# CHAPTER cxxxi.

An Act for confirming certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Abingdon Gas, Cranleigh Gas, Horsham Gas, Mansfield Gas, Newcastle-under-Lyme Gas, North Camp and Farnborough District Gas, and Southbank and Normanby Gas. [23d July 1877.]

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WHEREAS under the authority of the Gas and Water Works Facilities Act, 1870, the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed:

And whereas a Provisional Order made by the Board of Trade under the authority of the Gas and Water Works Facilities Act, 1870, is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the schedule to this Act, be confirmed by Act of Parliament:

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

Short title.

**1.** This Act may be cited as The Gas and Water Orders Confirmation (Abingdon, &c.) Act, 1877.

Confirmation of Orders in schedule.

**2.** The several Orders set out in the schedule to this Act shall be and the same are hereby confirmed; and all the provisions thereof, in manner and form as they are set out in the said schedule, shall, from and after the passing of this Act, have full validity and force.

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# SCHEDULE OF ORDERS.

1. Abingdon Gas.—Order empowering the Abingdon Gaslight and Coke Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in the Parishes of St. Helen and St. Nicholas within the Borough of Abingdon, and in such part of the Parish of St. Helen as is without the Municipal Borough but within the area of the Parliamentary Borough of Abingdon, all in the County of Berks.

2. Cranleigh Gas.—Order empowering the Cranleigh Gas and Coke Company, Limited, to maintain and continue Gasworks and to manufacture Gas in the Parish of Cranleigh, otherwise Cranley, and to supply Gas in that Parish and in certain adjoining Parishes, in the County of Surrey.

3. Horsham Gas.—Order empowering the Horsham Gas Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in the Parish of Horsham, in the County of Sussex.

4. Mansfield Gas.—Order empowering the Mansfield Gaslight Company to raise additional Capital.

5. Newcastle-under-Lyme Gas.—Order empowering the Newcastle-under-Lyme Gaslight Company to raise additional Capital.

6. North Camp and Farnboro' District Gas.—Order empowering the North Camp and Farnboro' District Gas Company, Limited, to construct and maintain Gasworks and to make and supply Gas in the Parishes of Farnboro' and Ash, and the Chapelry of Frimley, in the Counties of Southampton and Surrey.

7. Southbank and Normanby Gas.—Order conferring further powers for the construction of Gasworks and for the manufacture and supply of Gas on the Southbank and Normanby Gaslight and Coke Company, Limited.

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## ABINGDON GAS.

*Order empowering the Abingdon Gaslight and Coke Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in the Parishes of St. Helen and St. Nicholas within the Borough of Abingdon, and in such part of the Parish of St. Helen as is without the Municipal Borough but within the area of the Parliamentary Borough of Abingdon, all in the County of Berks.*

Short title.

1. This Order may be cited as "The Abingdon Gas Order, 1877."

Incorporation of Acts.

2. The provisions of "The Lands Clauses Acts" (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry on lands by the Promoters), of "The Gasworks Clauses Act, 1847," and of "The Gasworks Clauses Act, 1871," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

3. The several words and expressions to which by the Acts in whole or in part incorporated with this Order, and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings.

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the area of the Municipal Borough of Abingdon, together with so much of the Parish of St. Helen, Abingdon, without the said Municipal Borough as is included within the limits of the Parliamentary Borough of Abingdon.

*Undertakers.*

The Undertakers.

5. The Abingdon Gaslight and Coke Company, Limited, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of the original share capital, amounting to ten thousand pounds, already raised by the Undertakers, and of additional share capital to be issued subject to the provisions of this Order, not exceeding ten thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed twenty thousand pounds, unless the Undertakers

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shall be authorised to raise additional share capital by Provisional Order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the additional capital by this Order authorised are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers 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 Undertakers shall from time to time by special resolution determine: Provided that at any such sale the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers 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 of the Undertakers.

As to notice to be given as to sale, &c. of shares.

8. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the town clerk of the borough of Abingdon and to the secretary of the Committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of the borough of Abingdon.

Shares not sold by auction or by tender to be offered to shareholders.

9. When any shares have been offered for sale by auction or by tender under the provisions of this Order, and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of sale by auction or tender, to the holders of the ordinary shares or ordinary stock of the Undertakers, in such manner as may be prescribed by a special resolution passed by the Undertakers: Provided always, that any shares so offered, and not accepted within the time prescribed by such special resolution, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital by this Order authorised.

Application of premium arising on issue of shares.

10. Any sum of money which shall arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on additional capital.

11. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital by this Order authorised than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of

every one hundred pounds actually paid of such capital as may be issued as preference capital.

Limits of money borrowed on mortgage.

12. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking, shall not at any one time exceed in the whole five thousand pounds.

Power to purchase additional lands.

13. The Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of "The Gasworks Clauses Act, 1871," may hold, for any of the purposes of this Order, any land not exceeding one acre, in addition to the land shown on the map deposited for the purposes of this Order (in this Order referred to as "the deposited map"), and described in the schedule to this Order annexed.

*Maintenance and Continuance of Gasworks, Manufacture and Sale of Gas, Coke, and Residual Products.*

Undertakers may maintain and continue gasworks on lands described in schedule, and may make and sell gas, &c.

