And whereas the Company have borrowed by the creation and issue of debentures the following amounts at the following rates of interest namely:—

Two thousand pounds at four pounds per centum per annum being a first charge on the undertaking of the Limited Company;

Four thousand pounds at four pounds per centum per annum being a second charge on the said undertaking; and

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Five thousand pounds at four pounds ten shillings per centum per annum being a third charge on the said undertaking:

And whereas the Limited Company have acquired the lands described in the First Schedule and the first part of the Second Schedule to this Act and have erected gasworks thereon and are now supplying gas in the borough of Andover in the county of Southampton:

And whereas the demand for gas within the aforesaid limits has increased and is increasing and it is expedient that the Limited Company should be dissolved and the members thereof re-incorporated with the powers herein-after conferred and that the Company so re-incorporated be authorised to supply gas within the limits of supply of the Limited Company and to other places in the county of Southampton and to maintain and continue and to extend and improve the gasworks of the Limited Company and that additional capital be provided for such extension and improvement:

And whereas the Board of Trade have granted a Provisional Order to the mayor aldermen and burgesses of the borough of Andover (herein-after referred to as "the Andover Corporation") authorising the supply of electrical energy within that borough:

And whereas by an agreement dated the twenty-seventh day of January one thousand nine hundred and five made between the Andover Corporation of the one part and the Limited Company of the other part it has been agreed that the Andover Corporation shall transfer such Order to the Limited Company or to their successors in title:

And whereas it is expedient that the Company be empowered to accept a transfer of the said Order:

And whereas it is expedient that the Company should be authorised to purchase additional lands and to use such lands and certain of the lands already acquired by them for the generation of electrical energy:

And whereas the objects of this Act cannot be attained without the authority of Parliament:

And whereas plans showing the lands which may be acquired under the powers of this Act and a book of reference thereto containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the clerk of the peace for the

county of Southampton and are herein-after respectively referred to as the deposited plans and book of reference: A.D. 1905.

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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):—

1. This Act may be cited as the Andover Lighting and Power Act 1905. Short title.

2. The Companies Clauses Consolidation Act 1845 (except the provisions thereof with respect to the conversion of borrowed money into capital) Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts the Lands Clauses Acts and the Gasworks Clauses Act 1847 (except sections 31 to 34) and the Gasworks Clauses Act 1871 are subject to the provisions of this Act incorporated with and form part of this Act And the said Gasworks Clauses Acts as so incorporated with this Act shall apply to the existing undertaking of the Limited Company by this Act vested in the Company incorporated by this Act as if the same had been authorised by this Act: Incorporation of general Acts.

Provided that section 13 of the Gasworks Clauses Act 1847 shall be read as if the words "or any premises" were inserted after the words "private building" and also that section 35 of such Act shall be read and construed as if the words from "in case the whole" down to the words "have been paid" were omitted therefrom and as though the expression "the prescribed rate" included the standard rate of dividend or such rate as reduced or increased in accordance with the provisions of this Act and the authorised dividend on the additional capital of the Company together with any sum which under the provisions of this Act may be carried to the insurance fund authorised by this Act.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act the expression "the Company" shall mean the Company incorporated by this Act "the Andover Interpretation.

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Corporation" shall mean the mayor aldermen and burgesses of the borough of Andover the expressions "the gasworks" and "the gas undertaking" shall respectively mean and include the gasworks and works connected therewith by this Act vested in or authorised to be made or maintained by the Company and any improvements extensions or enlargements thereof which they may construct under the powers of this Act the expression "the electrical undertaking" shall mean and include the electrical undertaking for the transfer of which to the Company provision is herein-after made by the section of this Act whereof the marginal note is "Power to Company to accept transfer of Andover Provisional Order" and the works connected therewith and the expression "the undertaking" shall mean and include all the works of the Company and the lands buildings estate right title property privileges and effects and the undertaking of the Company and every part thereof respectively.

Gas limits of Act.

4. The limits of this Act for the supply of gas shall be the borough of Andover and the parishes of Knights Enham Penton Grafton Penton Mewsey Foxcott Abbotts Ann Upper Clatford Goodworth Clatford and Longparish all in the county of Southampton.

Incorporation of Company.

5. From and after the passing of this Act the Limited Company shall be dissolved and the several persons who immediately before the passing of this Act were members of that company and all other persons who have subscribed to or who shall hereafter become proprietors in the undertaking of the Company and their executors administrators successors and assigns respectively shall be and they are hereby united into a Company for the purposes herein-after mentioned and shall be incorporated by the name of "The Andover Lighting and Power Company" and by that name shall be a body corporate with perpetual succession and a common seal with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

General purposes of Company.

6. The Company shall be established for the purpose of manufacturing and supplying gas for lighting heating motive power and other purposes within the limits of this Act and of carrying on the electrical undertaking and may provide produce store sell dispose of and deal in gas and coke tar and all other residual products resulting from the manufacture of gas and

generally may carry on the business usually carried on by a gas company and also the business of electrical undertakers when and so soon as the electrical undertaking shall be transferred to them.

Present property of Limited Company vested in Company incorporated by this Act.

