CHAPTER xliv.

An Act for incorporating and conferring powers on the Aylesbury Gas Company. [30th June 1905.]

A.D. 1905.

WHEREAS in the year one thousand eight hundred and sixty-one certain persons formed themselves into a gas company under the name of the Aylesbury Gas Light and Coke Company Limited (in this Act referred to as "the limited company") for the purpose (inter alia) of the lighting of the parish of Aylesbury with Walton in the county of Buckingham the sale of coke and fuel and such company were duly registered with articles of association under the Joint Stock Companies Acts 1856 to 1858:

And whereas the share capital of the limited company now consists of thirty-six thousand pounds divided into three thousand shares of twelve pounds each on each of which ten pounds has been paid:

And whereas the limited company have from time to time borrowed on security of their gas undertaking and now owe the sum of two thousand pounds:

And whereas the limited company have acquired the lands described in the schedule to this Act and erected gasworks thereon and are now supplying gas at Aylesbury aforesaid:

And whereas it is expedient that the limited company should be dissolved and re-incorporated with further powers and that the limits of supply of the Company should be extended and defined:

And whereas it is expedient that provision should be made as in this Act contained whereby the rate of dividend payable by the Company upon their ordinary capital shall be regulated

A.D. 1905.

according to the price charged for gas upon the system known as the sliding scale of price and dividend:

And whereas the demand for gas in the district supplied by the limited company has increased and is increasing and it is expedient that the Company incorporated by this Act should be empowered to improve and extend their works and to erect further gasworks and other buildings and that for such purposes and other the purposes of this Act the Company should be authorised to raise additional capital as by this Act provided:

And whereas the parishes of Aston Clinton Bierton-with-Broughton Hartwell Stoke Mandeville Stone-with-Bishopstone and Weston Turville adjoining the limits of supply of the limited company are not now supplied with gas and it is expedient that the Company should be empowered to supply gas within those parishes:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

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

Preliminary.

Short title.

1. This Act may be cited as the Aylesbury Gas Act 1905.

Incorporation of Acts.

2. The following Acts or parts of Acts are (except where expressly varied by or inconsistent with this Act) incorporated with and form part of this Act (that is to say):—

The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) and 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 (except the provisions thereof relating to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking):

The Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 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."

Interpretation.

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:

The expression "the Company" means the Aylesbury Gas Company incorporated by this Act;

The expression "the council" means the urban district council of Aylesbury;

The expressions "the works" "the gasworks" and "the 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 improvement and enlargement or extension thereof which they may construct under the powers of this Act and the lands buildings estate right title property privileges and effects and the undertaking of the Company and every part thereof respectively.

Limits of Act.

4. The limits of this Act shall be the urban district of Aylesbury and (subject as herein-after provided) the parishes of Aston Clinton Bierton-with-Broughton Hartwell Stoke Mandeville Stone-with-Bishopstone and Weston Turville all in the county of Buckingham Provided that the Company shall not commence to supply gas to any parish or place outside the urban district of Aylesbury without the previous consent in writing of the council.

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 Aylesbury Gas Company and by

A.D. 1905.

that name shall be a body corporate with perpetual succession and a common seal and 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 storing and supplying gas for lighting heating motive power and other purposes within the limits of this Act and may provide produce purchase store sell dispose of and deal in gas coke patent fuel tar pitch asphaltum ammoniacal liquor oil sulphate of ammonia and all other products refuse or residuals arising remaining produced by or resulting or obtained from the manufacture of gas or the materials used therein and may manufacture and sell such articles as can be produced from or by means of the several matters and things aforesaid or any of them and may purchase and store coal oil and other materials employed in the manufacture of gas and may (but only for the purposes of the Company within the limits of this Act) acquire or take hold and use any leave licence or authority (not being exclusive) to work use exercise or put in practice any invention or inventions under any 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 the production of coke patent fuel tar pitch asphaltum ammoniacal liquor and other products from coal oil and other substances employed in or resulting from the manufacture of gas or otherwise in relation thereto (but not so as to acquire any exclusive right to the working use exercising or putting in practice of any such invention or inventions) and generally may carry on any business usually carried on by gas companies or which is or may become incidental thereto and may carry the powers of this Act into execution.

