CHAPTER xlii.

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An Act to authorise the Colney Hatch Gas Company to raise additional capital to acquire lands to enlarge their works to alter name of Company to amend their existing Acts and for other purposes. [24th June 1904.]

WHEREAS by the Colney Hatch Gas Act 1866 (hereinafter called "the Act of 1866") the Colney Hatch Gas Company (hereinafter called "the Company") were incorporated and authorised to supply gas within the limits of the said Act which limits include portions of the parishes of Edmonton Enfield Finchley Friern Barnet and Hornsey in the county of Middlesex and a portion of the parish of East Barnet in the county of Herts and for such purpose were authorised in addition to the therein declared capital of fifteen thousand pounds divided into one thousand five hundred shares of ten pounds each to raise further capital but so that the whole capital should not exceed the sum of sixty thousand pounds divided into shares and limited as to dividend as therein mentioned with power to borrow on mortgage or by the issue of debentures a further sum of fifteen thousand pounds but it was by the said Act declared that no part of the last-mentioned sum of fifteen thousand pounds should be borrowed until the whole of the capital of sixty thousand pounds was subscribed for and one half paid up:

And whereas by the Colney Hatch Gas Act 1876 (hereinafter called "the Act of 1876") the powers to borrow on mortgage or issue of debentures were repealed and in lieu thereof the Company were authorised to borrow eight thousand seven hundred and fifty pounds in respect of the share capital of thirty-four thousand five hundred and ten pounds which had then been issued and six thousand two hundred and fifty pounds in respect of

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twenty-five thousand four hundred and ninety pounds the remainder of the share capital of sixty thousand pounds authorised by the Act of 1866 and the Company were further authorised to raise additional share capital not exceeding in the whole twenty thousand pounds by the creation and issue of new ordinary shares or stock having a maximum rate of dividend not exceeding seven per centum and to create and issue in respect of such additional share capital additional loan capital not exceeding in the whole five thousand pounds:

And whereas the existing share capital of the Company all of which is fully paid consists of—

One thousand five hundred ordinary shares of ten pounds each entitled to a ten per centum per annum maximum rate of dividend - -	£15,000
Two thousand ordinary shares of ten pounds each entitled to a seven per centum per annum maximum rate of dividend - - -	20,000
Ordinary stock entitled to a seven per centum per annum maximum rate of dividend -	10,500
One thousand two hundred and fifty five per centum preference shares of ten pounds each	12,500
and	
Five per centum preference stock - - -	5,000

And whereas the sum of £6,223 has also been received for premiums on the issue of share and loan capital:

And whereas the Company have created and issued debenture stock to the amount of fifteen thousand pounds (£15,000):

And whereas since the passing of the Act of 1876 the consumption of gas within the Company's limits has very largely increased and is still increasing and in consequence thereof it is expedient that the Company should be enabled to enlarge and extend their works both for the manufacture of gas and otherwise and for such purposes and for other the reasons hereinbefore mentioned should be authorised to raise one hundred thousand pounds further capital by the issue of shares or stock and to borrow further moneys either upon mortgage or by the issue of debenture stock for the purposes of their undertaking:

And whereas the limits of supply as defined by the First Schedule to the Act of 1866 were subject to the provisions of the agreement with the Tottenham and Edmonton Gas Light and Coke Company (hereinafter called "the Tottenham Company")

referred to in section 37 of that Act under which a boundary had been agreed upon between the two companies:

And whereas the Company and the Tottenham Company have agreed to a plan defining with greater accuracy the boundary of their respective limits of supply and it is desirable that this arrangement should be confirmed:

And whereas it is expedient to alter the name of the Company to the Southgate and District Gas Company:

And whereas it is expedient that the provisions hereinafter contained be made:

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

And whereas plans and a book of reference thereto 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 Middlesex and are in this Act referred to as "the deposited plans and book of reference":

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:—

Short title.

1. This Act may be cited as the Colney Hatch Gas Act 1904.

Incorporation of general 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 Lands Clauses Acts:

The Gasworks Clauses Acts 1847 and 1871 Provided that section 13 of the former Act shall be read as if the words "or any premises" were inserted after the words "private building":

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 nonpayment of calls;

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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 the cancellation and surrender of shares) Part II. (relating to additional capital) Part III. (relating to debenture stock) and Part IV. (relating to change of name) of the Companies Clauses Act 1863 as amended by subsequent Acts.

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.

Alteration of name of Company.

