CHAPTER xiii.

An Act to confer further powers on the Cheltenham Gas Light and Coke Company and for other purposes. A.D. 1896.

[21st May 1896.]

WHEREAS by the Cheltenham Gas Act 1856 (herein-after called "the Act of 1856") the Cheltenham Gas Light and Coke Company (herein-after called "the Company") were continued incorporated and were by the said Act and the Cheltenham Gas Act 1872 (herein-after called "the Act of 1872") authorised to supply gas within the parish of Cheltenham and the several parishes and places enumerated in such Acts respectively:

And whereas the authorised capital of the Company is as follows:—

Act under which Capital defined or authorised.	Description of Capital and Maximum Dividend.	Total Amount authorised.
		£
Act of 1856 -	Original Stock 10 per cent. -	25,000
Act of 1856 - -	New Stock 7½ per cent. - -	50,000
Act of 1872 - -	New Stock A 7 per cent. - -	80,000

and the whole of such capital has been created and issued and fully paid up and the Company have created debenture stock to the amount of 27,500*l.* but do not owe any money on mortgage:

And whereas it is expedient that the existing stocks in the capital of the Company be consolidated into one stock in the manner and subject to the provisions herein-after contained:

And whereas in order to enable the Company to meet the growing demands for gas within the limits authorised to be supplied by them it is expedient that the Company be authorised to enlarge and extend their works and to construct the railway herein-after described and to raise additional capital:

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And whereas plans and sections showing the line and levels of the railway authorised by this Act such plans showing also the lands which may be taken compulsorily under the powers of this Act and also books of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes of this Act were duly deposited with the clerk of the peace for the county of Gloucester and are herein-after respectively referred to as the deposited plans sections and books of reference:

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 Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title.

1. This Act may be cited as the Cheltenham Gas Act 1896.

Incorporation of general Acts.

2. The Lands Clauses Acts the Gasworks Clauses Act 1847 the Gasworks Clauses Act 1871 And the clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares;
The transfer or transmission of shares;
The payment of subscriptions and the means of enforcing the payment of calls;
The forfeiture of shares for non-payment of calls;
The remedies of creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested:

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 the Companies Clauses Act 1869 the Railways Clauses Consolidation Act 1845 except the provisions thereof with respect to the carrying of passengers and goods upon the railway and the tolls to be taken thereon and Part I. (relating to the construction of a

railway) of the Railways Clauses Act 1863 are (so far as the same respectively are applicable for the purposes of and are not inconsistent with the provisions of this Act) incorporated with and form part of this Act.

Interpretation of terms.

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 construing for the purposes of this Act the Acts so incorporated herewith the expression "superior courts" or "court of competent jurisdiction" or any other like expression shall be read and have effect as if the debt or demand in respect of which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power for Company to make railway.

4. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels respectively shown on the deposited plans and sections the railway herein-after described with all necessary and convenient rails sidings turntables junctions bridges roads approaches and other works and conveniences connected therewith (that is to say):—

A railway 2 furlongs 2·82 chains or thereabouts in length wholly situate in the parish and borough of Cheltenham in the county of Gloucester commencing in the goods yard of the Midland Railway Company's High Street Station by a junction with the existing sidings of the Midland Railway Company and terminating at the existing works of the Company in Lower Mill Street.

As to user of railway.

5. It shall be lawful for the Company to use and employ locomotive engines and other moving power and carriages and waggons to be drawn or propelled thereby and to carry goods upon the railway and from time to time to enter into any contract with any Company being the owners or lessees or in possession of any railway for the passage over or along the railway by this Act authorised of engines carriages and waggons of such Company or which shall pass over their line of railway upon such terms and conditions as may be mutually agreed Provided that the railway shall be used solely for the purposes of the undertaking of the Company.

Period for completion of works.

6. If the railway by this Act authorised is not completed within three years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making and completing thereof or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

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Power to purchase lands.

7. Subject to the provisions of this Act and for the purposes of this Act and other the general purposes of their undertaking the Company may enter upon take and use the lands shown on the deposited plans and described in the deposited books of reference Provided that the Company shall not manufacture gas or residual products except upon the lands described in the first part of the schedule annexed to the Act of 1872 and the lands described in the schedule to this Act.

Lands of Jesus College to be taken only by agreement.

8. Notwithstanding anything in this Act or shown on the deposited plans the Company shall not enter upon take or use any part of the lands shown on those plans and thereon numbered 30 without the previous consent in writing of the President of Jesus College Oxford.