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 any wise entitled and all mains and pipes plant plugs lamps irons retorts gauges meters gas stoves fires cookers gas fittings lamp posts and brackets syphons apparatus stock effects matters and things which 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 or to any trustee on their behalf 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 or any trustee on their behalf 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.

Memorandum of association of limited company to be void without prejudice to remedies for antecedent breaches thereof.

8. Subject to the provisions of this Act the memorandum and articles of association of the limited company shall as to any prospective operation thereof be wholly void and the Company and the shareholders 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 memorandum 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 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 memorandum 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 memorandum 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

A.D. 1905.

suffered and with respect to all such rights liabilities claims and demands the Company and its shareholders and property 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 any trustees 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 the trustees or 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 suit 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 shareholders therein being in reference to the matters aforesaid in all respects substituted for the limited company and its members respectively.

Company to satisfy liabilities of limited company.

12. 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. A.D. 1905.

Recovery of gas rents &c.

13. 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.

14. 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.

15. Notwithstanding the avoidance of the said memorandum and articles of association all certificates (until cancelled 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 they had not been avoided.

Books &c. continued evidence.

16. All documents books and writings which if the said dissolution 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 and avoidance.

Officers to continue until removed.

17. 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 attaching 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.

A.D. 1905.

Present registers of members to be continued.

18. The books kept by the limited company for entering the names and designations 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 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 required to be kept by the Companies Clauses Consolidation Act 1845.

Capital.

Capital.

19. The capital of the Company shall be ninety thousand pounds and shall consist of—

Sixty thousand pounds of consolidated ordinary stock to be allotted amongst the holders of the shares in the existing capital of the limited company and thirty thousand pounds additional capital created by virtue of this Act.

Consolidation of shares.

20. As from the first day of January one thousand nine hundred and six all the shares in the existing capital of the limited company shall by force of this Act only and without any further requisite be consolidated and converted into consolidated ordinary stock bearing a standard dividend of five pounds per centum per annum Such consolidated stock shall be apportioned between the holders on the said first day of January of the shares in the existing capital of the limited company in substitution for their then existing shares in the following proportion (that is to say) :—

For every share in the existing capital upon which ten pounds has been paid twenty pounds consolidated ordinary stock;

and as from that date there shall be by virtue of this Act created such a nominal amount of consolidated ordinary stock of the Company as shall be necessary for the purpose of carrying into effect such consolidation and conversion and the amounts of consolidated ordinary stock to which the holders of shares in the existing capital of the limited company by virtue of this Act respectively become entitled in substitution for such shares shall be vested in such holders respectively as from the aforesaid first day of January one thousand nine hundred and six and shall be forthwith after that day registered in their respective names in the books of the Company

Provided that neither the amount which the Company may carry to the reserve fund in respect of the capital represented by the shares so consolidated and converted nor the borrowing powers of the Company shall be increased or affected by reason of such consolidation and conversion.

Consolidated stock to be held on same trusts &c. as shares for which it is substituted.

21. Consolidated ordinary stock shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in upon or to which the existing shares for which the consolidated ordinary stock is substituted were held or were subject to immediately before the said first day of January one thousand nine hundred and six and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such existing shares and trustees executors or administrators or other incapacitated parties may accept consolidated ordinary stock in substitution for existing shares held by them in the capital of the limited company and may subject to the provisions of this Act retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have retained disposed of or otherwise dealt with such last-mentioned shares.

Certificates of shares to be called in and others issued.