7. Subject to the provisions of this Act all the lands gasworks erections buildings rights and easements which immediately before the passing of this Act were vested in the Limited Company or any person in trust for them or to which the Limited Company were in anywise entitled and all mains and pipes plant plugs lamps irons retorts gauges meters gas stoves lamp-posts syphons apparatus stock effects matters and things which may have been by them purchased provided laid down erected or placed in any place or house within the limits of this Act or which immediately before the passing of this Act were the property of the Limited Company and all moneys securities credits effects and other property whatsoever which immediately before the passing of this Act belonged to the Limited Company and the benefit of all contracts and engagements entered into by or on behalf of the Limited Company and immediately before the passing of this Act in force 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 were previously to the passing of this Act vested in the Limited Company and may according to the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed dealt with and disposed of by the Company as they think fit.

Deed of settlement and articles of association of Limited Company to be void.

8. Subject to the provisions of this Act the deed of settlement constituting the existing Company dated the 18th day of November 1838 and the articles of association of the Limited Company shall as to any prospective operation thereof be wholly void and the Company and the holders of shares and stock therein shall be exempted from all the provisions restrictions and requirements of any Act which applied to the Limited Company and the members thereof as such but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said deed of settlement or articles of association incurred before the passing of this Act but such liability or obligation in respect of any such breach shall continue and save as in this Act otherwise provided may be enforced by or on behalf of the Company as nearly as may be in like manner as the same

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might have been enforced by or on behalf of the Limited Company if this Act had not been passed.

Nothing to affect previous rights and liabilities.

9. 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 Limited Company or the members thereof as such shall be as valid as if the Company had not been incorporated and the said deed of settlement and articles of association had not been avoided by this Act and such incorporation and avoidance 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 the Company were not incorporated and the said deed of settlement and articles of association were not avoided by this Act and this Act were not passed would be incident to or consequent on any and every thing so done or suffered and with respect to all such rights liabilities claims and demands the Company and the holders of shares and stock therein and the property of the Company shall to all intents and purposes represent the Limited Company and the members thereof as such and the property of the Limited Company as the case may be and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to Act to be binding.

10. Except as is by this Act otherwise specially provided all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the passing of this Act by to or with the Limited Company or persons acting on behalf of the Limited Company or by to or with any other person to whose rights and liabilities they have succeeded and now in force shall be as binding and of as full force and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if instead of the Limited Company or any persons acting on behalf of the Limited Company the Company had been a party thereto.

Actions &c. not to abate.

11. Nothing in this Act contained shall release discharge or suspend any action or other proceeding which was pending by or against the Limited Company or any member thereof in relation to the affairs of the Limited Company or to which the Limited Company or any member thereof in relation to such affairs were parties immediately before the passing of this Act but

such action or other proceeding may be maintained prosecuted or continued by or 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 or in favour of or against the Limited Company or any member thereof if this Act had not been passed the Company and the holders of shares and stock therein being in reference to the matters aforesaid in all respects substituted for the Limited Company and its members respectively.

Indemnity.

12. Every person who (being authorised so to do) has entered into any bond covenant contract or engagement on behalf of the Limited Company shall be indemnified out of the funds and property of the Company against all liability (including costs charges and expenses) which he may sustain or incur or be put unto by reason of his having entered into such bond covenant contract or engagement.

Company to satisfy liabilities of Limited Company.

13. From and after the passing of this Act and except as is by this Act otherwise expressly provided the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the Limited Company immediately before the passing of this Act were subject and shall indemnify the members directors officers and servants of the Limited Company and their respective representatives from all such obligations and liabilities and from all expenses and costs in that behalf.

Recovery of gas rents &c.

14. All gas rents and sums of money which immediately before the passing of this Act were due or accruing to the Limited Company shall be payable to and may be collected and recovered by the Company in like manner as if they had become payable for the like matters supplied or done under this Act.

As to payment of debts owing before passing of Act.

15. All persons who immediately before the passing of this Act owed any money to the Limited Company or to any person on their behalf shall pay the same with all interest (if any) due or accruing upon the same to the Company and all debts and moneys which immediately before the passing of this Act were due or recoverable from the Limited Company or for the payment of which the Limited Company were or but for this Act would be liable shall be paid with all interest (if any) due or accruing upon the same by or be recoverable from the Company.

Certificates &c. to remain in force.

16. Notwithstanding the avoidance of the said deed of settlement and articles of association all certificates (until cancelled

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under the powers of this Act) sales transfers and dispositions heretofore made or executed under them for and with respect to any shares in the Limited Company shall remain in full force and continue and be available in all respects as if such deed of settlement and articles of association had not been avoided.

Books &c. continued evidence.

17. All documents books and writings which if the said dissolution repeal and avoidance had not taken place would have been receivable in evidence shall be admitted as evidence in all courts and elsewhere notwithstanding such dissolution repeal and avoidance.

Officers to continue until removed.

18. All officers and servants of the Limited Company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments together with the salaries and emoluments thereunto annexed until they shall resign the same or be removed therefrom by the Company and shall be subject and liable to the like conditions obligations pains and penalties and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been appointed under this Act.

Present registers of members to be continued.

19. The books kept by the Limited Company for entering the names and addresses and occupations of the members thereof with the numbers of their shares and the proper distinguishing number of each share shall until some other register of shareholders or holders of stock shall be provided by the Company continue to be kept for the same purpose by the Company and be taken and considered as the register of shareholders and of holders of stock required to be kept by the Companies Clauses Consolidation Act 1845.

Capital.

20.—(1) The capital of the Company shall be sixty-three thousand pounds.

(2) Such capital shall consist of twenty eight thousand pounds (in this Act called "the original capital") and thirty-five thousand pounds (in this Act called "the additional capital").