14. The Undertakers on the lands shown on the deposited map, and described in the schedule to this Order annexed, may maintain and continue, and from time to time alter and enlarge, retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom; and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

15. If any difference arise between the Undertakers and any railway, canal, or other company whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes, or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

*Quality of Gas.*

Quality of gas.

16. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce a light equal in intensity to the light produced by fourteen sperm candles, and shall in all respects be in accordance with the provisions of "The Gasworks Clauses Act, 1871."

*Price of Gas.*

Price of gas.

17. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed six shillings and eightpence per one thousand cubic feet, and so in proportion for any less quantity supplied: Provided, nevertheless, that every fraction of one hundred feet may be charged as one hundred feet.

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*Pressure of Gas.*

Pressure of gas.

18. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water 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.

*Testing of Gas.*

Test meter.

19. The Undertakers shall, within six months after passing of the Act confirming this Order, cause to be provided at their works a testing place, with apparatus therein, according to the provisions of "The Gasworks Clauses Act, 1871;" and the burner to be used for testing the gas shall be a Sugg's London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used, and any gas examiner appointed under "The Gasworks Clauses Act, 1871," for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

*Miscellaneous.*

No penalty in case of unavoidable cause.

20. No penalty shall be incurred by the Undertakers 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.

Undertakers to pay interest on deposit.

21. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five 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.

8 Vict. c. 16. s. 140. incorporated.

22. Section 140 of the Companies Clauses Consolidation Act, 1845, shall be and is hereby incorporated with this Order; provided that, for the purpose of such incorporation, the expression "the Company" in the said section shall be construed to mean the Undertakers.

Saving of existing contracts.

23. Nothing in this Order contained shall alter, vary, or affect any contract or agreement duly made or any liability incurred before the passing of the Act confirming this Order with respect to the gasworks of or the supply of gas by the Undertakers.

Costs of Order.

24. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

## SCHEDULE.

### Gas Lands.

A plot of land belonging to and occupied by the Undertakers, situate in the Parish of Saint Nicholas, in the borough of Abingdon, in the county of Berks, bounded on the east by land belonging to John Shawe Phillips, on the north by land belonging to the said John Shawe Phillips, and the Abbey Mill Stream, on the west by buildings belonging to Henry Yeates, and on the south partly by buildings of the said Henry Yeates and partly by the river Thames.

And also another plot of land near to the first described plot, and belonging to the Undertakers, bounded on the south side by Thames Street, on the east by tenements and garden of George Frederick Glanville and Mary Ann George respectively, on the north side by land belonging jointly to George Bowes Morland and Tom Lindars, and on the west by a tenement of Thomas Hicks.

## CRANLEIGH GAS.

*Order empowering the Cranleigh Gas and Coke Company, Limited, to maintain and continue Gasworks and to manufacture Gas in the Parish of Cranleigh, otherwise Cranley, and to supply Gas in that parish, and in certain adjoining parishes, in the County of Surrey.*

Short title.

1. This Order may be cited as "The Cranleigh Gas Order, 1877."

Incorporation of Acts.

2. The provisions of "The Lands Clauses Acts" (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry on lands by the Promoters), of "The Gasworks Clauses Act, 1847," and of "The Gasworks Clauses Act, 1871," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situated within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

3. The several words and expressions to which by the Acts in whole or in part incorporated with this Order, and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings.

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes and places of Alfold, Albury, Cranleigh otherwise Cranley, Dunsfold, Ewhurst, Hascomb, and Wonersh, in the county of Surrey.

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*Undertakers.*

The Undertakers.

5. The Cranleigh Gas and Coke Company (Limited) shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of the original share capital, amounting to four thousand pounds, already raised by the Undertakers, and of additional share capital to be issued subject to the provisions of this Order, not exceeding four thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed eight thousand pounds, unless the Undertakers shall be authorised to raise additional share capital by Provisional Order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the additional capital authorised by this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers 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 Undertakers shall from time to time by special resolution determine: Provided that at any such sale the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers 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 of the Undertakers.

Where shareholder bids or tenders for a share the same amount as any other person, shareholder to be declared the purchaser.

8. Where the highest amount bidden or tendered by any proprietor of a share or shares of the Undertakers (in this Order referred to as a "proprietor") for any share or any number of shares offered for sale by auction or by tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or shares by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share or shares.

As to notice to be given as to sale, &c. of shares.

9. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of the local authority of the district in which the principal office of the Undertakers is situate, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be offered to shareholders.

10. When any shares have been offered for sale by auction or by tender, under the provisions of this Order, and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of

sale by auction or tender, to the holders of the ordinary shares or ordinary stock of the Undertakers, in such manner as may be prescribed by a special resolution passed by the Undertakers: Provided always, that any shares so offered, and not accepted within the time prescribed by such special resolution, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital by this Order authorised.

Application of premium arising on issue of shares.

11. Any sum of money which shall arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on additional capital.

12. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital by this Order authorised than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such capital as may be issued as preference capital.

Power to purchase additional lands.

13. The Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of "The Gasworks Clauses Act, 1871," may hold, for any of the purposes of this Order, any land not exceeding two acres, in addition to the land shown on the deposited map deposited for the purposes of this Order (in this Order referred to as "the deposited map") and described in the schedule to the Order annexed.