Period for compulsory purchase of lands.

9. The powers of the Company under this Act for the compulsory purchase of lands shall cease after the expiration of two years from the passing of this Act.

Power to construct gasworks.

10. The Company may upon the lands described in the schedule to this Act from time to time erect construct lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue gasworks and works for the manufacture and storage of gas and for the manufacture conversion utilisation storage and distribution of materials used in or residual products resulting from such manufacture together with all necessary retorts gasholders receivers drains sewers mains pipes machinery and other works and apparatus and conveniences and do all such acts as they may think proper for making and storing gas and for supplying gas within their limits for the supply of gas and make store and supply gas accordingly and manufacture sell provide supply and deal in lime coke chemicals tar pitch asphaltum ammoniacal liquor and all other products or residuum of any materials employed in or resulting from the manufacture of gas and also meters fittings tubes pipes and other articles and things in any way connected with gasworks or with the supply of gas as they may from time to time think fit.

Power to stop up road.

11. As and when the Company shall have become owners in possession of the lands on both sides of the road leading from Six Chimneys Lane to Wilson's Cottages the Company may stop up and discontinue the same for traffic provided that with the consent in writing of the President of Jesus College Oxford the Company may stop up or discontinue the said road notwithstanding that they shall not have acquired the property numbered 30 on those plans and upon the stopping up and discontinuance thereof the site and soil of the said road or part of the said road so stopped up shall be by this Act vested in the Company freed and discharged from

all public and private rights over or affecting the same and may be appropriated and used by the Company for the purposes of their undertaking. A.D. 1896.

Restriction on taking houses of labouring class.

12. The Company shall not under the powers of this Act purchase or acquire in any city borough or other urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December next before the passing of this Act were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers nor except with the consent of the Local Government Board ten or more houses in any city borough or urban district or any parish or part of a parish which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Consolidation of stocks.

13. As from the first day of January one thousand eight hundred and ninety-seven all the classes of stock in the existing capital of the Company shall be consolidated into an equivalent amount of consolidated ordinary stock bearing a uniform dividend of five pounds per centum per annum according to the following scale (that is to say):—

For every one hundred pounds of Original Stock bearing a dividend of ten per centum two hundred pounds consolidated ordinary stock;

For every one hundred pounds of New Stock bearing a dividend of seven and a half per centum one hundred and fifty pounds consolidated ordinary stock;

For every one hundred pounds of New Stock A bearing a dividend of seven per centum one hundred and forty pounds consolidated ordinary stock;

and so in proportion for any less quantity than one hundred pounds of the aforesaid existing stocks of the Company 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 such existing stocks in the capital of the

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Company by virtue of this Act respectively become entitled in substitution for such last-mentioned stocks shall be vested in such holders as from the aforesaid first day of January one thousand eight hundred and ninety-seven and shall be forthwith registered in their respective names in the books of the Company:

Provided that in every case where under the provisions hereinbefore contained a holder of such existing stock would be entitled to any fractional part of a pound of consolidated ordinary stock the Company shall not be bound to register such fractional part of a pound of stock but may at the option of the Company pay to such holder such a sum in cash as shall be equal to the market value of such fractional part or receive from such holder such a sum in cash as will make up the amount of stock to be vested in him to an integral number of pounds and the amount of such consolidated ordinary stock vesting in such holder shall thereupon be reduced or increased accordingly and the directors may raise the money necessary to enable the Company to make such cash payment as aforesaid by the issue and sale from time to time of such an amount of consolidated ordinary stock as may be requisite in that behalf.

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

14. 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 stocks for which the consolidated ordinary stock is substituted were held or were subject to immediately before the said first day of January one thousand eight hundred and ninety-seven 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 stock and trustees executors or administrators or other incapacitated parties may accept consolidated ordinary stock in substitution for existing stock held by them in the capital of the Company and may 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 existing stock.

Certificates of stock to be called in and others issued.

15. The Company shall call in the certificates of the stock for which consolidated ordinary stock shall be 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 stockholder shall be entitled to a new certificate 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 such new certificates the existing certificates shall (according to the amounts of consolidated ordinary stock 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 created by virtue of this Act but if any holder of any of the existing stocks of the Company so consolidated as aforesaid neglect or omit to send or deliver to the Company his existing certificate 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 is sent or delivered to the Company or is proved to the reasonable satisfaction of the directors of the Company to have been lost or destroyed.

Transfers of stock although by present name to be valid.

