CHAP. cxliv.

A.D. 1871.

An Act to confirm certain Provisional Orders made by the Board of Trade under The Gas and Water Works Facilities Act, 1870, relating to Aldeburgh Water, Bognor Gas, Bognor Water, Burgess Hill and Saint John's Common Water, Frome Water, Gisborough Water, Hawkhurst Gas, Herne Bay Water, Holywell Water, Knutsford Gas and Water, Northampton Gas, North Middlesex Gas, Pembroke Docks and Town Gas, Portmadoc Water, Southbank and Normanby Gas, Southend Water, Staines and Egham Gas, Stourbridge Gas, and Taunton Gas. [24th July 1871.]

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 Act, 1871.

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.

Incorporating future Acts.

3. Any Act amending or extending the Gasworks Clauses Act, 1847, which may be passed in the present session, shall be incorporated with every Order for gas undertakings confirmed by this Act, so far as the same may not be specially altered by the provisions of any such Order.

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SCHEDULE OF ORDERS.

1. WATER ORDERS.

1. Aldeburgh.—Order empowering the Aldeburgh Waterworks Company, Limited, to construct Waterworks and to supply Water in the town of Aldeburgh and its vicinity, in the county of Suffolk.

2. Bognor.—Order empowering the Bognor Water Company, Limited, to construct Waterworks and to supply Water in the town of Bognor and its vicinity, in the county of Sussex.

3. Burgess Hill.—Order empowering the Burgess Hill and St. John's Common Water Company, Limited, to construct Waterworks, and to supply Water, in the parishes of Ditchling, Keymer, and Clayton, in the county of Sussex.

4. Frome.—Order empowering the Frome Water Company, Limited, to construct Waterworks, and to supply Water, in the parish of Corsley in the county of Wilts, and the parishes of Frome, Rodden, and Marston Bigott in the county of Somerset.

5. Gisborough.—Order conferring powers for the construction of Waterworks and for the supply of Water to Gisborough, in the north riding of the county of York.

6. Holywell.—Order conferring powers for the construction and maintenance of Waterworks and works connected therewith in the parish of Holywell, and for the supply of water to the town of Holywell, and parts of the townships of Greenfield and Brynford in the said parish of Holywell.

7. Herne Bay.—Order empowering the Herne Bay Waterworks Company to raise additional Capital.

8. Portmadoc.—Order conferring powers for the maintenance and continuance of Waterworks and works connected therewith at Portmadoc, and for the supply of Water to the parishes of Llanfihangel-y-Traethau in the county of Merioneth, and Ynyscynhaiarn in the county of Carnarvon.

9. Southend.—Order empowering the Southend Waterworks Company (Limited) to maintain and continue Waterworks and works connected therewith at Southend in the county of Essex, and to supply Water to Southend, Prittlewell, and Southchurch in the county of Essex.

2. GAS ORDERS.

10. Bognor.—Order empowering the Bognor Gaslight and Coke Company, Limited, to maintain and continue Gasworks, and to manufacture and supply Gas in the town of Bognor and its vicinity in the county of Sussex.

11. Hawkhurst.—Order empowering the Hawkhurst Gas Company, Limited, to maintain and continue Gasworks, and to manufacture and supply Gas in the parish of Hawkhurst in the county of Kent.

12. Northampton.—Order empowering the Northampton Gaslight Company to raise additional Capital.

13. North Middlesex.—Order empowering the North Middlesex Gas Company (Limited) to maintain and continue Gasworks, and to manufacture and supply Gas, in portions of the parishes of Hendon and Finchley in the county of Middlesex.

14. Pembroke Docks and Town Gas.—Order empowering the Pembroke Docks and Town Gas Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in the borough and county of Pembroke.

15. Southbank and Normanby.—Order empowering the Southbank and Normanby Gaslight and Coke Company (Limited) to construct, maintain, and continue Gasworks and to manufacture Gas at Southbank near Middlesborough, in the north riding of the county of York, and to supply Gas to the townships of Normanby and Eston in the parish of Ormesby, the townships of Lackenby, Lazenby, and Wilton in the parish of Wilton, and other places in the north riding of the county of York.

16. Staines and Egham.—Order empowering the Staines and Egham District Gas and Coke Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in certain parishes in the counties of Middlesex, Surrey, and Berks.

17. Stourbridge Extension.—Order empowering the Stourbridge Gas Company to supply Gas in the parish of Hagley in the county of Worcester.