*Maintenance and Continuance of Gasworks, Manufacture and Sale of Gas, Coke, and Residual Products.*

Undertakers may maintain and continue gasworks on lands described in schedule, and may make and sell gas, &c.

14. The Undertakers on the lands shown on the deposited map, and described in the schedule to this Order annexed, may maintain and continue, and from time to time alter and enlarge, retorts, gasholders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom; and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies

15. If any difference arise between the Undertakers and any railway, canal, or other company whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes, or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

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*Quality of Gas.*

Quality of gas.

16. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce a light equal in intensity to the light produced by twelve sperm candles, and shall in all respects be in accordance with the provisions of "The Gasworks Clauses Act, 1871."

*Price of Gas.*

Price of gas.

17. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed eight shillings and sixpence per one thousand cubic feet, and so on in proportion for any less quantity supplied; provided nevertheless that every fraction of one hundred feet may be charged as one hundred feet.

*Pressure of Gas.*

Pressure of gas.

18. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water 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.

*Testing of Gas.*

Test meter.

19. The Undertakers shall, within six months after passing of the Act confirming this Order, cause to be provided at their works a testing place, with apparatus therein, according to the provisions of "The Gasworks Clauses Act, 1871;" and the burner to be used for testing the gas shall be a Sugg's London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used; and any gas examiner appointed under "The Gasworks Clauses Act, 1871," for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

*Miscellaneous.*

No penalty in case of unavoidable cause.

20. No penalty shall be incurred by the Undertakers 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.

Undertakers to pay interest on deposit.

21. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five 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.

22. Section 140 of the Companies Clauses Consolidation Act, 1845, shall be and is hereby incorporated with this Order: Provided that, for the purpose of such incorporation, the expression "the Company" in the said section shall be construed to mean the Undertakers. 8 Vict. c. 16. s. 140. incorporated.

23. Nothing in this Order contained shall alter, vary, or affect any contract or agreement duly made or any liability incurred before the passing of the Act confirming this Order with respect to the gasworks of or the supply of gas by the Undertakers. Saving of existing contracts.

24. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers. Costs of Order.

## SCHEDULE.

### Gas Lands.

Land now belonging to and occupied by the Undertakers situate in the parish of Cranleigh otherwise Cranley, in the county of Surrey, containing half an acre or thereabouts, and bounded on the north and west by the Common there called Cranleigh Common, on the south and south-west by the line of railway running from Guildford, in the said county, to Horsham, in the county of Sussex, belonging to the London, Brighton, and South Coast Railway Company; and on the east by a cottage and garden belonging, or reputed to belong, to the trustees of James Holmes, deceased, and in the occupation of Abraham Lassam and Thomas Redman.

## HORSHAM GAS.

*Order empowering the Horsham Gas Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in the Parish of Horsham, in the County of Sussex.*

1. This Order may be cited as "The Horsham Gas Order, 1877." Short title.

2. The provisions of "The Lands Clauses Acts" (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry on lands by the Promoters), of "The Gasworks Clauses Act, 1847," and of "The Gasworks Clauses Act, 1871," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as Incorporation of Acts.

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defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

3. The several words and expressions to which by the Acts in whole or in part incorporated with this Order, and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings.

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parish of Horsham, in the county of Sussex.

*Undertakers.*

The Undertakers.

5. The Horsham Gas Company, Limited, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of the original share capital, amounting to fifteen thousand pounds, already raised by the Undertakers, and of additional share capital to be issued subject to the provisions of this Order, not exceeding fifteen thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed thirty thousand pounds, unless the Undertakers shall be authorised to raise additional share capital by Provisional Order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the additional capital authorised by this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers 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 Undertakers shall from time to time by special resolution determine: Provided that at any such sale the reserved price set upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers 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 of the Undertakers.

Where shareholder bids or tenders for a share the same amount as any other person, shareholder to be declared the purchaser.

8. Where the highest amount bidden or tendered by any proprietor of a share or shares of the Undertakers (in this Order referred to as the proprietor) for any share or any number of shares offered for sale by auction or by tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or shares by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share or shares.

As to notice to be given as to sale, &c. of shares.

9. The intention to sell any shares by auction or by tender, under the provisions of this Order, shall be communicated by the Undertakers in writing to the clerk of the local authority of the district in which the principal office of the Undertakers is situate, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be offered to shareholders.

10. When any shares have been offered for sale by auction or by tender, under the provisions of this Order, and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of sale by auction or tender, to the holders of the ordinary shares of the Undertakers, in such manner as may be prescribed by a special resolution passed by the Undertakers: Provided always, that any shares so offered, and not accepted within the time prescribed by such special resolution, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital by this Order authorised.

Application of premium arising on issue of shares.

11. Any sum of money which shall arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on additional capital.

12. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital by this Order authorised than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such capital as may be issued as preference capital.

Power to purchase additional lands.

13. The Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of "The Gasworks Clauses Act, 1871," may hold, for any of the purposes of this Order, any land not exceeding one acre, in addition to the land shown on the map deposited for the purposes of this Order (in this Order referred to as "the deposited map") and described in the schedule to this Order annexed.

*Maintenance and Continuance of Gasworks, Manufacture and Sale of Gas, Coke, and Residual Products.*

Undertakers may maintain and continue gasworks on lands described in schedule, and may make and sell gas, &c.