16. All transfers or other dispositions of any existing stock of the Company as existing up to the conversion thereof into consolidated ordinary stock by virtue of 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 which the stock thereby expressed to be transferred or disposed of represents or which are or may be substituted for the same under the provisions of this Act although the instrument transferring or disposing thereof respectively shall describe the same by the name or denomination which the stock 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 existing stock of the Company 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 existing stock shall have been converted under the provisions of this Act.

Power to raise additional capital.

17. 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 (in addition to any capital which they may have at present power to raise) additional capital to such nominal amount as shall be sufficient to produce including the premiums if any which may be obtained on the sale thereof the sum of eighty thousand pounds by the creation and issue of further amounts of consolidated ordinary stock or ordinary shares or new

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ordinary stock or preference shares or stock or wholly or partly by one or more of those modes respectively but 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.

Privileges &c. of the holders of new capital.

18. The additional capital from time to time raised by the Company under this Act by shares or stock shall be part of the general capital of the Company and save as otherwise provided in respect of such capital by the provisions of this Act the holders of shares or stock in such additional capital shall be entitled to the like rights of voting and other rights qualifications and privileges in proportion to the amount of their shares or stock from time to time paid up and be subject to the like provisions and liabilities as the holders of shares or stock in the present capital of the Company Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any shares or stock in such additional capital to which a preferential dividend shall be assigned.

Limit of profit on new capital.

19. The Company shall not in any one year pay out of their profits any larger dividend on the additional capital to be raised under the powers of this Act than five pounds in respect of every one hundred pounds actually paid up of such capital.

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

20. Notwithstanding anything in this Act contained the Company shall when any shares or stock in the additional capital created under the powers of this Act are to be issued and before offering the same to the holders of any other 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 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 than 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 shall be accepted in preference.

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

21. It shall be one of the conditions of any sale of shares or stock under this Act that the full amount 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 by auction or tender.

22. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the town clerk of the borough of Cheltenham 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 circulated within the said borough.

Shares or stock not sold by auction or by tender to be offered to share-holders.

23. 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 shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock of the Company in manner provided by the Companies Clauses Act 1863 Provided always that any shares or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of shares and stock in the additional capital created under the powers of this Act and any stock or shares not then sold shall be again offered to the holders of ordinary shares or ordinary stock at the reserved price put upon the same at such last-mentioned sale and so from time to time until the whole of such shares or stock is sold Provided that the reserved price put upon such shares or stock at the second or any subsequent sale may if the directors of the Company think fit be less than the nominal value thereof.

Application of premium arising on issue of shares or stock.

24. 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

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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 an insurance or reserve fund be reckoned as part of the paid-up capital.

Power to borrow.

25. The Company may from time to time subject to the provisions of this Act borrow on mortgage of the undertaking in respect of the additional capital by this Act authorised to be created and issued any sum or sums not exceeding in the whole one-fourth part of the amount which the Company have at the time actually raised by the issue of shares or stock in such additional capital but no part thereof 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.

Appointment of receiver.

26. Section 22 of the Act of 1872 (Receiver for mortgagees) is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the passing of this Act and in lieu thereof the mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to 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 four thousand pounds in the whole.

Debenture stock.

27. 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 any previous Act or this or any subsequent Act 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 issued after the passing of this Act. A.D. 1896.

Priority of mortgages and debenture stock over other debts.

28. All money to be raised by the Company on mortgage or by the issue of debenture stock 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 them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or 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 granted or made to the Company 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 their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of the Company's undertaking and works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

Mortgages or debenture stock to be offered by auction or tender.

29. The Company shall offer any mortgages to be granted or any debenture stock created under the powers of this Act in respect of the additional capital by this Act authorised to be raised for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the directors of the Company shall determine Provided that at any such sale no single lot shall comprise more than one hundred pounds of the nominal amount of such mortgages or debenture stock and notice of the amount of the reserve price put upon such mortgages or debenture 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 last day for the reception of tenders 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 shall be accepted in preference.

Purchase money of mortgages or debenture stock to be paid within three months.

30. It shall be one of the conditions of every sale of mortgages or debenture stock under this Act that the whole price thereof shall be paid to the Company at the times or time to be named in the conditions under which the same shall be offered but so that the whole of such price shall be payable not later than three months from the time of sale.

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As to notice to be given of sale of mortgages or debenture stock.

31. The intention to sell any mortgages or debenture stock by auction or tender under the provisions of this Act shall be communicated by the Company in writing to the Secretary of the Committee of the London Stock Exchange and to the town clerk of the borough of Cheltenham at least twenty-eight days before the day of auction or last day for the reception of tenders and notice of such intention shall be advertised by the Company once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply.

