CHAPTER lxxxvi.

An Act for supplying with Gas the Parish of Cobham in the County of Surrey and adjacent places. [13th July 1899.] A.D. 1899.

WHEREAS the supply of gas to the parish of Cobham in the county of Surrey and other parishes and places in that county adjacent thereto is inadequate for the present requirements of those parishes and places:

And whereas the persons in that behalf in this Act named with others are willing on being incorporated into a company with the necessary powers for such purposes to undertake the supply of gas to such parishes and places and it is expedient that they should be incorporated accordingly and authorised to construct gasworks as by this Act provided and that such other powers as are in this Act contained should be conferred on them for the better and more effectually carrying the purposes of this Act into effect:

And whereas it is expedient that the undertaking of the Cobham Gas Light and Coke Company Limited (herein referred to as "the limited company") should be acquired by the Company upon the terms and conditions and in the manner herein-after contained in that behalf:

And whereas plans and sections showing the lands which may be taken for the purposes of this Act and the footpath diversion authorised by this Act and also a book of reference to the plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands have been deposited with the clerk of the peace for the county of Surrey and are herein-after respectively referred to as the deposited plans sections and book of reference:

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

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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 for all purposes as the Cobham Gas Act 1899.

Incorporation of general Acts.

2. The following Acts and parts of Acts (so far as they are applicable for the purposes and are not inconsistent with the powers of this Act) are hereby incorporated with this Act namely The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts the Lands Clauses Acts and the Gasworks Clauses Acts 1847 and 1871.

Interpretation.

3. In this Act the several words and expressions herein-after mentioned have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say):—

Words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings;

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

The expression "the limited company" means the Cobham Gas Light and Coke Company Limited and all persons claiming under or by virtue of anything done by the Company;

The expression "the gasworks" means and includes the gasworks and works connected therewith by this Act authorised to be constructed or maintained.

Company incorporated.

4. Edwin Soden Boot Alfred Thomas Cull and Ebenezer Thomas Gould and all other persons who have already subscribed to or shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and are hereby united into a Company for the purposes of this Act and for those purposes shall be and are hereby incorporated by the name of "The Cobham Gas Company" and by 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.

5. The Company shall be established for the purpose of making and maintaining gasworks and for manufacturing and supplying gas within the limits of this Act and for carrying on the business usually carried on by gas companies and generally for carrying the powers of this Act into execution.

Capital.

6. The capital of the Company shall be fifteen thousand pounds in one thousand five hundred shares of ten pounds each.

Shares not to be issued until one-fifth paid up.

7. Except as otherwise expressly provided by this Act the Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share is paid in respect thereof.

Power to borrow.

8. The Company may from time to time borrow on mortgage of the undertaking any sums not exceeding in the whole five thousand pounds in respect of the capital of fifteen thousand pounds by this Act authorised or they may (subject to the conditions herein-after contained) borrow from time to time not exceeding one thousand pounds in respect of each portion of capital not exceeding three thousand pounds issued by the Company but no part of any such sum shall be borrowed until the whole capital or respective portion of capital in respect of which it is to be borrowed is issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of such capital or portion of capital has been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital or portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such capital or portion of capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and that such persons or corporations their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

Calls.

9. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls.

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For appointment of a receiver.

10. 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 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 thousand pounds in the whole.

Receipt in case of persons not sui juris.

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

Debenture stock.

12. 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 created and issued or granted by the Company under 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.

Application of moneys.

13. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only for the purposes of this Act to which capital is properly applicable.

First ordinary meeting.

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

Number of directors.

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

Qualification of directors.

16. The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum.

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

First directors.

18. Edwin Soden Boot Alfred Thomas Cull and Ebenezer Thomas Gould and any two other persons to be nominated by them or the majority of them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or

nominated as aforesaid 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 or nominated as aforesaid being if qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Election of directors.

19. The limits of this Act for the supply of gas shall be the following parishes or parts of parishes in the county of Surrey namely Cobham Stoke d'Abernon and so much of the parish of Byfleet as lies to the east of the River Wey Navigation Canal:

Limits of Act.