14. The Undertakers on the lands shown on the deposited map, and described in the schedule to this Order annexed, may maintain and continue, and from time to time alter and enlarge, retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom; and they may, subject to the provisions of this Order,

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make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

15. If any difference arise between the Undertakers and any railway, canal, or other company whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes, or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

*Quality of Gas.*

Quality of gas.

16. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce a light equal in intensity to the light produced by fourteen sperm candles, and shall in all respects be in accordance with the provisions of "The Gasworks Clauses Act, 1871."

*Price of Gas.*

Price of gas.

17. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed seven shillings and sixpence per one thousand cubic feet, and so in proportion for any less quantity supplied; provided nevertheless, that every fraction of one hundred feet may be charged as one hundred feet.

*Pressure of Gas.*

Pressure of gas.

18. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water 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.

*Testing of Gas.*

Test meter.

19. The Undertakers shall, within six months after passing of the Act confirming this Order, cause to be provided at their works a testing place, with apparatus therein, according to the provisions of "The Gasworks Clauses Act, 1871;" and the burner to be used for testing the gas shall be a Sugg's London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used, and any gas examiner appointed under "The Gasworks Clauses Act, 1871," for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or else-

where, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

*Miscellaneous.*

No penalty in case of unavoidable cause.

20. No penalty shall be incurred by the Undertakers 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.

Undertakers to pay interest on deposit.

21. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five 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.

8 Vict. c. 16. s. 140. incorporated.

22. Section 140 of the Companies Clauses Consolidation Act, 1845, shall be and is hereby incorporated with this Order; provided that, for the purpose of such incorporation, the expression "the Company" in the said section shall be construed to mean the Undertakers.

Saving of existing contracts.

23. Nothing in this Order contained shall alter, vary, or affect any contract or agreement duly made or any liability incurred before the passing of the Act confirming this Order with respect to the gasworks of or the supply of gas by the Undertakers.

Costs of Order.

24. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

## SCHEDULE.

### Gas Lands.

The land now belonging to and occupied by the Undertakers, situate in the parish of Horsham, in the county of Sussex, being bounded on the north and east by land in the occupation of Alfred Agate, on the south by premises of George Sharp, and on the west by the Springfield Road leading from West Street to the North Parade in the parish of Horsham aforesaid.

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## MANSFIELD GAS.

*Order empowering the Mansfield Gaslight Company to raise Additional Capital.*

Short title.

1. This Order may be cited as "The Mansfield Gas Order, 1877."

Construction of Order.

2. The "Mansfield Gas Act, 1852," (in this Order referred to as "the Act of 1852,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

3. So far as the same relate to the powers conferred by this Order, the provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the several matters following; (that is to say,)

The distribution of the capital hereby authorised into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing payment of calls;

The forfeiture of shares for nonpayment of calls;

The remedies of the creditors of the Company against the shareholders;

The consolidation of 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 borrowing of money by the Company on mortgage or bond;

The giving of notices, and the provisions for affording access to the special Act;

and Part 1 (relating to cancellation and surrender of shares), and Part 2 (relating to additional capital), and Part 3 (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Gasworks Clauses Act, 1847," and "The Gasworks Clauses Act, 1871," are, except where expressly varied by this Order, incorporated with and form part of this Order.

For the purpose of such incorporation the term "special Act" in the said Acts shall be construed to mean this Order.

Undertakers.

4. The Mansfield Gaslight Company, incorporated by the Act of 1852, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

*Additional Capital.*

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers, they may from time to time—

1. Raise any further sums not exceeding in the whole twelve thousand pounds by the issue of new ordinary or preference shares, but not less than the full nominal amount of any such share shall be payable or paid in respect thereof;
2. Borrow on mortgage, in respect of the capital raised by shares under the authority of the Act of 1852, any further sums not exceeding in the whole two thousand seven hundred and fifty pounds; and

3. Borrow on mortgage, in respect of the additional capital of twelve thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole three thousand pounds; and the Undertakers may, as each sum of four thousand pounds of such additional capital has been issued and accepted, and one half of the amount of each such sum has been paid up, borrow on mortgage, in respect of each such sum of four thousand pounds, any sum or sums not exceeding in the whole one thousand pounds; but in no case shall any part of the said respective sums be borrowed until the Undertakers shall have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital in respect of which such borrowing powers are sought to be exercised 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 has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such 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 Undertakers, 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.

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

6. The Undertakers shall not issue any share under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one-fifth part of the amount of such share shall have been paid up in respect thereof.

Calls.

7. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Votes of proprietors.

8. The proprietors of any shares or stock forming part of the additional capital raised under the authority of this Order shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares or stock would have entitled them to if the same had been original shares or stock of the Undertakers; and the proprietors of such new shares or stock shall, except as in this Order specially provided, be entitled to the same dividends and the same rights and privileges in all respects, and be subject to the same obligations and liabilities, as the proprietors of the original shares or stock of the Undertakers.

New shares to be offered by auction or tender.

9. The Undertakers shall, when any shares created under the powers of this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at

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such times, and subject to such conditions of sale as the Undertakers shall from time to time determine: Provided that at any such sale the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers 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 of the Undertakers.

Where shareholder bids or tenders for a share the same amount as any other person, shareholder to be declared the purchaser.

10. Where the highest amount bidden or tendered by any proprietor of a share or shares of the Undertakers (in this Order referred to as a proprietor) for any share or any number of shares offered for sale by auction or by tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or shares by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share or shares.

