CHAPTER lxxix.

An Act for supplying with water and gas the parishes of Fishguard Manorowen and Llanwnda in the county of Pembroke. [13th July 1899.]

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WHEREAS there is no proper or adequate supply of water or gas to the parishes of Fishguard Manorowen and Llanwnda in the county of Pembroke and other parishes and places in that county adjacent thereto:

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 water and gas to such parishes and places and it is expedient that they should be incorporated accordingly and authorised to construct waterworks and 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 plans and sections showing the lines situation and levels of the works authorised by this Act and the lands which may be taken for the purposes thereof 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 Pembroke 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:

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

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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 Fishguard Water and 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 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 the Waterworks Clauses Acts 1847 and 1863 (except the words in section 44 of the former Act "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner") 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 expressions "the waterworks" and "the gasworks" respectively mean and include the waterworks and the gasworks and works connected therewith by this Act authorised.

Company incorporated.

4. Robert Worthington Charles Hibbert Binney William Bentham Martin and all other persons who have already subscribed 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 Fishguard Water and 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 the waterworks and gasworks and for supplying water and for manufacturing and supplying gas and electricity within the limits of this Act and for carrying on the business

usually carried on by water and gas and electricity supply companies and generally for carrying the powers of this Act into execution. A.D. 1899.

Capital.

6. The capital of the Company shall be sixteen thousand pounds in sixteen thousand shares of one pound 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 four thousand pounds in respect of the capital of sixteen thousand pounds by this Act authorised or they may (subject to the conditions herein-after contained) borrow from time to time not exceeding two thousand pounds in respect of each portion of capital not exceeding eight thousand pounds issued by the Company but no part of any such sums 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.

As to conversion of borrowed money into capital.

9. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage or by the issue of debenture stock or any part thereof by the creation of shares or stock instead of borrowing or to convert into share capital any money borrowed under the provisions of this Act unless in either case all dividends upon the shares or stock whether ordinary or

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preferential are limited to a rate not exceeding five pounds per centum per annum.

Calls.

10. 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.

For appointment of a receiver.

11. 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.

12. 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.

13. 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.

14. 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.

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

Number of directors.

16. The number of directors shall be five but the Company may from time to time increase or reduce the number provided that the number be not more than seven or less than three.

Qualification of directors.

17. The qualification of a director shall be the possession in his own right of not less than one hundred shares.

Quorum.

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

First directors.

19. Robert Worthington Charles Hibbert Binney William Bentham Martin and any two other persons to be nominated

by 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 being if they continue to be qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained for reducing 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 resigned shall continue to be directors until others are elected in their stead in manner provided by the same Act. A.D. 1899. Election of directors.

20. The limits of this Act for the supply of water and gas shall be the parishes of Fishguard Manorowen and Llanwnda in the county of Pembroke. Limits of Act.

21. If at any time after the expiration of five years from the commencement of this Act the Company are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Act in any part of the district of any local authority within the limits of supply the local authority of such district may provide a supply in the whole or any part of their district within the limits of supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Company as if in either case there were no company authorised by this Act to supply water therein If any difference shall arise between the Company and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Local Government Board. Power to local authority &c. to supply water in case Company fails to supply.

22. Subject to the provisions of this Act the Company may make and maintain in the lines or situations and according to the levels shown on the said deposited plans and sections the pumping stations wells or shafts conduits or lines of pipes service reservoirs Power to make waterworks.