Provided that if the Company do not supply gas within the said portion of the parish of Byfleet within five years from the date of the passing of this Act the powers given by this Act to the Company for the supply of gas within such parish shall cease to be exercised and the right which the Woking District Gas Company Limited at present possess of supplying gas within such portion of the said parish shall in that event and in that event only be resumed.

20. The Company may exercise as regards so much of the road from Cobham to Byfleet and of the road from Cobham to Ockham known as the Portsmouth Road as lies within the parish of Walton-on-Thames the powers of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying down maintaining repairing or renewing any mains or pipes for the supply of any portion of the district which they are by this Act authorised to supply and may accordingly lay down and maintain repair and renew any such mains or pipes within such portion of the parish of Walton-on-Thames but the Company shall not supply gas to any consumer either for domestic or any other purpose within the parish of Walton-on-Thames or elsewhere within the area of supply of the Walton-on-Thames and Weybridge Gas Company without the written consent of the Walton-on-Thames and Weybridge Gas Company under their common seal and all the powers of the Walton-on-Thames and

For protection of Walton-on-Thames and Weybridge Gas Company.

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Weybridge Gas Company with respect to providing or maintaining the gas supply within their authorised limits shall be reserved and retained If the Company shall at any time supply gas in contravention of this section they shall for and in respect of each person or company house or premises local or other authority so supplied pay to the Walton-on-Thames and Weybridge Gas Company on demand a sum of five pounds for each week or part of a week during which such supply shall be provided or continued.

The Company shall not in the laying of their pipes and mains in the parish of Walton-on-Thames or elsewhere within the area of supply of the said Walton-on-Thames and Weybridge Gas Company do or cause to be done any damage to any part of the undertaking of the Walton-on-Thames and Weybridge Gas Company nor displace alter or interfere with the works tanks mains service pipes lands or other property of the Walton-on-Thames and Weybridge Gas Company without the sanction of the engineer for the time being of the Walton-on-Thames and Weybridge Gas Company and further shall in the parish of Walton-on-Thames or elsewhere within the area of supply of the said Walton-on-Thames and Weybridge Gas Company lay any and every main or pipe intended to be laid by the Company in such position as having regard to the requirements of the persons having control or management of the road or bridge in or over which the same is intended to be laid as may be agreed by the said engineer and the engineer of the Company or failing agreement as may be decided by the arbitrator to be appointed as herein-after provided Any difference which may arise between the Company and the Walton-on-Thames and Weybridge Gas Company under this section shall be settled by an arbitrator to be agreed upon and appointed by the two Companies or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either Company.

Power to acquire lands.

21. Subject to the provisions and for the purposes of this Act the Company may enter on take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Power to divert public footpath as shown on deposited plans.

22. The Company may divert the public footpath shown upon the deposited plans and included within the number 1 thereon and in the deposited book of reference and when and as the new portion of footpath is made to the satisfaction of two justices and is open for public use may stop up and cause to be discontinued as a footpath so much of the existing footpath as will be rendered

unnecessary by the new portion of footpath and when and so soon as such portion of the said footpath is so stopped up all rights of way over the same shall cease and the Company may appropriate and use for the purposes of their undertaking the site of the portion of footpath so stopped up as far as the same is bounded on both sides by lands of the Company.

Period for compulsory purchase of lands.

23. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Purchase of lands by agreement.

24. In addition to any other lands which the Company are under this Act authorised to take or purchase the Company may by agreement take purchase and hold for the general purposes of the Company any lands within their limits of supply not exceeding in the whole five acres in extent or any easement (not being an easement or right of water in which other parties than the grantors have an interest) in over or under any such lands Provided that the Company shall not upon any lands acquired under the powers of this Act create or permit any nuisance and that no buildings shall be erected on such lands except such as are required for or are connected with the purposes of the Company's gasworks and also that 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.

Restriction on taking houses of labouring class.

25. 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 partly by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

If the Company acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

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For the purposes of this section the expression "labouring class" means 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.

Sale and purchase of undertaking of limited company.

26. The Company shall purchase the entire undertaking of the limited company and their gasworks mains or pipes gasholders lands purifiers plant stores works and conveniences in connexion therewith together with all their rights and privileges upon such terms and conditions pecuniary or otherwise as may be mutually agreed upon or failing such agreement as shall be settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers.

Undertaking of limited company when purchased to vest in Company.