22. The Company shall call in the certificates of the shares for which consolidated ordinary stock is substituted by virtue of this Act and shall issue in exchange for those certificates to the respective proprietors thereof free of charge certificates of consolidated ordinary stock of the respective amounts to which those proprietors are by this Act respectively entitled but no proprietor shall be entitled to a certificate of the consolidated ordinary stock so substituted for the existing shares held by him until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction thereof Provided always that until the issue of the certificates of such consolidated ordinary stock the existing certificates shall (according to the amounts of consolidated ordinary stock to be substituted by virtue of this Act for the shares in the existing capital of the limited company which they respectively represent) have and possess the same rights and advantages as if they were certificates for those respective amounts of consolidated ordinary stock but if any holder of any of the shares in the

A.D. 1905.

existing capital of the limited company neglect or omit to send or deliver to the Company his existing certificate or certificates of such shares for the period of one year after notice in writing sent by post to the address appearing in the shareholders "address book" the Company may suspend the payment of any dividend declared or made payable upon or in respect of the consolidated ordinary stock so held by him until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors of the Company to have been lost or destroyed.

Transfers of shares although by present name to be valid.

23. All transfers or other dispositions of any shares in the capital of the limited Company as existing up to the conversion thereof into consolidated ordinary stock by this Act shall after such conversion and notwithstanding this Act be valid and have due effect given to them respectively as transfers of the respective amounts of consolidated ordinary stock substituted for the shares transferred or disposed of although the instrument transferring or disposing thereof shall describe the same by the name or denomination which the shares transferred or disposed of had before such conversion and the bequest of or any covenant or provision of any deed or agreement relating to any specific nominal amount of any such shares converted by this Act into stock of larger nominal amount shall be held to apply to a nominal amount of consolidated ordinary stock equal to that into which such shares shall have been converted under the provisions of this Act.

Consolidated stock to be transferable in multiples of five pounds.

24. Consolidated ordinary stock shall be transferable only in multiples of five pounds.

Power to apply moneys and raise additional capital.

25. The Company may from time to time apply to the purposes of this Act to which capital is properly applicable any moneys they may have already raised or are authorised to raise and may from time to time raise for those purposes (in addition to the consolidated ordinary stock created by virtue of this Act) additional capital to such nominal amount as shall be sufficient to produce including the premium if any which may be obtained on the sale thereof the sum of thirty thousand pounds by the creation and issue of further amounts of consolidated ordinary stock or by the creation and issue of ordinary or preference shares or stock or wholly or partly by one or more of those modes respectively Provided that of the said sum of thirty thousand pounds the Company shall not raise more in the whole

than fifteen thousand pounds by the creation and issue of preference shares or stock.

Shares &c. not to vest till fully paid.

The Company shall not issue any share of less nominal value than ten pounds nor shall any such share or any stock created and issued by the Company under this section vest in the person or corporation accepting the same unless and until the full price of such share or stock together with any premium obtained upon the sale thereof shall have been paid in respect thereof.

Regulations as to Issue of Capital.

New shares or stock to be offered by auction or tender.

26. Notwithstanding anything in this Act contained the Company shall when any shares or stock created under the powers of this Act are to be issued and before offering the same to the holders of consolidated ordinary stock in the Company and whether the consolidated ordinary stock of the Company is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserved price put upon such shares or stock shall not be less that the nominal amount thereof and notice of the amount of such reserved price 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 shares or stock in the Company except that if any bid or offer by tender of any holder or holders of shares or stock in the Company be the same in amount as any bid or offer made by any other person the bid or offer of such holder or holders of shares or stock in the Company may be accepted in preference and preference may in like manner be given to any gas consumer or employee whose bid or offer is the same in amount as any bid or offer made by any other person not being a holder of shares or stock in the Company.

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

27. It shall be one of the conditions of any sale of 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.

A.D. 1905.

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

28. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the clerk to the urban district council of Aylesbury and to the clerk of every local authority having jurisdiction within the limits of supply of the Company 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 said district.

Shares or stock not sold by auction or by tender to be offered to holders of consolidated stock.