As to notice to be given as to sale, &c. of shares.

11. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of the Mansfield Improvement Commissioners, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be offered to shareholders.

12. When any shares have been offered for sale by auction or by tender under the provisions of this Order, and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of sale by auction or tender, to the holders of the ordinary shares or ordinary stock of the Undertakers, in manner provided by the Companies Clauses Act, 1863: Provided always, that any shares so offered, and not accepted within the time prescribed by the said Act, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares created under the powers of this Order.

Application of premium arising on issue of shares.

13. Any sum of money which shall arise from the issue of any such shares by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Power to create debenture stock.

14. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order.

Priority of existing mortgages.

15. Every mortgage granted by the Undertakers under the authority of the Act of 1852 shall have priority over all mortgages and debenture stock granted and issued under this Order.

Limits of dividend on additional capital.

16. The Undertakers shall not in any year make out of their profits any larger dividend on the additional share capital by this Order authorised than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such capital as shall be issued as preference capital.

Application of money.

17. All moneys raised under this Order shall be applied in the first instance to the payment of any debts of the Undertakers existing at the passing of the Act confirming this Order, and not secured by mortgage under the authority of the Act of 1852, and then to the purposes of the undertaking authorised by the Act of 1852.

Costs of Order.

18. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

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## NEWCASTLE-UNDER-LYME GAS.

### *Order empowering the Newcastle-under-Lyme Gaslight Company to raise Additional Capital.*

Short title.

1. This Order may be cited as "The Newcastle-under-Lyme Gas Order, 1877."

Construction of Order.

2. The Newcastle-under-Lyme Gaslight Act, 1855, (in this Order referred to as "the Act of 1855,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

3. So far as the same relate to the powers conferred by this Order, the provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the several matters following; (that is to say,)

The distribution of the capital hereby authorised into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing payment of calls;

The forfeiture of shares for nonpayment of calls;

The remedies of the creditors of the Company against the shareholders;

The consolidation of 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 borrowing of money by the Company on mortgage or bond;

The giving of notices, and the provisions for affording access to the special Act;

and Part 1 (relating to cancellation and surrender of shares), and Part 2 (relating to additional capital), and Part 3 (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869,"

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and "The Gasworks Clauses Act, 1871," are, except where expressly varied by this Order, incorporated with and form part of this Order.

For the purpose of such incorporation the term "special Act" in the said Acts shall be construed to mean this Order.

**Undertakers.**

4. The Newcastle-under-Lyme Gaslight Company, incorporated by the Act of 1855, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

*Additional Capital.*

**Additional capital.**

5. In addition to the capital already authorised to be raised by the Undertakers, they may from time to time—

1. Raise any further sums not exceeding in the whole six thousand pounds by the issue of new ordinary or preference shares, but not less than the full nominal amount of any such share shall be payable or paid in respect thereof;
2. Borrow on mortgage forthwith on the passing of the Act confirming this Order, in respect of the existing capital of the Undertakers authorised by the Act of 1855, the further sum of one thousand pounds; and
3. Borrow on mortgage, in respect of the additional capital of six thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole one thousand five hundred pounds; and the Undertakers may, as each sum of one thousand pounds of such additional capital has been issued and accepted, and one half of the amount of each such sum has been paid up, borrow on mortgage, in respect of each such sum of one thousand pounds, any sum or sums not exceeding in the whole two hundred and fifty pounds; but in no case shall any part of the said respective sums of two hundred and fifty pounds be borrowed until the Undertakers shall have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital in respect of which such borrowing powers are sought to be exercised 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 has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such 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 Undertakers, 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.

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

6. The Undertakers shall not issue any share under the authority of this Order, nor shall any such share vest in the person accepting the same, unless and until a sum not being less than one-fifth part of the amount of such share shall have been paid up in respect thereof.

Calls.

7. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Votes of proprietors.

8. The proprietors of any shares or stock forming part of the additional capital raised under the authority of this Order shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares or stock would have entitled them to if the same had been original shares or stock of the Undertakers; and the proprietors of such new shares or stock shall, except as in this Order specially provided, be entitled to the same dividends and the same rights and privileges in all respects, and be subject to the same obligations and liabilities, as the proprietors of the original shares or stock of the Undertakers.

New shares to be offered by auction or tender.

9. The Undertakers shall, when any shares created under the powers of this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers 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 Undertakers shall from time to time determine: Provided that at any such sale the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers 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 of the Undertakers.

Where shareholder bids or tenders for a share the same amount as any other person, shareholder to be declared the purchaser.

10. Where the highest amount bidden or tendered by any proprietor of a share or shares of the Undertakers (in this Order referred to as a proprietor) for any share or any number of shares offered for sale by auction or by tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or shares by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share or shares.

As to notice to be given as to sale, &c. of shares.

11. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of the local authority of the district in which the principal office of the Undertakers is situate, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be

12. When any shares have been offered for sale by auction or by tender under the provisions of this Order, and not sold, the same shall be offered, at

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offered to shareholders.

the reserved price put upon the same respectively for the purpose of sale by auction or tender, to the holders of the ordinary shares or ordinary stock of the Undertakers, in manner provided by "The Companies Clauses Act, 1863:" Provided always, that any shares so offered, and not accepted within the time prescribed by the said Act, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares created under the powers of this Order.