Mortgages or debenture stock not sold by auction or tender to be re-offered.

32. When any mortgages or debenture stock have been offered for sale by auction or tender under the provisions of this Act and not sold the same may if the directors of the Company think fit be offered at the reserve price put upon the same for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock of the Company and subject thereto and to the non-acceptance thereof or of any part thereof by such holders shall again be offered for sale by public auction or tender in the manner by this Act provided with respect to the sale of such mortgages or debenture stock.

Application of premium arising on sale of mortgages &c.

33. Any sum of money which shall arise by way of premium on the sale of mortgages or debenture stock under the provisions of this Act after deducting therefrom the expenses of and incident to such sale shall not be considered as profits of the Company but shall be expended on purposes to which capital is properly applicable.

Application of moneys.

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

As to purity and illuminating power.

35. With respect to the purity and illuminating power of the gas supplied by the Company the following provisions shall from and after the first day of January one thousand eight hundred and ninety-seven have effect (that is to say) :—

(1) The prescribed number of candles shall be fifteen on an average of three tests taken consecutively in one day between the hours prescribed by section 29 of the Gasworks Clauses Act 1871;

(2) The gas shall not contain more than twenty-five grains of sulphur compounds in any one hundred cubic feet of gas.

Testing place.

36. The Company shall on or before the first day of January one thousand eight hundred and ninety-seven provide in lieu of the existing testing place a testing place with proper apparatus therein according to the provisions of the Gasworks Clauses Act 1871 at a place within a radius of two hundred yards from the present

municipal offices of the borough of Cheltenham for testing the gas supplied from the works of the Company and such testing place shall from and after that date be deemed to be the testing place required to be provided in conformity with the provisions of the Gasworks Clauses Act 1871 and shall subject to the provisions of that Act be under the sole control of the Company but with free access at all times within the hours prescribed by section 29 of the Gasworks Clauses Act 1871 for the gas examiner appointed under that Act The gas supplied to the photometer in the said testing place shall be taken from a main of the Company in ordinary use.

Repeal of provisions of Act of 1872.

37. Section 32 of the Act of 1872 and so much of section 30 of that Act as relates to the prescribed number of candles and the prescribed testing place and so much of section 33 of that Act as relates to the number of grains of sulphur which may be contained in the gas supplied by the Company shall be and are hereby repealed as from the first day of January one thousand eight hundred and ninety-seven.

Power to supply gas fittings &c. for heating and other purposes.

38. The Company as they from time to time think fit may manufacture purchase provide supply sell let for hire use and otherwise deal in fit up alter remove and refix fittings engines stoves ranges pipes and other 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 similar 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 charge therefor Any such letting for hire may be for such rent or remuneration in money and on such terms with respect to the repair of articles and fittings let and for securing the safety and return to the Company of such articles and fittings and otherwise as may be agreed upon between the Company and the persons to or for whom the same are sold supplied let fixed up altered or removed.

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

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

Notice by consumers of intention to discontinue gas supply.

40. Any consumer desiring to discontinue a supply of gas to any premises where a meter has been fixed shall give to the Company twenty-four hours notice in writing of his intention to discontinue the same.

Expenses of Act.

41. 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 SCHEDULE referred to in the foregoing Act.

(A) Certain lands 7 acres 3 roods or thereabouts in extent belonging to the Company bounded on the south-east in part by the Lower Mill Street and in part by land belonging or reputed to belong to and in the occupation of Joseph Middlemiss and known as the Moors Gardens on the north-east partly by a cottage and land belonging or reputed to belong to George Herbert and occupied by Joseph Sutton and partly by the Moors Gardens aforesaid on the north-west partly by land belonging or reputed to belong to the trustees of George Onley deceased and occupied by Frank Cooke and John Cox partly by the Moors Gardens aforesaid and partly by the lands (B) next herein-after described and on the south-west partly by the lands (B) next herein-after described partly by the River Chelt and partly by a road leading from Lower Mill Street past the Lower Alstone Mill to Six Chimneys Lane (including the site of the road leading from Six Chimneys Lane to Wilson's Cottages).

(B) Certain lands 2 acres 3 roods or thereabouts in extent lying between the lands (A) above described and the said River Chelt and extending from Wilson's Cottages to a line drawn south-westwards in continuation of the boundary line between the lands above described and the aforesaid lands belonging or reputed to belong to the trustees of George Onley deceased to the River Chelt.

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