29. When any shares or stock in the additional capital created under the powers of this Act have been offered for sale by auction or tender and not sold the same may be disposed of by the directors at a price not less than the reserved price put upon the same respectively for the purpose of sale by auction or tender or may be offered at such reserved price to the holders of the ordinary shares or stock and preference shares or stock of the Company in manner provided by and subject to the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and if the aggregate amount of shares or stock applied for by the said holders shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the said holders as nearly as may be in proportion to the amounts applied for by the said holders respectively or may be offered at such reserved price to the consumers of gas supplied by the Company or partly to one and partly to another or others Provided always that any shares or stock not so disposed of within the time limited by the directors of the Company or so offered and not accepted within the time prescribed by the said Act shall again be offered for sale at such time or times as the directors of the Company may think fit by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of shares or stock in the additional capital created under the powers of this Act except that the reserved price put upon such shares or stock may upon such second sale if the directors of the Company think fit be less than the nominal value thereof and any shares or stock not then sold may be disposed of by the directors or offered to the holders of ordinary and preference shares or ordinary and preference stock or to the consumers of gas as aforesaid at not less than the last-mentioned reserved price in the manner aforesaid and so from time to time until the whole of such shares or stock is sold.

Application of premium arising on issue of shares or stock.

30. Any sum of money which shall arise from the issue of any such shares or stock 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 works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend Provided that the premium received from the sale of shares or stock by auction or tender as herein-before provided shall for the purpose of determining the powers of the Company to raise money by borrowing or the amount which the Company may set aside as a reserve fund insurance fund or renewal fund be reckoned as part of the paid-up capital.

Borrowing Powers.

Power to borrow.

31. The Company may from time to time subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole ten thousand pounds (inclusive of the sum of two thousand pounds already borrowed by the limited company) in respect of the ordinary consolidated stock of the Company and any sum or sums not exceeding in the whole one-third part of the amount which the Company have at the time actually raised by the issue of shares or stock in the additional capital but no part of any sum to be borrowed in respect of such additional capital 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 the whole of such shares and stock together with the premium (if any) realised on the sale thereof 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 the rate of interest on any sum or sums (other than the sum of two thousand pounds already borrowed) shall not exceed four and a half per centum per annum.

Receipt in case of persons non sui juris.

32. If any money is payable to a shareholder or stockholder or mortgagee or debenture stockholder being a minor

A.D. 1905.

idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Priority of existing mortgages and bonds.

33. All mortgages bonds and debentures granted or issued by the limited company before the passing of this Act 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.

For appointment of a receiver.

34. 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 one-tenth of the amount for the time being owing by the Company on mortgage.

Debenture stock.

35. The Company may create and issue debenture stock 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 after the passing of this Act created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any such 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.

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

36. All moneys raised on mortgage by the Company under this Act and all moneys continued on mortgage of the undertaking and the interest due thereon and the interest due on debenture stock created and issued under this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of 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 rent-charge 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 by any person in pursuance of any Act relating to the Company which is entitled to rank in priority to or pari passu with the interest or dividend on the mortgages or debenture stock. A.D. 1905.

Application of moneys.

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

PROFITS.

Division of profits.

38. As from the first day of January one thousand nine hundred and six the profits of the Company to be divided amongst the holders of stock or shares in the capital of the Company in any year shall not except as by this Act provided exceed the following rates (that is to say):—

On the consolidated ordinary stock and on ordinary shares or stock the rate of five pounds in respect of every one hundred pounds of such consolidated ordinary stock or of such ordinary shares or stock paid up (which rate is in this Act referred to as "standard rate of dividend") and on any class of preference shares or stock in such capital which may be created under the powers of this Act the rate of five pounds in respect of every one hundred pounds of such capital paid up.

Dividend dependent on price charged.

39. As from the first day of January one thousand nine hundred and six the standard price to be charged by the Company for the supply of gas shall be (subject as herein-after mentioned) three shillings and elevenpence per thousand cubic feet:

Provided that the Company may increase or reduce the price charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Company on the consolidated ordinary stock and on ordinary shares or stock in the capital of the undertaking of the Company 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 more or part of a penny above the standard price of three shillings and elevenpence the dividend

A.D. 1905.

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 paid up in respect of consolidated ordinary stock and ordinary shares and stock 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 of three shillings and elevenpence 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 by one shilling and threepence on every hundred pounds paid up in respect of consolidated ordinary stock and ordinary shares and stock and so in proportion for any fraction of one hundred pounds:

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

Charges for gas supplied by means of prepayment meters.

40.—(1) The Company may charge for any gas supplied through a prepayment meter a charge or rent not greater than for gas supplied to private consumers through any other kind of meter or by any other method of supply.