Application of premium arising on shares.

13. Any sum of money which shall arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Power to create debenture stock.

14. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order.

Priority of existing mortgages.

15. Every mortgage granted by the Undertakers under the authority of the Act of 1855 shall have priority over all mortgages and debenture stock granted and issued under this Order.

Limits of dividend on additional capital.

16. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital by this Order authorised than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such capital as shall be issued as preference capital.

Dividends on different classes of shares to be paid rateably.

17. In case in any half year the net revenues of the Undertakers applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary shares or stock in the capital and additional capital of the Undertakers, a rateable deduction shall be made in the dividend of each class.

Appointment of a receiver.

18. The mortgagees of the Undertakers under this Order may enforce payment of arrears of 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 principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one-tenth part of the total amount for the time being owing by the Undertakers on mortgage under the authority of this Order.

Application of money.

19. All moneys raised under this Order shall be applied in the first instance to the payment of the debts of the Undertakers existing at the passing of the Act confirming this Order, and not secured by mortgage under the authority of the Act of 1855, and then to the purposes of the undertaking authorised by the Act of 1855.

Costs of Order.

20. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

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## NORTH CAMP AND FARNBORO' DISTRICT GAS.

*Order empowering the North Camp and Farnboro' District Gas Company (Limited) to construct and maintain Gasworks and to make and supply Gas in the Parishes of Farnboro' and Ash, and the Chapelry of Frimley, in the Counties of Southampton and Surrey.*

Short title.

1. This Order may be cited as "The North Camp and Farnboro' District Gas Order, 1877."

Incorporation of Acts.

2. The provisions of "The Lands Clauses Acts" (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry on lands by the Promoters), of "The Gasworks Clauses Act, 1847," and of "The Gasworks Clauses Act, 1871," are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Interpretation.

3. The several words and expressions to which by the Acts in whole or in part incorporated with this Order, and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings.

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parish of Farnboro', in the county of Southampton, and the parish of Ash, otherwise Ash and Normandy, and the chapelry of Frimley, in the county of Surrey.

*Undertakers.*

Undertakers.

5. The North Camp and Farnboro' District Gas Company (Limited) shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

*Capital.*

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of the original share capital, amounting to twenty thousand pounds, already raised by the Undertakers, and of additional share capital to be issued subject to the provisions of this Order, not exceeding ten thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed thirty thousand pounds, unless the Undertakers shall be authorised to raise additional share capital by Provisional Order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the additional capital by this Order authorised are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers 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 Undertakers

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shall from time to time by special resolution determine: Provided that at any such sale the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers 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 of the Undertakers.

Where shareholder bids or tenders for a share the same amount as any other person, shareholder to be declared the purchaser.

8. Where the highest amount bidden or tendered by any proprietor of a share or shares of the Undertakers (in this Order referred to as a proprietor) for any share or any number of shares offered for sale by auction or by tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or shares by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share or shares.

As to notice to be given as to sale, &c. of shares.

9. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of the local authority of the district in which the principal office of the Undertakers is situate, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction, or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be offered to shareholders.

10. When any shares have been offered for sale by auction or by tender under the provisions of this Order, and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of sale by auction or tender, to the holders of the ordinary shares or ordinary stock of the Undertakers, in such manner as may be prescribed by a special resolution passed by the Undertakers: Provided always, that any shares so offered, and not accepted within the time prescribed by such special resolution, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital by this Order authorised.

Application of premium arising on issue of shares.

11. Any sum of money which shall arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on additional capital.

12. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital by this Order authorised to be raised by shares or stock than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six

pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as preference capital.

*Acquisition of Lands, &c.*

Power to purchase land.

13. The Undertakers may by agreement purchase and use such of the lands shown on the map deposited for the purpose of this Order, (in this Order referred to as "the deposited map,") and described in the schedule to this Order annexed, as may be required for the undertaking authorised by this Order.

Additional land.

14. The Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of "The Gasworks Clauses Act, 1871," may hold, for any of the purposes of this Order, any land not exceeding one acre, in addition to the lands shown on the deposited map and described in the schedule to this Order annexed.

*Construction and Maintenance of Gasworks, Manufacture and Sale of Gas, Coke, and Residual Products.*

Undertakers may erect and maintain gas-works on lands described in schedule, and may make and sell gas, &c.

15. The Undertakers on any of the lands shown on the deposited map, and described in the schedule to this Order annexed, when the same have been acquired by them, may erect and maintain, and from time to time alter and enlarge, retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom; and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coke, coal-tar, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas, and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

16. If any difference arise between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power, under the authority of this Order, to cross for the purpose of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging pipes, or as to the facilities to be afforded for the same, the difference shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

*Quality of Gas.*

Quality of gas.

17. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce a light equal in intensity to the light produced by fifteen sperm candles, and shall in all respects be in accordance with the provisions of "The Gasworks Clauses Act, 1871."

*Price of Gas.*

Price of gas.

18. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed seven shillings per one thousand cubic feet, and so in proportion for any less quantity supplied: Provided nevertheless, that every fraction of one hundred feet may be charged as one hundred feet.

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*Pressure of Gas.*

Pressure of gas.

19. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water 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 each consumer.