Original capital to vest in members of Limited Company.

21. The original capital shall be divided into two thousand eight hundred shares of ten pounds each and shall be appropriated to and vested in the several persons who immediately before the passing of this Act were the registered members of the Limtted Company in substitution for their shares in the Limited Company in the proportion of two shares of such original capital for every

one share in the capital of the Limited Company and every share so vested shall be deemed to be fully paid up and shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and incumbrances as immediately before the passing of this Act affected the share or shares for which the same is substituted and so as to give effect to and not revoke any deed or other instrument or any testamentary disposition of or affecting the same.

Company shall call in and cancel existing share certificates and issue new certificates in lieu thereof.

22. The Company shall call in and cancel the existing certificates of shares in the Limited Company and issue in lieu thereof certificates under the conditions prescribed by the Companies Clauses Consolidation Act 1845 but the holders of such existing certificates shall not be entitled to any certificates of proprietorship under this Act until they shall 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.

Power to Company to raise additional capital.

23. The Company may from time to time raise for the purposes of the undertaking the additional capital not exceeding in the whole thirty-five thousand pounds by the creation and issue of new ordinary shares or stock but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share or stock vest in the person accepting the same unless and until the full price of such share or stock including any premium obtained upon the sale thereof shall have been paid in respect thereof Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of additional capital for the purposes of the undertaking than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of thirty-five thousand pounds.

Sale of unissued shares or stock.

24.—(1) Notwithstanding anything in this Act contained the Company shall when any shares or stock forming part of the additional capital and created under the powers of this Act are to be issued and before offering the same to the holders of any shares or stock of the Company or for sale by public auction or tender and whether the ordinary shares or ordinary stock of the Company are or is at a premium or not offer the same (with the approval of the Board of Trade to be signified in writing

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under the hand of an assistant secretary of that Board) to the consumers and persons in the employ of the Company the shares or stock so to be issued at as near as may be the average market price of such shares or stock in the six months immediately preceding such offer (provided that in no case shall the price at which such shares or stock shall be offered be lower than five per centum below such market price) and if and so far as the shares or stock so issued are or is not taken by such persons the Company before offering the same to the holders of any shares or stock in the Company and whether the ordinary shares or ordinary stock of the Company are or is at a premium or not shall offer the same at the same reserve price for sale by public auction or by tender in such manner and at such times and subject to such conditions of sale as the Company shall from time to time determine Provided that no single lot shall at any such offer or sale comprise more than one hundred pounds nominal value of such shares or stock and notice of the amount of the reserve price put upon such shares or stock shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of stock in the Company.

(2) To ascertain the average market price of the shares or stock in the six months immediately preceding an offer to consumers and employees for the purpose of this section the mean price recorded in the Company's books shall be taken for the last six completed months and if no such sales shall have taken place in such time then the period of two years shall be taken in lieu thereof.

Shares or stock not sold may be offered to shareholders &c.

25. When any shares or stock forming part of the additional capital authorised by this Act has been offered for sale by auction or tender and not sold the same may be offered at the reserve price put upon the same for the purpose of sale by auction or tender to the holders of shares or stock of the Company or to gas consumers and persons in the employ of the Company Provided always that any shares or stock so offered and not accepted within a reasonable time may at any time within six months thereafter be again offered for sale by public auction or by tender in the manner prescribed by and subject to the

provisions of this Act and any shares or stock not then sold may be again offered to the holders of shares or stock of the Company or to such consumers and employees at such price as the directors may determine.

Purchase money of capital sold to be paid within three months.

26. It shall be one of the conditions of any sale of such shares or stock under this Act that the full price thereof including any premium given by any purchaser at such sale shall be paid to the Company within three months after such sale.

Notice to be given as to sale of shares or stock.

27. The intention to sell any such shares or stock whether to the gas consumers or to persons employed by the Company or by auction or by tender shall be communicated in writing to the town clerk of the borough of Andover to the clerk to the district council of any district wholly or partly included in the limits of supply of the Company to the clerk of the peace for the county of Southampton and to the secretary of the committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders (as the case may be) and notice of such intention shall be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the borough of Andover.

Application of premium arising on issue of shares or stock.

28. Any sum of money which shall arise from the issue of any such shares or stock portion of the additional capital by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the undertaking of the Company or in paying off money borrowed or owing on mortgage by the Company on the security of the undertaking and shall not be considered as part of the capital of the Company entitled to dividend Provided that in any case where a power to raise money by borrowing or to create an insurance or renewal fund is made proportionate to the paid-up capital the premium received from the sale of shares or stock by auction or tender as herein-before provided shall for such purpose be reckoned as part of the paid-up capital.

Power to borrow.

29. The Company may borrow on mortgage of the gas undertaking any sum or sums not exceeding in the whole (including the sum of eleven thousand pounds already borrowed on mortgage by the Limited Company) eleven thousand pounds or one-third part of the amount of the capital of the Company

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at the time actually issued by shares or stock whichever of these sums shall be the greater but no part thereof (other than the said sum of eleven thousand pounds) shall be borrowed until the whole of the shares or stock at the time issued together with the premium (if any) realised on the sale thereof shall have been fully 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 such shares and stock and premium (if any) have been issued and fully paid up 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 Provided that from the amount of such additional capital for the purposes of this section shall be excluded any amount thereof applied to the purposes of the electric undertaking.

For appointment of a receiver.

30. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five hundred pounds in the whole.

Saving for existing mortgages &c.

31. All mortgages bonds and debentures granted by the Limited Company and subsisting at the date of the passing of this Act shall during the continuance of such mortgages bonds and debentures have priority over all mortgages and debenture stock granted or created and issued by virtue of this Act.

Debenture stock.

32. The Company may create and issue debenture stock in the undertaking subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act and affecting the undertaking shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the

effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock after the passing of this Act and affecting the undertaking.

Priority of mortgages and debenture stock over other debts &c.

33. All money to be raised by the Company on mortgage or by the issue of debenture stock in the undertaking under this Act and all moneys continued on mortgage of the undertaking and the interest thereon respectively shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by the Company after the passing of this Act but this priority shall not affect any claim against the Company or their property in respect of any rentcharge to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease to be granted or made to the Company which is entitled to rank in priority to or pari passu with the interest or dividends on such mortgages or debenture stock.

Application of moneys.

34. All moneys raised under this Act whether by shares stock debenture stock or borrowing in respect of the undertaking of the Company shall be applied for the purposes of this Act and for the general purposes of the Company relating to the undertaking being in all cases purposes to which capital is properly applicable.

Receipt in case of person not sui juris.

35. If any money is payable to a shareholder or mortgagee or debenture stock holder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Profits of Company limited.

36. Except as in this Act otherwise provided the profits of the Company to be divided among the stockholders and shareholders in any half year shall not exceed the following rates (that is to say) On the original capital the rate of five pounds per annum in respect of every hundred pounds of such capital (herein-after in this Act referred to as "the standard rate of dividend") and on the additional capital the rate of seven pounds per annum in respect of every hundred pounds actually paid up of such capital In case in any half year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the prescribed maximum rate for such half year in each class of capital a proportionate reduction shall be made in the dividend of each class.

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If profits exceed amount limited excess may be invested and form an insurance fund.

37. If the clear profits of the gas undertaking in any half year or of the electrical undertaking of the Company in any year shown by the separate accounts herein-after directed to be kept amount to a larger sum than is sufficient to pay the dividend at the authorised rate on the paid-up capital of the Company actually applied to such undertakings respectively the excess beyond the sum necessary for that purpose may from time to time to the extent respectively of one half per centum in such half year or of one per centum per annum upon such capital as the case may be be set apart and all sums so set apart shall be invested in any securities in which trustees for the time being are authorised by law to invest money and the dividends and interest arising from such securities shall also be invested in the same or the like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth of the paid-up capital of the Company which sum shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Company from accident fire strikes or other circumstances which in the opinion of a court of summary jurisdiction due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction shall happen Provided that when and so often as the said fund shall reach one-twentieth part of the paid-up capital of the Company the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may from time to time be had to the insurance fund to meet any extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth as aforesaid.

Renewal fund.

38.—(1) The directors of the Company may if they think fit appropriate out of the revenue of the Company arising respectively from the gas undertaking or the electrical undertaking and as part of the expenditure on revenue account of such undertakings respectively any sum not exceeding an amount equal to one per centum per annum on the paid-up capital of the Company including premiums actually applied to such undertakings respectively to be called "the renewal fund" for the purpose of providing for the renewal and repair of

their works mains pipes cables and apparatus and may from time to time appropriate as occasion may require any portion of such fund to such purposes.

(2) Such fund shall be invested in any securities in which trustees are for the time being authorised by law to invest money and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to ten per centum on the paid-up capital for the time being of the Company.

(3) When and so often as the said fund shall reach such sum the interest thereon shall be carried to the credit of the fund available for dividend.

(4) If such fund be at any time reduced below the said sum it may thereafter be made up in manner herein-before provided to that sum and so from time to time as often as such reduction shall happen.

(5) Resort may from time to time be had to such fund for the purposes aforesaid notwithstanding that the same may not have reached or may have been reduced below the full amount of ten per centum upon the capital of the Company as aforesaid.

Power to create a reserve fund out of dividends in excess of standard rate of dividend and application thereof.

39. Where in any half year the dividend on the original capital of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such half year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such half year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and any reserve or other fund of the Company existing at the passing of this Act shall be invested in any securities in which trustees for the time being are authorised by law to invest money and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same shall accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any half year in which the clear profits of the Company shall be insufficient to enable the Company in such half year to pay the dividend at the authorised rate on the original capital of the

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Company and save as in this Act provided no sum shall in any half year be carried by the Company to any reserve fund.

Application of excess of profits over authorised rate of dividend.

40. If the clear profits of the undertaking of the Company in any half year amount to a larger sum than is sufficient to pay the dividends at the authorised rates on the paid-up capital of the Company the excess or such portion of it as is not carried to the insurance or reserve fund shall be carried to the credit of the divisible profits of such undertaking for the next following half year.

First ordinary meeting.

41. The first ordinary meeting of the Company shall be held within six months after the passing of this Act.

Quorum for general meeting.

42. The prescribed quorum for a meeting of the Company shall be five holders of shares or stock holding between them shares or stock of not less nominal amount in the whole than two thousand pounds in the capital of the Company.

Number of directors.

43. The number of directors shall be five but the Company may vary the number provided that the number be not at any time more than seven or less than four.

Qualification of directors.

44. The qualification of a director shall be the possession in his own right of shares of the Company of not less nominal value in the aggregate than two hundred pounds.

Quorum of directors.