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alterations deviations diversions and other works shown on the said deposited plans among which are comprised the following namely :—

Work No. 1 A reservoir with dam and filter beds situate in field No. 222 on the $\frac{1}{2500}$ Ordnance map published in 1889 in the parish of Llanllawer and the adjoining fields Nos. 235 and 236 in the parish of Llanychlwydog in the county of Pembroke the dam to commence in the said field No. 222 in the said parish of Llanllawer at a point 135 yards or thereabouts north-east of the farm dwelling-house known as Ire-pwll and to terminate in the said field No. 235 in the same parish of Llanychlwydog at a point 100 yards or thereabouts north-west of the farm dwelling-house known as Clyn-gath :

Work No. 2 A line of pipes commencing at a junction with Work No. 1 in the same field No. 236 in the said parish of Llanychlwydog and terminating in field No. 545 on the said $\frac{1}{2500}$ Ordnance map in the parish of Fishguard in the said county of Pembroke at a point at the western boundary thereof 30 yards or thereabouts from the north-west corner of the said field :

Work No. 3 A service reservoir situate in the said field No. 545 in the said parish of Fishguard at the termination of Work No. 2 :

Together with all proper wells shafts drifts adits engines pumps machinery buildings pipes conduits sluices standpipes tanks embankments culverts drains approaches and other works and conveniences ancillary or subsidiary thereto or connected therewith and may enter upon take and use such of the lands shown on the deposited plans and described in the book of reference as they may require for the purposes of this Act and may take use and appropriate for the purposes of the works and undertaking of the Company all waters found in on or under any of the lands for the time being belonging to the Company.

For protection of James Charles Yorke.

23. Whereas there is upon the River Gwaen a certain mill belonging to James Charles Yorke which may be affected by the construction of the works authorised by this Act It is hereby enacted that if within six months after the completion of the said works the said James Charles Yorke or his successors or assigns shall make any claim against the Company for loss or damage by reason of any diminished flow of water caused by the construction of the said works the said claim shall (unless the same be settled by agreement) be referred to the arbitration of an engineer to be agreed on between the parties or failing agreement to be

appointed by the Board of Trade and the Company shall pay to the said James Charles Yorke his successors or assigns such sum or sums as he after hearing the parties may respectively award.

Limits of lateral and vertical deviation.

24. In constructing the works authorised by this Act the Company may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon and may deviate vertically from the levels shown on the deposited sections in the case of the service reservoir to any extent not exceeding three feet upwards or five feet downwards and in the case of any other work to an extent not exceeding six feet upwards or seven feet downwards Provided that if it be found necessary or expedient to alter the position of any embankment or wall they may in the construction thereof and of the works connected therewith deviate vertically from the levels of such embankment wall and works as shown with reference to the datum line to any extent not exceeding twenty feet but the Company shall not construct any embankment or wall of a greater height above the general surface of the ground than that shown on the deposited sections and three feet in addition Provided also that when any work is to be made on any road the limits of lateral deviation if not otherwise laid down shall be the boundaries of such road Provided also that no pipe or main shall be laid above the surface of the ground unless so shown on the deposited plans and then only to the extent as shown.

Period for compulsory purchase of lands.

25. 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.

Period for completion of works.

26. The works hereby authorised shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Company for making the said works or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed Provided always that subject to the restrictions and provisions of this Act the Company may alter renew enlarge and extend their engines machinery tanks wells shafts adits pipes and other works in such way and manner as they may think requisite or advisable for supplying water within the limits of this Act.

Power to owners to grant easements &c.

27. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or

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privilege of water in which other parties than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the last-mentioned Acts with respect to lands and rentcharges as far as the same are applicable in this behalf shall extend and apply to such grants or to such easements rights or privileges as aforesaid.

Purchase of lands by agreement.

28. 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 twenty acres in extent or any easement (not being an easement privilege 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 such lands 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 waterworks or 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.

Power to agree as to drainage of lands &c.

29. The Company may make and carry into effect agreements with the owners lessees or occupiers of any lands within the drainage area of the reservoirs and works by this Act authorised with reference to the execution by the Company or such owners lessees or occupiers of such works as may be necessary for the purpose of draining such lands or any of them or for more effectually collecting conveying and preserving the purity of the waters by this Act authorised to be diverted collected and appropriated by the Company flowing to or upon or from such lands directly or derivatively into such reservoirs and works.

Restriction on taking houses of labouring class.

30. 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 provisions of this section 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.

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.

Supply by gravitation.

31. Water supplied under this Act need not be supplied in any case at a level above that at which water can be supplied by gravitation from the service reservoir by this Act authorised.