(2) The Company shall not charge for the hire of any prepayment meter and fittings to be used therewith any sum other than a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged shall be at the rate of eightpence per thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of tenpence per one thousand cubic feet if the fittings include a gas cooking stove.

The said charge shall include the providing letting fixing repairing and maintenance of the meter and fittings and the

costs of collection and other costs incurred by the Company in connexion with the meter and fittings.

(3) The maximum charge for the hire of a prepayment meter without fittings shall be at the rate of fourpence per one thousand cubic feet.

(4) All the provisions of this Act and of the Acts incorporated therewith applicable to ordinary meters shall so far as applicable apply to prepayment meters.

(5) For the purposes of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

As to supply to public lamps and to large consumers.

41. The price of gas supplied by the Company to the public lamps within the urban district of Aylesbury shall be fivepence per thousand cubic feet less than the price chargeable under the section of this Act the marginal note whereof is "Dividend dependent on price charged" for the time being for gas supplied for other purposes but the price shall at no time exceed three shillings and sixpence per thousand cubic feet.

The Company may also charge consumers of over one hundred thousand cubic feet of gas per quarter at a rate not exceeding sixpence per thousand cubic feet less than the price for the time being chargeable as aforesaid.

Gas for power purposes.

42. The Company shall supply gas to be used for power purposes and not for lighting or heating at a rate or charge sixpence per thousand cubic feet less than that chargeable for the time being under the section of this Act the marginal note whereof is "Dividend dependent on price charged" subject to such terms and conditions as shall be agreed upon with the consumers respectively to ensure the user for such limited purposes and the payment of the charge therefor.

The Company shall supply gas to the council to be used for power purposes only and not for lighting or heating at a rate not exceeding two shillings and tenpence per thousand cubic feet.

If profits exceed amount limited excess may be

43. If the clear profits of the Company in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital and dividend on the ordinary consolidated

A.D. 1905.

invested and form an insurance fund.

stock and ordinary shares or stock in the capital of the Company at the authorised rate the excess or such portion of it beyond the sum necessary for that purpose may from time to time to the extent of one per centum per annum upon the paid-up capital of the Company be invested in Government or other securities 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 one-twentieth of the paid-up capital of the Company which fund 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 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 said paid-up capital 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 or demand as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth of the paid-up capital of the Company as aforesaid.

Renewals.

44. The directors of the Company may in each half-year if they think fit appropriate out of the revenue of the Company and as part of the expenditure on revenue account any sum not exceeding an amount equal to one-half per centum on the paid-up capital for the time being of the Company to be called "the renewal fund" to provide for the renewal maintenance and repair of their gasworks mains and pipes and may from time to time appropriate as occasion may require any portion of such fund to such purposes.

Such fund shall be invested in any securities in which trustees are for the time being authorised 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 one-tenth of the paid-up capital for the time being of the Company.

A.D. 1905.

Provided that when and so often as the said fund shall reach one-tenth of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that if such fund be at any time reduced below one-tenth of the paid-up capital it may thereafter be made up to that sum and so from time to time as often as such reduction shall happen Provided further that resort may from time to time be had to the said fund for the purposes aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-tenth of the paid-up capital as aforesaid.

Application of excess of profits over authorised rate of dividend.

45. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the dividend on the consolidated share capital of the Company at the authorised rates the excess or such portion of it as is not carried to the insurance reserve and renewal funds shall be carried to the credit of the divisible profits of the undertaking for the next following year Provided that if the Company in any half year carry forward a larger amount than two thousand pounds a reduction shall be made in the price of gas in accordance with the sliding scale.

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

46. Where in any year the amount available for and payable as dividend on the consolidated ordinary stock and the ordinary shares and stock in the capital of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such 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 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 may be invested in Government or other securities 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 may 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 year in which the clear profits of the Company shall be insufficient to enable the Company in such year to pay the dividend at the rate which the Company are by this Act authorised for the time being to pay on the consolidated

A.D. 1905.

ordinary stock of the Company and on the shares and stock in the capital of the Company and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund.

MEETINGS DIRECTORS AND AUDITORS.