45. The quorum of a meeting of directors shall be three.

First and subsequent directors.

46. Francis Samuel Shaw James Oram Henry Dowling Alfred Frederick Hooper and James Charles Holmes shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being (if they continue qualified) eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any

such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Directors not to be disqualified &c.

47. No person shall be disqualified from becoming or continuing a director of the Company by reason of his or any partner of his being or becoming interested in any contract with the Company either in his own behalf or as a member of any other company corporation local authority or partnership but no such person shall as a director vote in respect of any question as to any such contract or the remuneration attached to any such office or place of trust or profit.

Number and qualification of auditors.

48.—(1) The prescribed number of auditors shall be two or any greater number that may be ordered by resolution of a general meeting Provided that if the Company think fit they may appoint one or more chartered or incorporated accountants to act in place of such prescribed number of auditors.

(2) It shall not be necessary for the auditors to hold shares or stock in the capital of the Company.

Powers as to construction and maintenance of gasworks &c.

49. Subject to the provisions of this Act the Company may upon the lands described in the First Schedule to this Act maintain alter improve enlarge extend and renew or discontinue their existing gasworks and may upon such lands whilst they are in possession thereof erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasometers receivers drains sewers mains pipes meters lamps lamp-posts burners stopcocks machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying such gas within the limits of this Act for the supply of gas and may make store and supply such gas accordingly and may manufacture sell provide supply and deal in coke tar asphaltum and all other products or residuum of any materials employed in or resulting from the manufacture of gas or the materials used therein.

Dividends dependent on price charged.

50. The standard price to be charged by the Company for gas supplied by them shall be four shillings and threepence per thousand cubic feet :

Provided that the Company may increase or reduce the price charged by them for such gas above or below the

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standard price subject to a reduction or increase in the dividend payable by the Company on the original capital or stock as follows :—

In respect of any half year during any part of which the price charged by the Company shall have been one penny or part of a penny above the standard price the dividend payable by the Company shall in respect of each penny or part of a penny by which the standard price shall have been increased be reduced below the standard rate of dividend by one shilling and threepence on every one hundred pounds of capital and so in proportion for any fraction of one hundred pounds ;

And in respect of any half year during the whole of which the price charged by the Company shall have been one penny or more below the standard price the dividend payable by the Company may in respect of each penny by which the standard price shall have been reduced be increased above the standard rate of dividend by one shilling and threepence on every one hundred pounds of capital and so in proportion for any fraction of one hundred pounds :

Provided also that if in any half year the dividend payable shall be a fractional amount less than one quarter per centum the Company may defer the payment of such fractional amount until the payment of the next or some succeeding dividend and shall in the discretion of the Company either add such fractional amount to and pay the same with such succeeding dividend accordingly or add the same to the reserve fund.

Pressure of gas.

51. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six-tenths of an inch and from sunset to midnight not less than eight-tenths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer and any gas examiner appointed under the Gasworks Clauses Act 1871 may subject to the terms of his appointment test the pressure at which the gas is supplied and may for that purpose open any street road passage or place vested in or under the control of any local or road authority and the provisions of the Gasworks Clauses Act 1871 with reference to testing of gas and to penalties shall

mutatis mutandis apply to such testing of pressure and two hours' previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Quality of gas.

52. The prescribed number of candles shall be not less than fourteen.

Testing place for gas.

53. Within twelve months from the passing of this Act a testing place shall be provided upon some part of the works or lands of the Company.

Burner.

54. Notwithstanding the provisions of section 28 of the Gasworks Clauses Act 1871 the photometer to be employed for testing gas supplied shall be that known as the table photometer the standard light Harcourt's ten candle Pentane and the prescribed burner for testing gas supplied Sugg's Argand burner for fourteen candle gas commonly known as "the Wandsworth Test burner" with a six-inch by one-and-five-eighth-inch glass chimney.

Power to lay pipes in streets not dedicated to public use.

55. The Company may upon the application of the owner or occupier of any premises abutting on or being erected in any street laid out but not dedicated to public use supply such premises with gas and may lay and from time to time take up alter relay or renew in across or along such street such pipes as may be requisite or proper for the furnishing such supply and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Power to lay pipes &c. for purposes ancillary to business of Company.

56. It shall be lawful for the Company for the purposes of the gas undertaking to lay down place repair alter remove and renew subways mains pipes culverts wires and other apparatus with the consent of the local authority in or under any street or place dedicated to public use within the limits of the Company for the purpose of procuring conducting or disposing of any oil or other material or for any other purpose ancillary to their business and for such purposes to enter into and carry into effect agreements with any local authority.

Company may contract with local authority for

57. The Company may contract with any local authority company or persons beyond the Company's limits of gas supply (but only with the consent in writing of the local authority of the

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supply in bulk.

district within which the supply is to be given and of any company or person supplying gas under parliamentary powers in that district) for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon.

Period of error in defective gas meters.

58. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in the like manner as gas rents are recoverable by the Company.

Anti-fluctuators for gas engines.

59. Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an effective anti-fluctuator and shall at all times and at his own expense keep such anti-fluctuator in proper order and in default of his so using or keeping such anti-fluctuator in proper repair the Company may cease to supply gas to such consumer The Company shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

No penalty in case of unavoidable cause.

60. No penalty shall be incurred by the Company for neglect or refusal to give a supply of gas in accordance with the provisions of this Act or for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which the court having cognizance of the case are of opinion that such neglect refusal insufficiency defect or excess was caused by circumstances beyond the control of the Company or was of so slight or unimportant a character as not materially to affect the value of the supply Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company.