4. From and after the passing of this Act the name of the Company shall be and the Company shall be called and known as "The Southgate and District Gas Company" instead of "The Colney Hatch Gas Company" as provided by section 6 of the Act of 1866.

Power to take lands.

5. Subject to the provisions of this Act the Company may enter upon take hold and use the lands and hereditaments shown on the deposited plans and described in the deposited book of reference Provided that the Company shall not without the consent in writing of the trustees of the will of Henry Shrubsole deceased enter upon take or use any lands or hereditaments belonging to the said trustees or any interest therein.

Power to stop up road.

6. The Company may but so far only as they are or may become owners in possession of the houses and land on both sides thereof stop up and discontinue as a public highway the road known as Albert Street in the parish of Southgate shown on the deposited plans and from the time of the stopping up and discontinuance thereof all public rights of way over and along the same shall be and are by this Act extinguished and the site and soil of the portion of the said road so to be stopped up and discontinued

by the Company and the fee simple and inheritance thereof shall be absolutely vested in the Company But the Company shall not erect any buildings over any sewer in such road so long as such sewer shall be used for the drainage of any premises.

Powers as to construction and maintenance of gasworks &c.

7. The Company may upon the lands described in the Schedule to this Act erect construct lay down provide 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 and the Company may also from time to time provide lay down maintain alter improve enlarge extend and renew 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 may make store and supply gas accordingly and manufacture sell provide supply and deal in lime coke patent fuel chemicals tar pitch asphaltum ammoniacal liquor and all other products or residuum of any materials employed in or resulting from the manufacture of gas.

Power to purchase lands by agreement.

8. The Company may for the purposes of their undertaking purchase take 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 ten 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 and in section 7 of the Act of 1866 and in the Schedule to the Act of 1876 Provided that the Company shall not acquire more than three acres in the urban district of Southgate under the powers of this section without the previous consent in writing of the Southgate Urban District Council.

Power to sell or lease lands.

9. 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

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restrictions and provisions and generally upon such terms and conditions as the Company think fit.

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

10. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Middlesex and such certificate shall be kept by such clerk of the peace with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands and execute the works in accordance with such certificate.

Period for compulsory purchase of lands.

11. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Definition of limits of supply between Company and Tottenham Company.

12. The boundary between the limits of supply of the Company and the limits of supply of the Tottenham Company shall be in accordance with and follow the line shown on the plan dated seventeenth day of September one thousand nine hundred and three and signed in triplicate by the Right Honourable James William Lowther the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and hereinafter called "the signed plans" One of such signed plans has been deposited in the Private Bill Office of the House of Commons one in the Parliament Office of the House of Lords and one at the office of the Company and any right of either company to supply gas or lay mains within the limits of the other company as modified by the signed plans shall cease and determine.

Price of gas.

13. Section 41 of the Act of 1866 is hereby repealed and from and after the passing of this Act the price to be charged by the Company shall not exceed four shillings and sixpence per one thousand cubic feet.

Names of existing

14. The existing shares of the Company entitled to a ten per centum per annum maximum rate of dividend may be referred to

for all purposes as "original" ordinary shares and all the existing ordinary shares or stock of the Company entitled to a seven per centum per annum maximum rate of dividend and any ordinary shares or stock created and issued under the authority of this Act entitled to the like rate of dividend may be referred to for all purposes as "additional" ordinary shares or "additional" ordinary stock as the case may be. shares or stock.

15. The Company may from time to time 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 one hundred thousand pounds by the creation and issue of further amounts of new ordinary shares or stock or new preference shares or stock or wholly or partly by one or more of those modes respectively but the Company shall not issue any share in the additional capital by this Act authorised of less nominal value than ten pounds nor shall any such share or any stock in such capital vest in the person 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 Provided always that not more than fifty thousand pounds of such capital shall be issued as preference capital Provided also that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of one hundred thousand pounds. Additional capital.

16. The Company shall not in any half-year pay out of their profits any larger dividend on the additional capital to be raised under the powers of this Act than seven pounds per centum per annum in respect of such capital as shall be issued as ordinary capital and as shall be actually paid up or five pounds per centum per annum in respect of such capital as shall be issued as preference capital and as shall be actually paid up unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which may have fallen short of the said sum of seven pounds per centum per annum which shall for the purpose of the Acts of 1866 and 1876 and this Act be deemed to be the maximum rates of dividend. Profits of Company on additional capital limited.