18. Taunton.—Order empowering the Taunton Gaslight and Coke Company to raise additional Capital.

3. GAS AND WATER ORDER.

19. Knutsford Gas and Water.—Order empowering the Knutsford Gas and Water Company, Limited, to maintain and continue Gasworks and Waterworks, to manufacture and supply Gas, and to supply Water within the townships of Nether Knutsford otherwise Knutsford Inferior, Over Knutsford otherwise Knutsford Superior, Toft, and Bexton, in the parish of Nether Knutsford otherwise Knutsford Inferior, in the county of Chester, the townships of Tatton, Mere, and Over Tabley otherwise Tabley Superior, in the parish of Rostherne, in the said county of Chester, and the township of Nether Tabley otherwise Tabley Inferior, in the parish of Great Budworth, in the said county of Chester.

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ALDEBURGH.

Order empowering the Aldeburgh Waterworks Company, Limited, to construct Waterworks and to supply Water in the town of Aldeburgh and its vicinity, in the county of Suffolk.

Short title.

1. This Order may be cited as "The Aldeburgh Water Order, 1871."

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), and "The Waterworks Clauses Acts, 1847 and 1863," 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: Provided always, that the expression "superior courts" or "court of competent jurisdiction," in any Act wholly or partially incorporated therewith, shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

The term "premises" in this Order shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 town and parishes of Aldeburgh otherwise Aldborough, and Sudbourne, in the county of Suffolk.

Undertakers.

Undertakers.

5. The Aldeburgh Waterworks 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 not exceed three thousand pounds, unless the Undertakers shall be authorised to raise additional share capital by provisional order under "The Gas and Waterworks Facilities Act, 1870," or by Act of Parliament.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase and use such of the lands delineated on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by The Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts,

grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers to hold limited quantity of land only.

9. The Undertakers shall not hold more than three acres of land.

Construction of Waterworks.

Power to construct waterworks and supply water.

10. The Undertakers may, on lands acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order, (in this Order referred to as the deposited plans and sections,) the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works authorised by this Order are as follows:

(*a.*) An abstraction reservoir or reservoirs, with all necessary embankments, cuttings, filtering beds, sluices, culverts, pipes, roads, and other works connected therewith, situate on a certain piece of pasture land belonging to the corporation or trustees of the town lands of the town of Aldeburgh otherwise Aldborough, and which said piece of pasture land abuts upon the western boundary wall of the Aldeburgh Park Estate:

(*b.*) A conduit or line of pipe (Conduit No. 1) commencing at the aforesaid reservoir or reservoirs, and terminating at the pumping station next herein-after mentioned:

(*c.*) A pumping station, with shafts, wells, communications, pipes, and all other works, situate on the Aldeburgh Park Estate aforesaid, about four and a half chains to the eastward of the aforesaid reservoir or reservoirs:

(*d.*) A conduit or line of pipe (Conduit No. 2) commencing at the aforesaid pumping station, and terminating at the water tower next herein-after mentioned on the high ground of the Aldeburgh Park Estate aforesaid, and about four chains to the eastward of the said pumping station:

(*e.*) A water tower, with tanks, valves, sluices, pipes, and all other works, situate on the aforesaid high ground of the Aldeburgh Park Estate and at the termination of the conduit or line of pipe last herein-before mentioned:

(*f.*) A conduit or line of pipe (Conduit No. 3) commencing at the aforesaid water tower, and running thence in an easterly direction along the public way leading from the Aldeburgh Park Estate aforesaid to Augustus Terrace, then down the town steps, and terminating in High Street, at or about the centre thereof, opposite the termination of the aforesaid town steps in High Street:

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(*g.*) All needful pipes, culverts, cuts, drains, sluices, engines, pumps, filter beds, weirs, meters, and other works.

Limits of lateral and vertical deviation.

11. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Period for completion of works.

12. The works authorised by this Order shall be completed within the time and subject to the conditions prescribed by section eleven of the Gas and Water Works Facilities Act, 1870: Provided always, that, subject to the restrictions and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes, reservoirs, and other works, in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes crossing the works of a railway or other company.

13. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross under the authority of this Order, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their conduits or 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 Water.

Quality of water.

14. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Water not necessarily under pressure.

15. Notwithstanding anything in "The Waterworks Clauses Act, 1847," contained or implied to the contrary, it shall not be incumbent on the Undertakers to supply water to houses within the limits of supply in cases in which the supply cannot be afforded from the pipes laid down by the Undertakers by its own residual pressure or gravitation, nor need the water supplied by the Undertakers be constantly laid on under pressure.