Company may appropriate lands for electrical undertaking.

61. For the purposes of the electrical undertaking the Company may appropriate and use the lands described in Part I. of the Second Schedule to this Act now belonging to and held or occupied by them for the purposes of the gas undertaking and on which they are authorised to erect works for the manufacture of gas or residual products.

Power to take lands.

62. For the purposes of the electrical undertaking the Company may enter upon take and use all or any of the lands delineated upon the deposited plans and described in the deposited book of reference and in Part II. of the Second Schedule to this Act required for or in connexion with the purposes of this Act Provided that the Company shall not create or permit a nuisance on any such lands Provided also that so far as any purchase money for such lands is payable to the Andover Corporation the same shall be invested or applied by that corporation as the Local Government Board may direct.

Correction of errors &c. in deposited plans and book of reference.

63. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the land in question may apply to two justices acting for the county of Southampton for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Southampton and a duplicate thereof shall also be deposited with the town clerk of the borough of Andover in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerk of the peace and the town clerk respectively with the other documents to which the same relate and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

Period for compulsory purchase of lands.

64. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be

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exercised after the expiration of three years from the passing of this Act.

For protection of Andover Corporation.

65. For the protection of the Andover Corporation the following provisions shall unless otherwise agreed between the Corporation and the Company have effect (that is to say):—

(1) The Company shall not take use or acquire any land of the Andover Corporation other than the land described in Part II. of the Second Schedule to this Act and such other lands as they may agree or have agreed to sell to the Company:

(2) If the Company acquire the land of the Andover Corporation described in Part II. of the Second Schedule to this Act and for the purposes of the Company it be necessary to alter or divert the sewer of the Andover Corporation in or under part of such land or the Andover Corporation reasonably require the same to be altered or diverted by reason of the same being affected the Company at their own costs in all respects shall alter and divert the same at such time and in such manner as may be reasonably required by the engineer of the Andover Corporation and to his reasonable satisfaction.

Power to take licences for use of patents.

66. The Company may acquire take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent made or to be made granting any right or privilege of working using exercising or vending any invention in relation to the production utilisation and distribution of gas or electrical energy the production of coke tar pitch asphaltum sulphate of ammonia ammoniacal oil and the products from coal slack and other substances employed in or resulting from the manufacture of gas or electrical energy or otherwise in relation thereto but not so as to acquire any exclusive right to the working using exercising or putting in practice of any such invention.

Consumers to give notice to Company before removing.

67. Twenty-four hours' notice in writing shall be given to the Company by every consumer before he shall quit any premises supplied with gas or electrical energy by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for

ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas or electrical energy to such premises whichever shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas or electrical energy rent. A.D. 1905.

Power to refuse supply to persons in debt for other property.

68. If a person requiring a supply from the Company has previously quitted premises at which gas or electrical energy was supplied to him by the Company without paying to them all gas electrical energy or meter rent due from him to the Company they may refuse to furnish to him a supply of gas or electrical energy until he pays the same.

Notice to discontinue supply.

69. A notice to the Company from a consumer for the discontinuance of a supply of gas or electrical energy shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office for the time being of the Company.

Discounts.

70. The Company may if they think fit allow discounts or rebates to consumers of gas or electrical energy of large quantities or for special purposes not exceeding in any case twenty per centum Provided that notice of the effect of this enactment shall be endorsed on every demand note for gas or electrical energy rent Provided also that such discounts or rebates shall be of equal amount under like circumstances to all consumers.

Dwelling-houses for workmen.

71. The Company may upon any lands for the time being belonging or leased to them erect fit up maintain and let houses cottages and buildings for the officers and servants employed by the Company for the purposes of their undertaking.

Power to supply fittings &c. for heating and other purposes and not to be subject to distress.

72. The Company may purchase supply sell let for hire use and otherwise deal in fit up fix alter repair remove and refix but shall not manufacture meters engines dynamos stoves ranges pipes cables wires fittings and other apparatus (all of which are in this section included in the expression "apparatus") and appliances for lighting for motive power for the warming and ventilating of houses and buildings for the cooking of food and for all other purposes for which gas or electrical energy can or may be used and may provide all materials and do all work necessary or proper in that behalf and may demand and take such remuneration or rents and charges and make such terms

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and conditions as may be agreed upon between the Company and the persons to or for whom the same are sold supplied let fixed up altered removed refixed or done.

Apparatus let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent nor to be taken in execution under any process of a court of law or equity or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such apparatus has upon it a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

Company to pay interest on money deposited as security for gas meter &c.

73. If any person is required by the Company to give to them security for any supply of gas or for the payment of the price or rent of a gas meter and such security is made by way of deposit the Company shall pay interest after the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Power to purchase lands by agreement. Gas not to be manufactured except on lands scheduled.

74. The Company may for the purposes of the undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the First and Second Schedules to this Act any lands and hereditaments not exceeding in the whole ten acres which the Company may require for the purposes of the undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the First Schedule to this Act.

Company may sell or lease lands not required.

75. Subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands so far as such provisions in each case apply the Company may from time to time sell for all their estate and interest therein or lease for any term or terms not exceeding seven years any lands now vested in them and which may not be required for the purposes of the Company Provided that the Company shall not erect or permit the erection on such lands as may be let or retained of any building other than buildings to be used in connexion with their undertaking.