27. Immediately on the payment or satisfaction by the Company of the price or consideration agreed upon or settled by the arbitrator as aforesaid the undertaking of the limited company shall become absolutely vested in the Company for all such or the like estate and interest as the limited company was seised or possessed of or entitled to at the date of such payment or satisfaction and the limited company shall thereupon be wound up.

Copy of Act to be registered.

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

Company may maintain existing gasworks.

29. The Company may continue maintain and renew alter improve and enlarge or discontinue and abandon as they may think fit any works acquired by and vested in them by this Act upon the lands or any part thereof which are described in the schedule to this Act and they may also on those lands erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasometers manufactories condensers scrubbers exhausters purifiers gasholders tanks receivers drains

sewers mains pipes meters lamps lamp-posts 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 and for supplying gas within the limits of this Act and may make store and supply gas accordingly and may produce manufacture sell provide supply and deal in coke tar pitch asphaltum ammoniacal liquor and all other products or residuum of any materials employed in or resulting from the manufacture of gas and residual products 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 and may also deal in and sell lime.

For protection of main roads and county bridges in Surrey.

30. In executing the works and exercising the powers by this Act authorised so far as they affect main roads and county or main road bridges of the county of Surrey the following provisions for the protection of the Surrey County Council (herein-after referred to as "the council") shall have effect (that is to say) :—

(1) All mains or lines of pipes to be laid in or along any main road or in upon or across any main road or county bridge shall be laid in such position in or at the side thereof as the council in writing under the hand of their surveyor may reasonably direct:

(2) The provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall extend and apply to all main roads and county or main road bridges opened and broken up or interfered with by the Company in the exercise of the powers of this Act Provided that the notice required by the eighth section of that Act shall be not less than seven days instead of three days:

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

(4) Nothing in this Act shall authorise the Company to interfere with the structural part of any county or main road bridge without the consent in writing of the surveyor of the council which consent may be given upon such conditions as the council or such surveyor may reasonably determine:

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(5) Nothing in this Act contained shall interfere with the right of the council to alter the level or deviate or improve in any manner they think fit any main road in or along which any main or line of pipes of the Company shall have been laid and the Company shall forthwith on receiving notice in writing under the hand of the clerk or surveyor to the council so to do alter the position of any such main or line of pipes in the manner and to the extent prescribed by such notice or as in case of difference shall be determined by arbitration in the manner herein-after prescribed and the expense of any such alteration deviation or improvement shall be paid to the Company by the council :

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

(7) All works shall be so executed by the Company as not to stop the traffic and so far as reasonably practicable as not in any way to impede or interfere with the traffic on any main road or over any county or main road bridge or the approaches thereto :

(8) The Company shall pay to the council the reasonable expenses incurred by them in relation to the reasonable superintendence by this Act authorised :

(9) If any difference at any time arise between the council and the Company touching this section or anything to be done or not to be done thereunder such difference shall be settled by an engineer to be appointed by the President of the Institution of Civil Engineers on the application of either party :

(10) The council shall not be liable for or in respect of any damage or injury done to any work of the Company by reason of such work being laid at a depth below the surface of any main road insufficient for its protection from injury arising from the use of any steam or other roller for the repair of such road or from the passage of the traffic in such road or in repairing any county or main road bridge or the approaches thereto or by reason of the non-repair of any such bridge or approaches.

Power to supply gas fittings engines and other apparatus.

31. The Company may purchase provide supply sell let for hire use and otherwise deal in fit up alter repair remove and refix but shall not manufacture engines machines stoves ranges burners fittings pipes and other apparatus appliances and conveniences for heating ventilating motive power cooking lighting and other domestic manufacturing industrial or other purposes for which gas can or may be used and may provide all materials and do all works necessary or proper in that behalf and may charge for any engines machines stoves ranges fittings and other things supplied sold or let for hire and for all materials provided and work done under the powers of this Act such price rent or sum as may be agreed upon between the Company and the other party to any such agreement And such letting for hire may be on such terms and conditions with respect to the repair of the articles and things let and for securing the safety and return thereof to the Company and otherwise as may be agreed upon between the hirer and the Company.

Fittings not to be subject to distress.