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

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offering the same to the holders of any other shares or stock in the Company and whether the ordinary shares or ordinary stock 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 at the first offer thereof 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 may be accepted in preference and preference may in like manner be given to any gas consumer 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.

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

18. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the secretary of the committee of the London Stock Exchange and to the clerks of every urban district council whose district is wholly or partly included within the Company's limits of supply respectively 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.

Disposal of shares or stock not sold by auction or tender.

19. 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.

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

20. 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.

Application of premium arising on issue of shares or stock.

21. Any sum of money which shall arise from the issue of any such shares or stock by way of premium after deducting therefrom (if the Company think fit) the expenses of and incident to such issue shall not be dealt with and treated as profits of the Company but shall be applied to the general purposes of the Company to which capital is properly applicable but shall not be entitled to dividend Provided that in any case where a power to raise money by borrowing or to create a reserve fund an insurance fund or a renewal fund is made proportionate to the paid-up capital the premium received from the sale of shares or stock by auction or tender as hereinbefore provided shall for such purpose be reckoned as part of the paid-up capital.

Power to borrow.

22. The Company may from time to time subject to the provisions of this Act borrow on mortgage of the undertaking in

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respect of the additional capital by this Act authorised to be created and issued 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 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 premiums (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 or stock together with the premiums (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.

23. Section 27 of the Act of 1866 (Arrears may be enforced by appointment of a receiver) 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 five thousand pounds in the whole.

Debenture stock.

24. 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 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 issued after the passing of this Act.

Debenture stock to be sold by

25. The provisions of this Act with respect to disposing of stock by auction or tender shall apply mutatis mutandis not only to

the additional capital of the Company but also to any debenture stock to be created by the Company under this Act.

auction or tender.

Priority of mortgages and debenture stock over other debts.

26. All money to be raised by the Company on mortgage or by the issue of debenture stock under the provisions of 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 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 rent-charge 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 or to be 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 their undertaking or works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Company.

Existing mortgages to have priority.

27. All mortgages granted by the Company in pursuance of the Acts of 1866 and 1876 and subsisting at the passing of this Act shall during the continuance thereof have priority over all mortgages granted in pursuance of this Act but nothing in this section contained shall affect the priority of any debenture stock at any time created and issued by the Company.

Receipt in case of persons not sui juris.

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

Application of money.

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

Renewals.

30. 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

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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.

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.

Power to create an insurance fund.

31. If the clear profits of the undertaking of the Company in any half year amount to a larger sum than is sufficient to pay the dividend on the preference capital and dividend on the ordinary capital at the authorised rate the excess beyond the sum necessary for that purpose may from time to time to the extent of one half per centum in such half year upon the paid-up capital of the Company be set apart and all sums so set apart shall be invested in Government or other 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 the like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Company which sum shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Company from accidents fires 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 full amount and so from time to time as often as such reduction shall happen Provided that when and

so often as the said fund shall reach one twentieth part of the paid-up capital 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 as aforesaid.

Application of excess of profits.

32. If the clear profits of the undertaking of the Company in any half year amount to a larger sum than is sufficient to pay the dividend on the preference capital and dividend at the authorised rate on the ordinary capital of the Company the excess or such portion of it as is not carried to the reserve fund or the insurance fund or the renewal fund shall be carried to the credit of the divisible profits of the undertaking for the next following half year.

Anti-fluctuators for gas engines.

33. 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.

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

34. 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 Provided that (except in cases of emergency) before any such street within the urban district of Southgate shall be broken up the Company shall submit to the urban district council of that district for their approval the plan referred to in section 9 of the Gasworks Clauses Act 1847 and such street shall only be broken

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up in accordance with the plan approved by the said district council or in case of difference arising with reference to the plan submitted as aforesaid in accordance with such plan as may be settled by an engineer to be appointed as arbitrator by the parties or in case of difference by the Board of Trade at the request of either party Provided that nothing in this section shall apply to any street or road not dedicated to public use belonging to the Great Northern Railway Company.

Company to submit plans of new mains.

35. The Company shall (except in case of emergency) at least seven days before laying any main or pipe other than a service pipe in any street within the urban district of Southgate submit to the district council a plan showing the situation and manner in which such pipe is intended to be laid and if within such period of seven days the district council shall require any reasonable modification to be made in such plan the same shall be modified accordingly and the main or pipe shall be laid in accordance with such plan Provided that any difference which may arise between the Company or their engineer on the one hand and the district council or their surveyor on the other hand as to the reasonableness of any such modification shall be settled by an engineer to be appointed as arbitrator by the parties or in case of difference by the Board of Trade at the request of either party.