Rates at which water is to be supplied for domestic purposes.

32. The Company shall on the application of any person who under the provisions of this Act shall be entitled to demand a supply of water for domestic purposes furnish to such person a sufficient supply of water for domestic purposes at rates and charges according to the rateable value of his dwelling-house or part of a dwelling-house not exceeding the following (that is to say):—

Where the rateable value of the premises so supplied with water does not exceed four pounds per annum the sum of twopence per week;

Where the rateable value exceeds four pounds but does not exceed seven pounds per annum the sum of threepence per week;

Where the rateable value exceeds seven pounds but does not exceed ten pounds per annum the sum of fourpence per week;

Where the rateable value exceeds ten pounds but does not exceed twenty pounds at a rate per annum not exceeding ten per centum of such rateable value;

Where the rateable value exceeds twenty pounds but does not exceed forty pounds at a rate per annum not exceeding eight per centum of such rateable value;

Where the rateable value exceeds forty pounds but does not exceed eighty pounds at a rate per annum not exceeding seven pounds per centum of such rateable value;

Where the rateable value exceeds eighty pounds at a rate not exceeding six per centum of such rateable value:

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Provided as follows:—

The Company shall not be entitled in any case to demand for the water rate for any house or part of a house included in any division of the above scale a greater sum of money than they would be entitled to demand if such house or part of a house were of just sufficient rateable value to bring it within the next division of the said scale relating to premises of a higher rateable value whereon a lower rate per centum per annum is chargeable:

Owners compounding for the payment of rates in respect of a supply for domestic purposes to three or more houses whether occupied or not shall be allowed an abatement of ten per centum on the rates hereby prescribed:

All inns and hotels whether public or private the rateable value of which exceeds five pounds shall be liable to a yearly rate not exceeding nine pounds per centum:

When the water rate is chargeable on the rateable value of a part only of any premises entered in the valuation list or poor rate (such part not being separately assessed to the rate for the relief of the poor) such rateable value shall be a fairly apportioned part of the rateable value of the whole premises ascertained as aforesaid the apportionment in case of a dispute to be determined by two justices.

For the purposes of this section the rateable value shall be the net rateable value as ascertained by the valuation list in force at the commencement of the quarter in which the water rate accrues or if there is no such list in force by the last rate made for the relief of the poor.

Rates for watercloseets and baths.

33. In addition to the rates computed as above specified the Company may charge for every watercloset beyond the first (for which no charge shall be made) the sum of five shillings per annum and for any private bath in any private dwelling-house or part of such private dwelling-house or appurtenant thereto the sum of ten shillings per annum Provided that such bath shall not contain when usually filled for use more than fifty gallons of water.

Charges for supply of water for other than domestic purposes.

34. The Company may supply water within the limits of this Act for purposes other than domestic purposes by meter or otherwise and on such terms pecuniary or otherwise and conditions as shall be agreed on between the Company and the person requiring the supply and the moneys payable for the supply shall be water rates and recoverable accordingly Provided that the Company shall not

be bound to supply water otherwise than by measure to any building used as a dwelling-house whereof any part is used for any trade or manufacturing purposes for which water is required Provided also that the price to be charged shall not exceed two shillings per thousand gallons with a minimum payment of eight shillings per quarter.

Contracts for supplying water for public purposes.

35. The Company may enter into and carry into effect any contract or arrangement with any other local authority corporation or other public body without the limits of supply for the supply of water by the Company in bulk for the purposes mentioned in section thirty-seven of the Waterworks Clauses Act 1847 and for other public purposes Provided that the powers of this section shall not be exercised within the limits of any local authority or of any company or person now or hereafter supplying water under the authority of Parliament or Provisional Order confirmed by Parliament to supply water without the consent in writing of such authority or company or person Provided also that the Company shall not supply water under any such agreement if and so long as the affording of such supply would prevent the Company from giving a full and sufficient supply for all purposes within their limits of supply.