*Testing Gas.*

Testing of gas.

20. The Undertakers, before supplying gas under the authority of this Order, shall cause to be provided at their works a testing place with apparatus therein, according to the provisions of "The Gasworks Clauses Act, 1871;" and the burner to be used for testing the gas shall be a Sugg's London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used, and any gas examiner appointed under "The Gasworks Clauses Act, 1871," for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

*Miscellaneous.*

No penalty in case of unavoidable cause.

21. No penalty shall be incurred by the Undertakers 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.

Undertakers to pay interest on deposit.

22. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five 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.

Incorporation of section 140 of "The Companies Clauses Consolidation Act, 1845."

23. Section one hundred and forty of "The Companies Clauses Consolidation Act, 1845," shall be and is hereby incorporated with this Order; provided that for the purposes of such incorporation the expression "the Company" in the said section shall be construed to mean the Undertakers.

Saving of existing contracts.

24. Nothing in this Order contained shall alter, vary, or affect any contract or agreement duly made or any liability incurred before the passing of the Act confirming this Order with respect to the gasworks of or the supply of gas by the Undertakers.

Costs of Order.

25. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, or otherwise incurred in relation thereto, shall be paid by the Undertakers.

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GAS LANDS.

Land now belonging to and occupied by the Undertakers, situate in the parish of Farnboro', in the county of Southampton, forming part of two several pieces of land called respectively Lynchford Meadow and Middle Field, both in the occupation of Eliza Hall, containing one acre or thereabouts, and bounded on the north-east and east sides partly by the South-eastern Railway and partly by the Blackwater River, and on the south and west and north-west sides by land belonging or reputed to belong to James Fitchett Burrell.

## SOUTHBANK AND NORMANBY GAS.

*Order conferring further powers for the construction of Gasworks and for the manufacture and supply of Gas on the Southbank and Normanby Gaslight and Coke Company, Limited.*

Short title.

1. This Order may be cited as "The Southbank and Normanby Gas Order, 1877."

Incorporation of Acts.

2. The provisions of "The Lands Clauses Acts" (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry on lands by the Promoters), of "The Gasworks Clauses Act, 1847," and of "The Gasworks Clauses Act, 1871," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Sections 12–38 of Southbank and Normanby Gas Order, 1871, to cease to be in force.

3. From and after the passing of the Act confirming this Order, sections twelve to thirty-eight, both inclusive, of The Southbank and Normanby Gas Order, 1871, (in this Order referred to as "the Order of 1871,") and the schedule to the said Order, shall cease to be in force and have effect: Provided always, that the provisions of this section shall not have any retroactive operation.

Construction of Order.

4. The Order of 1871, as amended by this Order, and this Order shall be construed together.

Interpretation.

5. The several words and expressions to which by the Acts in whole or in part incorporated with this Order, and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings.

Limits of Order.

6. The limits within which the provisions of the Order of 1871 and of this Order shall be in force and have effect shall be the townships of Normanby and Eston in the parish of Eston, the townships of Lakenby, Lazenby, and Wilton, in the parish of Wilton, the extra-parochial land lying

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between the said townships of Normanby, Eston, Lakenby, Lazenby, and Wilton and low-water mark of the River Tees, and so much of the parish of Ormesby as lies south of the line which defines the limits of the North Ormesby Gas Company, Limited, under the North Ormesby Gas Order, 1876; and the term "the limits of supply" in the Order of 1871 and in this Order shall be construed to mean the aforesaid limits.

Undertakers.

7. The Southbank and Normanby Gaslight and Coke Company, Limited, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional share capital.

8. In addition to the share capital authorised by the Order of 1871 the Undertakers may from time to time raise additional share capital, to be issued subject to the provisions of this Order, not exceeding in the whole forty thousand pounds.

New shares to be offered by auction or tender.

9. The Undertakers shall, when any shares forming part of the additional capital by this Order authorised are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers 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 Undertakers shall from time to time by special resolution determine: Provided that at any such sale the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day of 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 of the Undertakers.

Where shareholder bids or tenders for a share the same amount as any other person, shareholder to be declared the purchaser.

10. Where the highest amount bidden or tendered by any proprietor of a share or shares of the Undertakers (in this Order referred to as a proprietor) for any share or any number of shares offered for sale by auction or by tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or shares by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share or shares.

As to notice to be given as to sale, &c. of shares.

11. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of the local authority of the district in which the principal office of the Undertakers is situate, and to the secretary of the Committee of the London Stock Exchange, at least twenty-eight days before the day of auction or the last day for the reception of tenders, as the case may be, and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be offered to shareholders.

12. When any shares have been offered for sale by auction or by tender under the provisions of this Order, and not sold, the same shall be offered, at the reserved price put upon the same respectively for the purpose of sale by

auction or tender, to the holders of the ordinary shares or ordinary stock of the Undertakers, in such manner as may be prescribed by a special resolution passed by the Undertakers: Provided always, that any shares so offered, and not accepted within the time prescribed by such special resolution, shall again be offered for sale by public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital by this Order authorised.

Application of premium arising on issue of shares.

13. Any sum of money which shall arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on capital.

14. The Undertakers shall not in any year (except as herein-after provided in the event of a reduction in the price of gas) make out of their profits any larger dividend on the capital authorised by the Order of 1871 than ten pounds in respect of every one hundred pounds actually paid up of such capital, and on the additional share capital authorised by this Order than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such capital as may be issued as preference capital, which rates of dividend are in this Order referred to as "the prescribed rates of dividend."