Company to make map showing mains in Southgate and Finchley.

36. The Company shall within six months after the passing of this Act cause a map on a scale of not less than twenty-five inches to a mile to be made showing the position of all the existing mains or pipes of the Company (other than service pipes) laid in the streets (including streets not dedicated to the public) within the urban districts of Southgate and Finchley and also as nearly as may be the position of all valves syphons and other appliances in such streets and shall keep the same at the office of the Company at New Southgate and the Company shall at least once in every year thereafter cause such map to be corrected and such additions and alterations to be made therein as may be necessary to show correctly as nearly as may be the lines position and sizes of the various mains or pipes laid in such streets and also of such valves syphons and appliances and the Company shall at all reasonable times give to each of the district councils of Southgate and Finchley access to and permit them to inspect and take copies of or extracts from the said map so far as the same relates to the district of such district council and shall upon the request of the district council give such information in writing as to the depths at which such pipes are laid as may be reasonably required.

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Quality and testing of gas.

37. From and after the first day of January one thousand nine hundred and five the following provisions shall have effect and sections 54 and 55 of the Act of 1866 and section 26 of the Act of 1876 shall to the extent that they may be varied by the said provisions be repealed :—

(A) The prescribed number of candles shall be fourteen :

(B) The prescribed burner shall be Sugg's standard argand burner for fourteen candle gas (commonly known as the Wandsworth test burner) with a suitable glass chimney :

(C) The standard used shall be Harcourt's ten-candle pentane lamp with table photometer :

(D) The testings for illuminating power shall be made at intervals of not less than half an hour each :

(E) No penalty or forfeiture shall be incurred in any case with respect to which it is proved before the justices that the defect of illuminating power or excess of impurity was occasioned by unavoidable cause or accident :

Provided that the apparatus to be used for testing the gas and the mode of making the test may if the Company or the district councils of Southgate and Finchley desire in lieu of the apparatus hereinbefore referred to be such as shall from time to time be prescribed by the referees for testing gas of a prescribed illuminating power of fourteen candles supplied within the metropolis Such further or substituted apparatus shall be from time to time provided and fixed at the Southgate Urban District Council's testing place by the Company or by the district councils as the case may be at their own expense.

Power to Southgate Urban District Council to provide a testing place.

38. The Southgate Urban District Council shall at their own expense and to the reasonable satisfaction of the Company before the thirtieth day of June one thousand nine hundred and five provide at their fire station Chase Side Southgate a testing place and the Company shall on or before the following thirty-first day of August 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.

Any gas examiner may test the illuminating power purity and pressure of the gas supplied by the Company at any time of the day or night.

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Pressure of gas.

39. As from the date of the passing of this Act section 25 of the Act of 1876 shall be read and construed for all purposes as if the words "eight tenths of an inch" were substituted therein for "six tenths of an inch" and the words "ten tenths of an inch" were substituted therein for "eight tenths of an inch."

Acquisition of patent rights.

40. The Company may (but only for the purposes of the Company within the Company's prescribed limits) acquire or take 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).

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

41.—(1) The Company may sell let for hire and 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.

Company may contract with local authority &c.

42. 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 the

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

for supply in bulk.

43. 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.

Contracts for supplying gas for public purposes.

44. 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 effect of this enactment shall be endorsed upon every demand note for gas rent payable to the Company.

Gas consumers to give notice to Company before removing.

45. 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.

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

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

Notice to discontinue supply of gas.

47. 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 arisen during the quarter preceding the testing 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 the Company or by the consumer as the case may be and shall be

Period of error in defective meters.

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recoverable in the like manner as gas rents are recoverable by the Company.

Power for directors to determine remuneration of secretary.

48. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may from time to time determine the remuneration of the secretary of the Company.

Number and qualification of auditors.

49. The prescribed number of auditors shall be two and they shall be members of the Institute of Chartered Accountants or of the Incorporated Society of Accountants and Auditors It shall not be necessary for any auditor appointed by the Company to hold shares in the capital of the Company This section shall not operate so long as the existing auditors are elected or re-elected.

Dwelling-houses for officers servants &c.

50. The Company may purchase or take on lease or on any lands belonging or leased to them erect or acquire and fit up maintain and let dwelling-houses for their officers servants and workmen.

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

51. If any person is required by the Company to give to them security in respect of any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit 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.