Where several houses supplied by one pipe each to pay.

36. Where several houses or parts of houses in the occupation of several persons shall be supplied by one common pipe the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Company by a distinct pipe.

Penalty for mis-user of water by tenant of one of several tenements in a row.

37. Any tenant or occupier of one or of part of one of several houses supplied by a common pipe who takes or uses the water laid on by the Company to any other such house or allows the same to be used contrary to the provisions of this Act shall for every such offence be liable to a penalty not exceeding five pounds.

Rate payable by owners for small houses.

38. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any period less than a quarter of a year the owner instead of the occupier shall pay the rate for the supply but the rate may be recovered in the first instance from the occupier and may be deducted by him from rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall

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have accrued due from him subsequent to a notice to pay the rate being given to him or left at his dwelling-house.

Byelaws for preventing waste &c. of water.

39. For preventing waste misuse undue consumption or contamination of the water of the Company the following provisions shall have effect (that is to say) :—

(1) The Company may make byelaws with respect to the construction maintenance and use of water fittings so as to prevent waste misuse undue consumption or contamination of the water of the Company to be observed by persons supplied with such water Provided always that any such regulations shall apply only in the case of premises to which the Company are bound to afford and do in fact afford or are prepared on demand to afford a constant supply and shall not take effect unless and until they have been submitted to and confirmed by the Local Government Board The Company shall on payment of such sum not exceeding twopence as they may demand furnish a copy of the same to any consumer of water who may require the same Any such byelaws shall not be confirmed until after the expiration of one month after notice in writing to submit the same for confirmation together with a copy of the proposed byelaws has been given to the sanitary authorities within the limits of supply who may within the said period of one month make such representations to the Local Government Board as they see fit :

(2) The Company may by any such byelaws as aforesaid direct the use and prescribe the size nature strength materials workmanship and the mode of arrangement connexion disconnexion alteration and repair of pipes valves cocks tanks cisterns baths soil-pans waterclosets and other apparatus or receptacles for conveying delivering receiving and measuring water and may interdict any arrangement and use of any pipe valve cock tank cistern bath soil-pan watercloset or other apparatus or receptacle likely to occasion waste misuse undue consumption erroneous measurement or contamination of water :

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Company may if they think fit after twenty-four hours notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil-pan watercloset or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person and the expense of every such repair

replacement or alteration shall be repaid to the Company by the person on whose credit the water is supplied and may be recovered by them as water rent is recoverable:

(4) Any person who shall offend against any such byelaws shall (without prejudice to any other right or remedy for the protection of the Company) be liable to a penalty not exceeding five pounds for each offence and to a further daily penalty not exceeding forty shillings for each day or part of a day such offence shall occur after conviction thereof and the Company may in addition thereto recover the amount of any damages sustained by them.

Powers as to construction and maintenance of gasworks &c.

40. Subject to the provisions of this Act the Company may construct maintain alter improve enlarge extend and renew or discontinue gasworks and manufactories 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 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.

Power to supply gas fittings engines and other apparatus.

41. 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 meters 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 work 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

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and otherwise as may be agreed upon between the hirer and the Company.

Power to supply gas for heating cooking and other purposes.

42. The Company may on the request of the owner or occupier of any property within the Company's limits of supply give and continue to give a supply of gas for all or any of the purposes mentioned in the last preceding section of this Act 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.

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

Pressure of gas.

44. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water 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 from time to time 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.

No penalty in case of unavoidable cause or accident.

45. 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 Provided that want of funds shall not be deemed an unavoidable cause.

Quality of gas.

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

Testing place.

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

Burner.

48. 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 or let meters.

49. 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 water rate or gas rent.

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

50. 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 let for hire in repair.

51. The Company shall at all times at their own expense keep all meters or other instruments for measuring water or gas let by them for hire to any consumer in proper order for correctly registering the supply of water or 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 meters to be evidence.

52. Where the Company supply water or gas by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water or gas consumed and in respect of which any water rate or 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 justices shall be final and binding on all parties.