Power to Company to accept transfer of Andover Provisional Order.

76. If the Andover Corporation is or shall be authorised by Provisional Order confirmed by Parliament to supply electrical energy and is or shall be also by the Provisional Order authorised to transfer their undertaking to the Company the Company may with the approval of the Board of Trade accept such transfer and may thereupon exercise subject to the conditions of such consent the powers of any such Provisional Order and be subject to such duties and liabilities and carry out such works within the area of supply as defined by the said Order or such part thereof as may be prescribed by the deed of transfer.

Separate accounts of gas and electrical undertakings.

77. The Company shall keep separate and distinct accounts showing accurately their receipts and expenditure both as regards capital and revenue in respect of the gas undertaking and the electrical undertaking respectively and they shall apportion fairly between those accounts any expenditure incurred for purposes common to both A copy of each such separate accounts shall be furnished by the Company to the Andover Corporation.

Further provisions as to electrical undertaking.

78. As regards the electrical undertaking the following further provisions shall have effect (that is to say) :—

Whenever in any year it is shown by the separate accounts by this Act directed to be kept that the receipts on the revenue account of the electrical undertaking exceed the sum total of the expenditure on such account (including any payments to the renewal fund by this Act authorised to be established) and of a sum equal to seven per cent. on the aggregate amount of the capital moneys employed in such undertaking and of the amount of the contribution by this Act authorised to be made in respect of such undertaking to the insurance fund by this Act authorised to be established the Company shall make such a rateable reduction in the charge for the supply of energy as in their judgment will reduce the surplus to that maximum rate of profit.

Application of money received in case of sale of electrical undertaking.

79.—(1) In the event of the Andover Corporation at any time purchasing the electrical undertaking from the Company the amount received by the Company from the said corporation as the purchase money and the proportion of the amounts at the date of such purchase respectively standing to the credit of the Insurance and Renewal Funds by this Act authorised which shall be fairly attributable to the electrical undertaking shall

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be treated as capital and distributed pro rata among the holders of the new ordinary shares or stock representing the additional capital of the Company in accordance with a scheme which shall provide for the cancellation of such proportion of the amount of such stock or shares in respect of the moneys to be received under such distribution as any person appointed by the Board of Trade for such purpose shall determine to be reasonable.

(2) For this purpose the directors of the Company shall as soon as possible after the payment of the purchase money prepare and submit to such person as aforesaid a scheme providing for such distribution and any such scheme when so approved shall be binding on all parties.

(3) The directors shall at least seven days before submitting such scheme to such person as aforesaid send a copy thereof to all the debenture holders mortgagees and proprietors of the Company together with notice of their intention to so submit such scheme.

Recovery of demands in county court.

80. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court provided that the demand does not exceed the amount recoverable in that court in a personal action.

Penalties not cumulative.

81. 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.

For protection of London and South Western Railway Company.

82. For the protection of the London and South Western Railway Company (herein-after referred to as "the South Western Company") the following provisions shall apply:—

(1) In laying down altering improving enlarging extending maintaining or renewing or in executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across under or adjoining or in any was affecting the railway lands and property now or hereafter belonging to leased used or occupied by the South Western Company or the bridges approaches viaducts stations or other works or any level crossings

of the South Western Railway the same shall be done under the superintendence and to the reasonable satisfaction of the engineer of the South Western Company and according to plans to be submitted to and approved by him in writing and within a reasonable time or in case of difference as may be determined by arbitration in the manner herein-after provided:

(2) All such works shall be done by and at the expense of the Company except as in this section otherwise provided who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over or under any bridge or over any level crossing of the South Western Railway or over the approaches to any such level crossing so far as the same may be disturbed or interfered with by or owing to any operations of the Company Provided always that should the South Western Company elect so to do where any mains pipes apparatus or other works require to be laid under or across any level crossing of the South Western Railway they may themselves lay the same at the reasonable costs charges and expenses of the Company:

(3) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railway bridges level crossings approaches viaducts stations works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railway or at to or from any station thereon:

(4) If the South Western Company at any time or times hereafter require (of which they shall be the sole judges) to construct any additional or other works upon their lands or railway or to alter or repair their railway bridges viaducts or works upon across over or under which any of the works of the Company may have been constructed or laid the South Western Company may on giving to the Company twenty-eight days' notice in writing under the hand of their secretary or general manager and in case of emergency of which their engineer shall be the sole

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judge then on giving as long a notice as possible divert support or carry the said works of the Company across over or under their lands railway bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works:

(5) Any additional expense which the South Western Company may reasonably and properly incur in widening altering reconstructing or maintaining the South Western Railway or the works connected therewith by reason of the existence of any mains pipes or other works of the Company across or under the same shall be paid by the Company:

(6) The Company shall bear and on demand pay to the South Western Company all reasonable costs of the superintendence by them of the construction of the works and repairs thereof and all reasonable costs of watching lighting and protecting the South Western Railway with reference to and during such construction and repairs so far as such costs may be in case of difference determined by the arbitrator to have been necessary:

(7) Nothing in this section contained shall alter abridge lessen or defeat the provisions of section 8 (For protection of Andover Gas and Coke Company Limited) of the South Western Railway Act 1902 and those provisions shall enure and have effect for the benefit of the Company:

(8) Any dispute or difference which may arise between the South Western Company and the Company with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the South Western Company and the Company or either of them.