First and subsequent ordinary meetings.

47. The first ordinary meeting of the Company after the passing of this Act shall be held in the month of March one thousand nine hundred and six and the subsequent ordinary meetings of the Company shall be held in the months of March and September in every year or at such other time as shall be appointed for that purpose by an order of the directors.

Quorum of general meetings.

48. The quorum of general meetings (whether ordinary or extraordinary) of the Company shall be seven shareholders present in person or by proxy holding in the aggregate not less than one-twentieth of the subscribed capital of the Company.

Power to vary number of directors.

49. The Company may from time to time by vote of any general meeting vary the number of directors provided that the number be not at any time more than seven or less than five From and after the passing of this Act the qualification of a director shall be the possession in his own right of consolidated ordinary stock or of other stock or of shares in the capital of the Company not being less in nominal amount than two hundred pounds.

Qualification of directors.

Quorum of directors.

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

First directors.

51. George Ball Francis Joseph Butcher Henry Crouch Thomas Horwood Julian MacFarquhar James and Thomas Parrott being the directors of the limited company shall (whether they do or do not possess the qualification prescribed by this Act but provided they retain their present qualification) 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 are then qualified eligible for re-election and at the ordinary meeting to be held in every year after the first ordinary meeting the

Election of directors.

shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the place of the directors then retiring from office agreeably to the provisions in the Companies Clauses Consolidation Act 1845 contained and the several persons elected at any such meeting being neither removed or 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.

Auditors.

52. The auditors need not hold shares or stock in the Company.

Closing of transfer books previous to declaring interim dividend.

53. It shall be lawful for the directors to close the register of transfers for a period not exceeding fourteen days previous to the declaration of any interim dividend and they may fix a day for closing the same of which seven days notice shall be given by advertisement in some newspaper published or circulating in the district within which the principal office of the Company is situate and any transfer made during the time when the transfer books are so closed shall as between the Company and the party claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend.

Books to be balanced to 30th June and 31st December.

54. The period to which the books of the Company shall be balanced shall be the thirtieth day of June and the thirty-first day of December in each year.

Works and Lands.

Powers as to construction and maintenance of gasworks &c.

55. Subject to the provisions of this Act the Company may maintain alter improve enlarge extend and renew or discontinue their existing gasworks and manufactories upon the lands on which the same are erected or any part thereof and which are described in the schedule to this Act and they may also erect lay down provide and maintain alter improve enlarge extend and renew or discontinue with all necessary roads approaches sidings and conveniences additional and other gasworks retorts gasometers manufactories condensers scrubbers exhausters purifiers gas-holders sulphate plant tanks receivers drains sewers mains pipes meters gas stoves fires and cookers gas fittings lamps lamp posts brackets burners stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas

A.D. 1905.

and 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 tar pitch asphaltum ammoniacal liquor oil sulphate of ammonia and all other products or residuum employed in or resulting from the manufacture of gas.

Power to purchase lands by agreement.

56. The Company may for the purposes of their undertaking purchase take on lease and hold by agreement (but not otherwise) in addition to the lands described in the schedule to this Act any lands and hereditaments not exceeding in the whole six acres which the Company may require for the purposes of their works and 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 schedule to this Act.

Power to sell and lease lands.

57. Subject to the provisions of the Lands Clauses Acts the Company may sell and dispose of or may let on lease for such periods as they think fit any lands for the time being belonging to them and which may not at the time be required for the purposes of their undertaking and any such sale disposal or lease may be for such consideration and subject to such reservations stipulations restrictions and provisions and generally upon such terms and conditions as the Company think fit.

Power to utilise pipes for ancillary purposes.

58. The Company may lay down place repair alter remove and renew mains pipes and culverts within the limits of this Act for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from any manufacture of gas or any residual products thereof or for any purpose connected with their business and the provisions of the Gasworks Clauses Act 1847 with respect to breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid shall so far as applicable extend and apply to the laying down and placing repairing altering or removing and protection of such mains pipes and culverts.

Provision as to interference with roads in urban district of Aylesbury.