Period of error in defective meters.

53. 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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Company's officer to enter buildings.

54. The Company's manager or other person duly appointed for the purpose by the Company (showing his authority if required to do so) may between the hours of nine in the forenoon and four in the afternoon enter any building or place supplied with water or gas by the Company and inspect the meter pipes fittings and apparatus for regulating the supply of water or gas and see whether they are in good repair and if such manager or other person at any such time be refused admittance into such premises for the purposes aforesaid or be prevented from making such examination the occupier of such premises shall for every such offence forfeit to the Company a sum not exceeding five pounds.

Power to Company to supply materials.

55. The Company may, if requested by any person supplied or about to be supplied by them with water or gas provide and furnish to him and from time to time repair or alter any such meters pipes valves cocks baths soil-pans waterclosets gas stoves burners lamps mantels fittings and apparatus as are required or permitted by their regulations and may provide all materials and do all work necessary or proper in that behalf and the cost of providing such materials and executing such work shall be paid by the person requiring the same.

Service pipes.

56. All service pipes and fittings and all fittings connected with any service pipe to communicate with the mains and pipes of the Company which shall be provided by any person shall be placed and removed under the superintendence of the Company and at the expense of such person.

Power to remove meters and fittings.

57. The Company by their agents or workmen after forty-eight hours notice in writing under the hand of the secretary or some other officer of the Company to the occupier or if there is no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Company is laid and fixed and through or in which the supply of water or gas is from any cause other than the default of the Company discontinued for more than forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Notice as to connecting and disconnecting meters.

58. Before any person connects or disconnects any meter through which any of the water or gas supplied by the Company is intended to be or has been registered he shall give not less than forty-eight hours notice in writing to the Company of his intention

to do so and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings Notice of the effect of this enactment shall be contained in every demand note for water or gas rent. A.D. 1899.

Injuring meters.

59. 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 water or gas supplied or fraudulently abstracts consumes or uses water of the Company shall 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 water or gas or prevented the same from duly registering the quantity of water or gas supplied or has fraudulently abstracted consumed or used water or 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 water or 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 so offending and may be recovered by them as water rates or gas rents are recoverable The existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water or 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.

60. A notice to the Company from a consumer for the discontinuance of a supply of water or 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

61. 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

A.D. 1899.

and others for supply of gas in bulk.

any company or person 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 contracts as shall be agreed upon.

For protection of Fishguard and Rosslare Railways and Harbours Company.

62. Nothing contained in this Act shall be construed or operate to prejudice or prevent the Fishguard and Rosslare Railways and Harbours Company from making or sinking any well or shaft or collecting impounding and using the streams springs and waters in on or under any lands now belonging to them or which may hereafter be acquired by them or making such other provision as may be deemed expedient for the purpose of supplying gas water or electricity to their engines warehouses docks and buildings or to vessels belonging to them or frequenting their harbour or to houses occupied by persons in their employ.

Powers as to electricity.

63. The Company if they think fit may under the provisions of the Electric Lighting Acts 1882 and 1888 or any other Act for the time being in force with respect to the supply of electricity 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.

Several sums in one summons or warrant.

64. Any summons or warrant issued for any of the purposes of this Act may contain in the body thereof or in a schedule thereto several sums.

Justices not disqualified.

65. No justice or judge of any court shall be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any water rate or gas rent under this Act.

Penalties not cumulative.

66. 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.

67. 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.

The SCHEDULE referred to in the foregoing Act.

Gas Lands.

A piece or parcel of land containing by admeasurement two acres and two roods or thereabouts situate at Goodwick Bridge in the parish of Fishguard in the county of Pembroke and numbered 1268 on the $\frac{1}{2500}$ Ordnance map of the said parish (published in 1889) bounded on the north by the public highway leading from Fishguard to Goodwick on the south by an occupation road leading to the old stone quarries on the east by the said public highway and on the west partly by the Goodwick Brook and partly by a piece of land numbered 1267 on the said Ordnance map in the occupation of George Davies.

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