52. 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.

For protection of Middlesex County Council.

53. For the protection of the Middlesex County Council (hereinafter called "the county council") the following provisions shall have effect (that is to say):—

(1) Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not except

with the consent in writing of the county council enter upon take or use so much of the lands adjoining Station Road in the parish of Southgate as the county council are authorised to acquire compulsorily and which shall be required by them for the purposes of the widening of that road in connection with the light railway authorised to be constructed by them along the said road under the County of Middlesex Light Railways Order 1901:

(2) Nothing in this Act or in any previous Act relating to or conferring powers upon the Company shall be deemed to constitute any lawful excuse to the Company for doing any of the things mentioned in section 17 of the Middlesex County Council Act 1898.

Expenses of Act.

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

A.D. 1904.

The SCHEDULE referred to in the foregoing Act.

GAS LANDS.

1. Certain lands with the gasworks dwelling-houses and other buildings thereon in the parish of Southgate in the county of Middlesex containing 4 acres 3 roods 20 perches or thereabouts consisting of the existing works of the Company as now authorised and the following other properties adjoining or near to the said works (viz.) :—

(A) A piece of land now the property of the Company abutting on Station Road :

(B) A private road leading from Station Road to the Company's works with the offices and workshops abutting on such private road also belonging to the Company :

(C) Numbers 15 17 19 and 21 Station Road belonging or reputed to belong to the trustees of the will of Henry Shrubsole and number 23 Station Road belonging to the Company :

(D) Numbers 1 to 7 Lee Street inclusive all of which belong to the Company except as to numbers 1 2 and 3 the reversion in fee in which belongs or is reputed to belong to the trustees of the will of Henry Shrubsole :

(E) A cottage with shed and yard at the south end of Lee Street belonging or reputed to belong to John Dymond and in the occupation of John Dymond or the Oaks Coal Company :

(F) Numbers 2 to 7 Albert Street inclusive belonging or reputed to belong to H. Byrne numbers 8 to 14 Albert Street inclusive belonging to the Company and the reversion in fee in all which belongs or is reputed to belong to the trustees of the will of Henry Shrubsole :

(G) So much of the private road belonging to the Company leading from High Road formerly Betstyle Road to the Company's works as lies to the west of the bar erected by the Company in the said road and west of a point 85 feet or thereabouts west of High Road formerly Betstyle Road :

(H) A piece of land containing 1 acre and 8 poles or thereabouts in the parish of Southgate being a portion of a field numbered 5 in the said parish as shown on the $\frac{1}{2500}$ Ordnance map dated 1898 marked Middlesex VII.–13 together with the shed thereon bounded on the north by the above-mentioned private road (G) on the east by High Road formerly Betstyle Road on the south for its entire length by an imaginary line 40 feet north of Bounds Green Brook and on the west by the parish boundary between Southgate and Wood Green.

The whole of the lands hereinbefore described are bounded on the north partly by land belonging to the Great Northern Railway Company partly by Station Road partly by Lee Street partly by a house numbered 20 Lee Street belonging to or reputed to belong to Arthur Bingley Spawforth William Sholefield junior and Frederick William Humble and partly by the private road leading from High Road formerly Betstyle Road on the east partly by Lee Street partly by land and houses belonging to the trustees of the will of Henry Shrubsole and Henry Rice respectively partly by the road called Albert Street partly by High Road formerly Betstyle Road and partly by the private road aforesaid on the south partly by an imaginary line 40 feet north of Bounds Green Brook above mentioned and partly by land belonging or reputed to belong to the Great Northern Railway Company and on the west by the goods yard of New Southgate Station and lands belonging or reputed to belong to the Great Northern Railway Company.

2. So much of the western part of Albert Street in the parish of Southgate aforesaid as lies to the west of a point 80 feet or thereabouts west of High Road formerly Betstyle Road which part is intended to be stopped up and the site to be vested in the Company.

3. A piece of land containing 2 roods 27 poles or thereabouts in the parish of Wood Green being a portion of a field numbered 5 in the said parish as shown on the $\frac{1}{2500}$ Ordnance map dated 1898 and marked Middlesex VII.–13 bounded on the north partly by the existing gasworks of the Company and partly by the private road before mentioned (G) on the east by the parish boundary of Southgate and Wood Green and on the south by an imaginary line drawn from the south-west corner of the before-mentioned land (H) to the junction of such line with the southern boundary of the existing gasworks of the Company.

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