32. Any fittings let for hire under the provisions of this Act 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.

Power to supply gas for heating

33. The Company may on the request of the owner or occupier of any property within the Company's limits of supply

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cooking and other purposes.

give and continue to give a supply of gas for heating ventilating motive power cooking lighting and other domestic manufacturing industrial or other purposes for which gas can or may be used on such terms and conditions in all respects as may be agreed on between the Company and such owner or occupier as aforesaid.

Maximum price of gas.

34. The maximum price to be charged by the Company for gas supplied by them shall not exceed five shillings per thousand cubic feet.

Pressure of gas.

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

36. No penalty shall be incurred by the Company for insufficiency of pressure defect of illuminating power or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was caused by an unavoidable cause or accident but want of funds shall not be deemed an unavoidable cause.

Quality of gas.

37. The prescribed number of candles shall be not less than fifteen.

Testing place.

38. Within six months from the passing of this Act a testing place shall be provided at the works of the Company.

Burner.

39. The prescribed burner shall be Sugg's London argand burner number one with a six-inch by one-and-three-quarter-inch glass chimney but if at any time and so long as the gas flame rises above the top of that glass a six-inch by two-inch chimney shall be used or any other burner or chimney approved for this purpose by the Board of Trade.

Power to sell and let meters.

40. The Company may sell and dispose of meters or let meters on hire and may charge a rent for each meter at a rate per annum not exceeding fifteen per centum of the price of such meter such rent to be paid quarterly in advance and recoverable with and as a gas rent.

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

41. If any person is required by the Company to give to them security for the payment of the price or rent of a 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 twelve months during which the same remains in their hands.

Company to keep meters in repair.

42. The Company shall at all times at their own expense keep all meters or other instruments for measuring gas let by them for hire to any consumer in proper order for correctly registering the supply of gas and in default of their so doing the consumer shall not be liable to pay rent for the same during such time as such default continues The Company shall for the purposes aforesaid have access to and be at liberty to remove test inspect and replace any such meter or other instrument at all reasonable times.

Register of meter to be evidence.

43. Where the Company supply gas by measure the register of the meter or other instrument for measuring gas shall be prima facie evidence of the quantity of gas consumed and in respect of which any gas rent is charged and sought to be recovered by the Company Provided always that if the Company and the consumer differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties the costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

Period of error in defective meters.

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

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Injuring meters.

45. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or fittings belonging to the Company or who fraudulently alters the index to any meter or prevents any meter from duly registering the quantity of gas supplied or fraudulently abstracts consumes or uses gas of the Company shall (without prejudice to any other right or remedy for the protection of the Company) for every such offence forfeit and pay to the Company a sum not exceeding five pounds and the Company may in addition thereto recover the amount of any damage by them sustained and in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Company or has fraudulently altered the index to any meter or other instrument for measuring gas or prevented the same from duly registering the quantity of gas supplied or has fraudulently abstracted consumed or used gas of the Company the Company may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter of the quantity of gas supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Company by the person offending and may be recovered by them as gas rates are recoverable The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using gas of the Company when such pipe meter or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury alteration prevention abstraction consumption or user as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such meter.

Notice of discontinuance.

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

Company may contract with local authority and others for supply in bulk.

47. The Company may 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.

Powers as to electricity.

48. The Company if they think fit may under the provisions of the Electric Lighting Acts 1882 and 1888 make application for a provisional order or licence to produce and supply electricity for public and private purposes and may apply their funds for the purpose of such application.

Penalties not cumulative.

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

Costs of Act.

50. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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SCHEDULE referred to in the foregoing Act.

Gas Lands.

All those pieces or parcels of land situate in the parish of Cobham in the county of Surrey containing by admeasurement two acres one rood and twenty-seven perches or thereabouts and bounded on the north and west by lands belonging or reputed to belong to Henry Thomas Crawter and in the occupation of George Lee on the east by lands belonging or reputed to belong to the said Henry Thomas Crawter and in the occupation of the said George Lee and James Lynn respectively and on the south by property belonging or reputed to belong to Ashby's Cobham Brewery Company Limited part of which pieces or parcels of land are now occupied by the existing gasworks of the Cobham Gas Light and Coke Company Limited.

Printed by Eyre and Spottiswoode,
for
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
Eyre and Spottiswoode, East Harding Street, Fleet Street, E.C.; or
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