Limits of money borrowed on mortgage.

15. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking, shall not at any one time exceed in the whole twelve thousand five hundred pounds.

Application of money.

16. All moneys raised under this Order shall be applied to the purposes of the Undertaking authorised by the Order of 1871 and this Order.

*Construction and Maintenance of Gasworks, Manufacture and Sale of Gas, Coke, and Residual Products.*

Undertakers may erect and maintain gasworks on lands described in schedule, and may make and sell gas, &c.

17. The Undertakers on any of the lands shown on the deposited map, and described in the schedule to this Order annexed, when the same have been acquired by them, may erect and maintain, and from time to time alter and enlarge gasworks in addition to the works authorised by the Order of 1871, that is to say, retorts, gas-holders, receivers, purifiers, meters, apparatus, a purifying house and lime-house, engine-house, and boiler-houses, engines, boilers, washers, scrubbers, condensers, and a railway siding, and other works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters producible therefrom; and in addition to the powers conferred upon them by the Order of 1871, they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coke, coal-tar, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manu-

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facture of gas, and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

18. If any difference arise between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power, under the authority of this Order, to cross for the purpose of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging pipes, or as to the facilities to be afforded for the same, the difference shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

*Quality of Gas.*

Quality of gas.

19. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce a light equal in intensity to the light produced by fourteen sperm candles, and shall in all respects be in accordance with the provisions of "The Gasworks Clauses Act, 1871."

*Price of Gas.*

Fixing maximum price of gas, with sliding scale as to dividend.

20. The standard price to be charged by the Undertakers for gas supplied by them shall be five shillings per one thousand cubic feet, provided that the Undertakers may increase or diminish such standard price subject to a decrease or increase in the prescribed rates of dividend to be calculated as follows:—

For every penny or part of a penny charged in excess or in diminution of such standard price in any year the prescribed rates of dividend shall for such year be reduced or increased by five shillings in the one hundred pounds per annum, and such prescribed rates of dividend when so reduced or increased shall for the purposes of the Gasworks Clauses Act, 1847, be considered to be the prescribed rates of dividend.

In case the amount due by any consumer is not paid within one month after demand the Undertakers shall be entitled to demand by way of fine in respect of every one thousand cubic feet of gas consumed and charged for in such amount a sum not exceeding one penny for every shilling forming part of the standard price payable in respect of such one thousand cubic feet, and any such sum so demanded by the Undertakers shall be paid to the Undertakers and may be recovered by them in like manner as gas rents.

*Pressure of Gas.*

Pressure of gas.

21. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water 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.

*Testing of Gas.*

Test meter.

22. The Undertakers shall, before supplying gas from any of their works, cause to be provided at such works a testing place, with apparatus therein, according to the provisions of "The Gasworks Clauses Act, 1871;" and the burner to be used for testing the gas shall be a Sugg's

London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used, and any gas examiner appointed under "The Gasworks Clauses Act, 1871," for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

*Miscellaneous.*

No penalty in case of unavoidable cause.

23. No penalty shall be incurred by the Undertakers 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.

Undertakers to pay interest on deposit.

24. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five 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.

8 Vict. c. 16. s. 140. incorporated.

25. Section 140 of the Companies Clauses Consolidation Act, 1845, shall be and is hereby incorporated with this Order; provided that, for the purpose of such incorporation, the expression "the Company" in the said section shall be construed to mean the Undertakers.

Saving rights of Messrs. Bolckow, Vaughan, & Co. (Limited).

26. Nothing in this Order contained shall take away, lessen, prejudice, or interfere with any estates, rights, or powers for manufacturing and supplying gas now enjoyed or exercised by Messieurs Bolckow, Vaughan, and Company (Limited) at their works at Eston.

For the protection of the North-eastern Railway Company.

27. Any mains, pipes, or other works which, under the authority of this Order, the Undertakers may lay down or execute under or over any railway of the North-eastern Railway Company, shall be so laid down and executed and subsequently maintained and repaired under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of that Company, and in accordance with plans and sections previously submitted to and approved of by him.

Saving of existing contracts.

28. Nothing in this Order contained shall alter, vary, or affect any contract or agreement duly made or any liability incurred before the passing of the Act confirming this Order with respect to the gasworks of or the supply of gas by the Undertakers.

Costs of Order.

29. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Undertakers.

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## SCHEDULE.

### Gas Lands.

1. A piece or parcel of land belonging or reputed to belong to Ralph Jackson, bounded on the north by the existing gasworks of the Undertakers, on the south and west by other lands belonging or reputed to belong to the said Ralph Jackson, and on the east by the road leading from Normanby to Southbank, and containing by admeasurement four thousand seven hundred and eighty-one square yards or thereabouts.

2. A triangular piece of land belonging or reputed to belong to the said Ralph Jackson abutting on the west side of the first-mentioned piece of land, bounded on the north by the railway siding now forming part of the works of the Undertakers, and on the south-east and west by other lands belonging or reputed to belong to the said Ralph Jackson, containing by admeasurement four hundred square yards or thereabouts, and which is intended to be used for the purpose of a siding only, and not for the manufacture or storage of gas or residual products.

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