59. Notwithstanding anything in the Gasworks Clauses Act 1847 contained the Company shall not except in case of accident or emergency without the consent of the council open any road under the control of the council but when and as often as required by the Company the council shall on receiving two clear days notice in writing from the Company to do so

open any road under the control of the council and the cost price of each such opening and also of reinstating the road shall be paid by the Company to the council The Company shall in addition pay to the council ten per centum over and above such cost price for supervision and other incidental expenses In the event of the council failing to comply with the terms of any such notice the Company may proceed to open any such road or execute any other work that may be mentioned in such notice.

As to construction and placing of pipes &c. between mains and meters.

60. In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer either in the first instance or on the occasion of any renewal between the Company's mains and the meter and (so far as the same are intended to be covered over) on the consumer's premises:

(2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

(3) The specification shall be published twice in some newspaper circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Company:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connexion with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Company's main but within the outside wall of the building:

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Company and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Company Any officer of the Company duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted

A.D. 1905.

to make the inspection or if the pipes or fittings are not according to the Company's specification or if the meter is not placed as required by this section the Company may refuse to supply gas to the premises until the provisions of this section have been complied with :

(6) Any person to whom the Company refuses a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Company's specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

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

61.—(1) The Company may sell let for hire or otherwise deal in fix repair and remove but shall not manufacture engines stoves ranges pipes and other fittings 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 can or may be used and may provide all materials and do all work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon between the Company and the persons to or for whom the fittings are sold let fixed up repaired or removed.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such fittings have upon them respectively 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.

For protection of Great Western Railway Company.

62. For the protection of the Great Western Railway Company (herein-after referred to as "the Great Western Company") the following provisions shall apply :—

(A) 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 way affecting the railways lands and property now or hereafter belonging to or used or occupied by the Great Western Company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the Great Western Company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the Great Western Company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him in writing:

(B) 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 railway of the Great Western Company or over the approaches to any such bridge or 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 Great Western Company elect so to do where any mains or pipes require to be laid under or across any level crossing of their railway they may themselves lay the same at the costs charges and expenses of the Company:

(c) 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 railways 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 railways or at to or from any station thereon:

(D) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid or the leakage or failure of any such mains pipes or works in under or near to any railway bridge level crossing embankment cutting approach viaduct station land works

A.D. 1905.

or property of the Great Western Company the Company shall make compensation to the Great Western Company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner herein-after provided:

(E) If the Great 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 railways or to alter or repair their railways bridges viaducts or works upon across over or under which any of the works of the Company may have been constructed or laid the Great Western Company may on giving to the Company fourteen 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 judge without notice divert support or carry the said works of the Company across over or under their lands railways 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:

(F) Except as in this section otherwise provided any dispute or difference which may arise between the Great 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 Great Western Company and the Company or either of them.

For protection of Grand Junction Canal.

63. Notwithstanding anything contained in this Act or in the Acts incorporated herewith the Company shall not without the previous consent in writing of the Company of Proprietors of the Grand Junction Canal (in this section referred to as "the canal company") lay or maintain any mains pipes or other works across over under or along the Grand Junction Canal or the towing-path thereof or other

property of the canal company otherwise than by means of public bridges across the same and in such manner that the mains pipes and works shall be laid inside the parapets of such bridges and that no injury or interference with the permanent structure brickwork or timbers of any such bridge and no interruption to the traffic on the canal or towing-path shall be occasioned and the canal company may at any time after the passing of this Act upon giving to the Company three months previous notice in writing of their intention so to do remove alter or renew any bridge across over or along which any mains pipes or works may be laid in the same manner as they might have done if this Act had not been passed and such mains pipes and works had not been so laid without making compensation to the Company for any expense or loss occasioned to them thereby and in the event of any such alteration or renewal the Company shall at their own expense alter the position of their mains pipes or works and relay the same upon the altered or renewed bridge in the same manner and subject to the same restrictions as in the case of the original bridge Provided always that all works of the Company in relation to the laying down maintaining altering or relaying of any mains pipes or other works across over or along any such bridges as aforesaid shall be executed under the supervision and to the satisfaction of the engineer to the canal company and according to plans approved by him.