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

16. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier a sufficient supply of water for such domestic purposes, at rates not exceeding the rates herein-after specified; (that is to say,)

Where the annual rackrent or value of the premises so supplied with water does not exceed five pounds per annum, at a rate not exceeding twopence per week:

Where such rent or value is above five pounds and does not exceed twenty pounds per annum, at a rate per centum per annum not exceeding seven pounds:

Where such rent or value is above twenty pounds, at a rate per centum per annum not exceeding six pounds.

Rates for water-closets and baths.

17. The Undertakers may charge in respect of every watercloset beyond the first in any premises within the limits of supply an additional sum not exceeding eight shillings per annum, and for every bath an additional sum not exceeding ten shillings per annum, and such additional sums may be received with, and as part of, or recovered by the same means as, the rate for the supply of water for domestic purposes: Provided always, that for baths containing, as usually filled for use, a greater quantity of water than fifty gallons, the Undertakers may charge an increased rate in proportion to the size of such baths.

For preventing fouling of water.

18. The Undertakers shall not be compelled to supply any person with water for waterclosets or baths unless the apparatus or pipes provided or to be provided by such person shall be of such material and so constructed and used as to prevent the waste or undue consumption of the water of the Undertakers, and the return of foul air or noisome and impure matter into pipes belonging to or connected with the pipes of the Undertakers, nor shall they be compelled to supply water for any bath so constructed as to contain, when filled for use, more than fifty gallons of water.

Water supplied by agreement.

19. The Undertakers may from time to time supply any person, body, or corporation with water for any purposes for which no specific rates are by this Order limited, for such remuneration, and upon such terms and conditions, as shall be agreed upon between the Undertakers and the corporation, body, or person desirous of having the supply.

Undertakers may sell by measure.

20. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

When several houses supplied by one pipe, each to pay.

21. When several houses or parts of houses in the occupation of several persons shall be supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Undertakers by a distinct pipe: Provided always, that the Undertakers shall not be compelled to supply water to the occupier of any part of a dwelling-house, or for any premises occupied with a dwelling-house, unless the water rate is paid for the whole of such dwelling-house and premises.

Amendment of 10 & 11 Vict. c. 17. s. 44.

22. Section forty-four of "The Waterworks Clauses Act, 1847," shall, for the purposes of this Order, have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Undertakers to keep meters let for hire in repair.

23. The Undertakers shall at all times, at their own expense, keep all meters or other instruments for measuring water, let by them for hire to any consumer, in proper order for correctly registering the supply of water; and

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in default of their so doing the consumer shall not be liable to pay rent for the same during such time as such default continues. The Undertakers shall, for the purposes aforesaid, have access to, and be at liberty to remove, test, inspect, and replace, any such meter or other instrument at all reasonable times.

Register of water meters, &c. to be primâ facie evidence.

24. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of of water.

25. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters, &c.

26. Every person who wilfully, fraudulently, or by culpable negligence, injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Penalty for mis-user of water by tenant of one of several houses supplied by a common pipe.

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

Miscellaneous.

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28. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Incoming tenants not liable to pay arrears of water rents.

29. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Several names in one summons or warrant.

30. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money; and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Warrant of distress shall include costs.

31. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Liability to water rate not to disqualify justices from acting.

32. 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.

BOGNOR WATER.

Bognor.

Order empowering the Bognor Water Company, Limited, to construct Waterworks and to supply Water in the town of Bognor and its vicinity, in the county of Sussex.

1. This Order may be cited as "The Bognor Water Order, 1871."

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), and "The Waterworks Clauses Acts, 1847 and 1863," are hereby incorporated with this Order, except where the same are expressly varied by this Order.

Incorporation of Acts.

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: Provided always, that the expression "superior courts" or "court of competent jurisdiction," in any Act wholly or partially incorporated therewith, shall be read and have effect as if the debt or demand in respect of which the

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expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

The term "premises" in this Order shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 town of Bognor and the parishes of South Bersted and Felpham, in the county of Sussex.

Undertakers.

Undertakers.

5. The Bognor Water 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 not exceed five 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.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase and use such of the lands delineated on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers to hold limited quantity of land only.

9. The Undertakers shall not hold more than three acres of land.

Construction of Waterworks.

Power to construct waterworks and supply water.