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For protection of Southampton County Council.

83. In executing the works and exercising the powers as to the supply of gas by this Act authorised so far as they affect main roads and county or main road bridges of the county of Southampton the following provisions for the protection of the county council of the administrative county of Southampton (in this section called "the county council") shall (unless otherwise agreed) have effect (that is to say):—

(1) All pipes to be laid in or along any main road or in upon or across any county or main road bridge shall be laid in such position and if under the metalled portion thereof at such depth as the county council may reasonably require:

(2) In the application of the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the notice required by the eighth section of that Act shall (except in cases of emergency) be not less than seven days instead of three days:

(3) The plan required by the ninth section of the said Act shall be accompanied by a description of the proposed works in the case of any main road and by a section in the case of any county or main road bridge and shall be delivered to the county council or their surveyor by the Company not less than fourteen days before they commence to open or break up any main road or interfere with any county or main road bridge for the purpose of executing the works:

(4) Nothing in this Act shall authorise the Company to interfere with the structural part of any county or main road bridge without the consent in writing of the county council which consent shall not be unreasonably withheld and may be given upon such conditions as the county council may reasonably determine:

(5) Nothing in this Act contained shall interfere with the right of the county council to alter the level of deviate or improve in any manner they think fit any main road in or along which any pipes of the Company shall have been laid and the Company shall on the expiration of fourteen days after receiving notice in writing under the hand of the clerk of the county council so to do

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proceed to alter the position of any such pipes in the manner and to the extent prescribed by such notice or as in case of difference shall be determined by arbitration in the manner herein-after prescribed and the expenses of any such alteration shall be paid to the Company by the county council:

(6) Nothing in this Act contained shall interfere with the right of the county council at any time or times to remove alter or rebuild any county or main road bridge or the approaches thereto over near or attached to which any pipes of the Company are carried in the same manner as they might have removed altered or rebuilt such bridge or the approaches thereto if this Act had not been passed and such pipes had not been laid over or near or attached to such bridge and in the event of any such bridge or the approaches thereto over or near or attached to which any such pipes are laid being removed altered or rebuilt as aforesaid the Company shall at their own cost in all things alter the position of such pipes and any works by which the same are carried over or near or attached to such bridge or the approaches thereto as aforesaid Provided that the county council shall afford all reasonable facilities to the Company for such alteration Provided also that during the removal alteration or rebuilding of such bridge or the approaches thereto as aforesaid the county council shall at their own expense afford all reasonable facilities for temporarily carrying such pipes across the stream river or other place over which such bridge is carried so as not to interrupt the continual supply of gas or to diminish the pressure of such supply through such pipes:

(7) All works of the Company so far as they affect any main roads and county or main road bridges shall be so executed by the Company as not to stop the traffic and so far as reasonably practicable as not in any way to impede or interfere with the traffic on any main road or over any county or main road bridge or the approaches thereto and the Company shall not open or break up at any one time a greater length than one hundred yards of any road:

(8) The Company shall pay to the county council the reasonable costs which the county council may incur in the repair and reinstatement of so much of any main road or of the road over any county bridge or the approaches thereto in which the pipes of the Company are or may be laid as may be damaged by reason of the traffic being concentrated thereon during the laying alteration renewal or repair of the said pipes:

(9) If any difference arises at any time between the county council and the Company touching this section or anything to be done or not to be done thereunder or the giving or withholding of any consent or the conditions of giving the same or any direction such difference shall be settled by an engineer to be agreed on between the county council and the Company and failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party:

(10) Nothing in this section contained shall extend to affect or apply to any existing work or pipes of the Company except in the case of the renewal of any such work or pipes.

Copy of Act to be registered.

84. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

There shall be paid to the Registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies Act 1862 on registration of any document other than a memorandum of association.

Costs of Act.

85. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Company.

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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Lands for Gasworks.

That piece of land situate in the parish and borough of Andover in the county of Southampton containing two acres one rood nine perches or thereabouts now in the possession of the Limited Company and bounded on the north by land belonging or reputed to belong to the London and South Western Railway Company on the east by land belonging or reputed to belong to the Andover Corporation on the south by the River Anton and on the west by land belonging or reputed to belong to Henry Gamman and by an accommodation road on the property belonging or reputed to belong to the London and South Western Railway Company.

SECOND SCHEDULE.

Lands for Generating Station.

Part I.

That piece of land situate in the parish and borough of Andover in the county of Southampton containing two acres one rood nine perches or thereabouts now in the possession of the Limited Company and bounded on the north by land belonging or reputed to belong to the London and South Western Railway Company on the east by land belonging or reputed to belong to the Andover Corporation on the south by the River Anton and on the west by land belonging or reputed to belong to Henry Gamman and by an accommodation road on the property belonging or reputed to belong to the London and South Western Railway Company.

Part II.

That piece of land situate in the parish and borough of Andover in the county of Southampton containing one rood thirty-five perches or thereabouts belonging or reputed to belong to the Andover Corporation

partly in the occupation of Stephen Temblett and partly of the corporation and bounded on the north by land belonging or reputed to belong to the Limited Company on the west partly by land belonging or reputed to belong to the Limited Company and partly by a weir and backwater leading from the River Anton on the south and east by land belonging or reputed to belong to the said corporation which said piece of land is shown on a map or plan thereof signed by Lamb and Son solicitors for the Company and Thomas E. Longman town clerk and thereon distinguished by the colour pink.

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