For protection of London and North Western Railway Company.

64. The following provisions for the protection of the London and North Western Railway Company (herein-after referred to as "the railway company") shall be in force and have effect :—

In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Company who also shall

A.D. 1905.

restore and make good the roads over any such bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works the Company shall make compensation in respect thereof to the said railway company.

Supply of Gas &c.

Quality of gas.

65. The prescribed number of candles shall be fifteen.

Testing place.

66. Within twelve months from the passing of this Act if the same has not already been done the Company shall provide a testing place at their works and shall provide and fix therein all the necessary apparatus and machinery for testing the purity illuminating power and pressure of the gas supplied by the Company and such testing place shall be deemed to be an official testing place in conformity with the provisions of the Gasworks Clauses Act 1871.

Burner.

67. The prescribed burner for testing the illuminating power of the gas shall be of the type known as Sugg's London Argand No. 1.

Pressure of gas.

68. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than one 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.

No penalty in case of unavoidable cause.

69. 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.

Miscellaneous.

Company to pay interest on money deposited as security.

70. When any money is deposited by any person by way of security with the Company for the payment to them of any moneys which may become due to them by such person in respect of the purchase or hire of any meter the Company shall pay interest after the rate of four 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.

Discounts.

71. It shall be lawful for the Company if at any time they may so think fit to allow discounts and rebates in the price of supplies to large consumers and to any local authority company or person contracting with the Company for any such supplies upon such terms and subject to such conditions as shall be agreed upon but in no case shall such discounts exceed fifteen per centum upon the price obtaining and charged to the ordinary consumers in such district or districts:

Provided that such discounts or rebates shall be of equal amount under like circumstances to all consumers and that notice of the effect of this section shall be affixed in a conspicuous place at the Company's chief office for the time being.

Notice of discontinuance.

72. A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect

A.D. 1905.

unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Company.

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

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

Contracts for supplying gas for public purposes.

74. The Company may enter into and fulfil any contract or arrangement with any county urban rural or local authority having powers within any part of the limits of this Act for the supply of gas by the Company for public purposes within the limits of this Act for any period not exceeding under any one such contract or arrangement seven years.

Period of error in defective meters

75. 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 shall be proved to have first occurred 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 like manner as gas rents are recoverable by the Company.

Gas consumers to give notice to Company before removing.

76. Twenty-four hours notice in writing shall be given to the Company at their office by every gas consumer before he shall quit any premises supplied with gas 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 state of 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 to such premises whichever shall first occur Notice of the provisions of this section shall be given on every demand note for gas rent.

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

77. The Company may upon the application of the owner or occupier of any premises abutting on or being erected in any street or road laid out or made 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 road footway or pavement 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 respectively applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Company may contract with local authority for supply in bulk.

78. The Company may (subject to the consent in writing of the council) contract with any local authority company or persons beyond the Company's limits of supply (but only with the consent in writing of the local authority of and of any company supplying gas under parliamentary powers within the district within which the supply is to be given) 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.

Anti-fluctuators for gas engines.

79. Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and in default of his so doing 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 the consumer.

Copy of Act to be registered.

80. The Company shall forward 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 forwarded 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 every director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty and every penalty under this Act 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

A.D. 1905.

being payable under the Companies Act 1862 on registration of any document other than a memorandum of association.

Costs of Act.

81. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act shall be paid by the Company and may in whole or in part be debited against revenue.

The SCHEDULE referred to in the foregoing Act.

Lands on which the Company may erect further and maintain existing Works for the Manufacture of Gas and Residual Products and store Gas.

Land within the urban district of Aylesbury in the county of Buckingham on which are erected the existing gasworks and buildings of the limited company and which contains by admeasurement one acre two roods and thirty-six perches or thereabouts bounded on the north north-east and east by land belonging or reputed to belong to the London and North Western Railway Company and on the west by lands belonging or reputed to belong to the Aylesbury Co-operative Society Thomas Blamire esquire and the land of the London and North Western Railway Company and on the south by the High Street in Aylesbury aforesaid except so much of the said land as shall be within sixty feet from the High Street aforesaid.

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