10. The Undertakers may, on lands acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order, (in this Order referred to as the deposited plans and sections,) the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works authorised by this Order are as follows:

1. A well or shaft, water tower, service tank, and pumping station, with pumping engine, engine and boiler house, and other works, buildings, and conveniences, situated in a piece of garden ground belonging to the Reverend Alfred Conder, and bounded on the south and west by the high road leading from Upper Bognor to Chichester, on the north by a road leading eastward from the said high road, and known as the Green Lane, and on the east by a footpath, in continuation of Church Path, leading to South Bersted:

2. A pipe or aqueduct commencing at the water tower and service tank before described, passing from thence eastward and south-eastward along the said high road, and terminating therein at a point opposite Dome House in Upper Bognor:

3. A pipe or aqueduct commencing at the water tower and service tank before described, passing from thence in a north-westerly direction along the said high road to a point on the eastern side of the railway to Bognor, and passing from thence in a south and south-westerly direction along London Road, and in a south-easterly direction along the street known as Dorset Gardens, and terminating at a point in High Street, in the town of Bognor, opposite the southern end of Dorset Gardens:

4. All needful pipes and other works for the distribution and supply of water within the before-named parishes and places.

Limits of lateral and vertical deviation.

11. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Period for completion of works.

12. The works authorised by this Order shall be commenced, constructed, and completed within the time and subject to the conditions prescribed by section eleven of the Gas and Water Works Facilities Act, 1870: Provided always, that, subject to the restrictions and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes, reservoirs, and other works, in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes crossing the works of a railway or other company.

13. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross under the authority of this Order, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their conduits or 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 Water.

Quality of water.

14. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Water not necessarily under pressure.

15. Notwithstanding anything in "The Waterworks Clauses Act, 1847," contained or implied to the contrary, it shall not be incumbent on the Undertakers to supply water at any height exceeding fifty feet above a point marked A. on the deposited plans.

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

16. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier a sufficient supply of water

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for such domestic purposes, at rates not exceeding the rates herein-after specified; (that is to say,)

Where the annual rackrent or value of the premises so supplied with water does not exceed five pounds per annum, at a rate not exceeding twopence per week:

Where such rent or value is above five pounds and does not exceed twenty pounds per annum, at a rate per centum per annum not exceeding seven pounds:

Where such rent or value is above twenty pounds, at a rate per centum per annum not exceeding six pounds.

Rates for waterclosets and baths.

17. The Undertakers may charge in respect of every watercloset beyond the first in any premises within the limits of supply an additional sum not exceeding five shillings per annum, and for every bath an additional sum not exceeding ten shillings per annum, and such additional sums may be received with, and as part of, or recovered by the same means as, the rate for the supply of water for domestic purposes: Provided always, that for baths containing, as usually filled for use, a greater quantity of water than fifty gallons, the Undertakers may charge an increased rate in proportion to the size of such baths.

Power for Undertakers to make regulations for preventing waste of water.

18. Subject to the provisions of this Order, the Undertakers may from time to time make and enforce such reasonable regulations as they may find expedient for preventing the waste or misuse of water, and, amongst other things, may prescribe that the pipes, cocks, cisterns, and other apparatus used shall be proper and suitable for the purposes of supply.

Power for Undertakers to refuse supply where regulations not complied with.

19. In the event of any such regulations not being observed by any person having or requiring a supply of water, the Undertakers may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with; and if and whenever any difference shall arise as to whether the regulations are reasonable, or have been complied with, the difference may be referred by either party to and shall be settled by two justices.

Water supplied by agreement.

20. The Undertakers may from time to time supply any person, body, or corporation with water for any purposes for which no specific rates are by this Order limited, for such remuneration, and upon such terms and conditions, as shall be agreed upon between the Undertakers and the corporation, body, or person desirous of having the supply.

Undertakers may sell by measure.

21. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Supply of water to tenements in a row.

22. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Amendment of 10 & 11 Vict. c. 17. s. 44.

23. Section forty-four of "The Waterworks Clauses Act, 1847," shall, for the purposes of this Order, have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

25. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

26. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters, &c.

27. Every person who wilfully, fraudulently, or by culpable negligence, injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

28. Any tenant or occupier of one of several tenements in a row who takes or uses the water laid on by the Undertakers to any other such tenement, or allows the same to be used, contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenants not liable to pay arrears of water rents.

29. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them

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the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several names in one summons or warrant.

30. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

31. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money; and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

32. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Costs of Order.

33. 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.

Burgess Hill.

BURGESS HILL.

Order empowering the Burgess Hill and Saint John's Common Water Company, Limited, to construct Waterworks, and to supply Water, in the parishes of Ditchling, Keymer, and Clayton, in the county of Sussex.

Short title.

1. This Order may be cited as "The Burgess Hill and Saint John's Common Water Order, 1871."

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), and "The Waterworks Clauses Acts, 1847 and 1863," 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: Provided that the expression "superior courts" or "court of competent jurisdiction," in any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this Order the term "premises" shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 of Ditchling, Keymer, and Clayton, in the county of Sussex.

Undertakers.

Undertakers.

5. The Burgess Hill and Saint John's Common Water 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 not exceed ten 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.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase and use such of the lands shown on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by The Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to land and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers to hold limited quantity of land only.

9. The Undertakers shall not hold more than five acres of land.

Construction of Waterworks.

Power to construct waterworks.

10. The Undertakers may, on lands acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order, (in this Order referred to as the deposited plans and sections,) the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works authorised by this Order are as follows:

(1.) To sink a well and construct works and reservoir in the valley known as the "Coombe," in the said parish of Ditchling, and to lay water pipes, and to fix hydrants, in the portion of the public road leading from the toll-gate on the Ditchling road, in the parish of Ditchling, to the aforesaid "Coombe:"

(2.) To lay water pipes, and to fix hydrants in the aforesaid road, from the north boundary of Ditchling parish, thence by the public road leading by the Newland Farm House, Ockley Farm House, Broad Street Farm House, Burgess Hill, and Station Road, to the London Road, up to the boundary dividing Keymer and Clayton parishes at the last-named point; also branch pipes and hydrants in the main road from Keymer Street to Ditchling, to the boundary of

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Keymer parish in the said road, and in the main road leading from Keymer to Hassock's Gate Station to the west boundary of the premises known as the Oaklands, in the occupation of W. Brigden, Esquire, the whole of which roads are in the parish of Keymer:

(3.) Also to lay water pipes and hydrants in the London Road, south of the west end of Station Road, to a distance of four hundred and fifty yards, and on the north of the west end of Station Road, to a distance of about five hundred yards, which two distances and roads lie in the parish of Clayton, and form the northern boundary of Clayton parish, in the London Road, at the last-named distance; also in the road running west, at a distance of about one hundred and ten yards south of "Royal George" Inn, and in length about five hundred and fifty yards; also in the road running west from the London Road by the "Royal George" Inn, to a distance of five hundred and fifty yards from the said inn; also in the road running north and south between the last-named road and the road known as West Street; and also in the road known as West Street, from the boundary of Clayton and Keymer parishes, which is about forty-five yards at the east end from the London Road; and from thence to a distance of four hundred and fifty yards westward, under a portion of Fairfield Road, the whole of which distance and roads lie in the parish of Clayton:

(4.) And also to lay water pipes and fix hydrants in the following roads, which are wholly in the parish of Keymer:

(5.) In the London Road, from the north boundary of Clayton to a distance of two hundred and fifty yards north of the west end of Lye Lane, and portion of Fairfield Road; also to the east end of Lye Lane to Cant's Lane, and thence to Burgess Hill:

(6.) Also in all roads lying and being bounded by Lye Lane on the north, Cant's Lane on the east, Station Road on the south, and the London Road on the west; also the road running north from Lye Lane to the houses known as "Gander's Cottages."

Limits of lateral and vertical deviation.

11. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding twenty feet. But where any work is to be made in any road the limits of lateral deviation are the boundaries of the road.

Period for completion of works.

12. The works authorised by this Order shall be completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act, 1870: Provided always, that, subject to the restrictions and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes, reservoirs, and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes crossing the works of a rail-

13. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross

under the authority of this Order, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their conduits or 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.

Burgess Hill. way or other company.

Quality of Water.

14. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Quality of water.

Supply.

15. The water to be supplied need not be laid on under a pressure greater than can be supplied by gravitation from the reservoir by this Order authorized.

Water not necessarily under pressure.

16. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier a sufficient supply of water for such domestic purposes at any rate not exceeding the following rates; (that is to say,)

Rates for supply of water for domestic purposes.

(1.) Where the rateable value of the premises supplied, as shown by the poors rate gross assessment, does not exceed five pounds, at a rate not exceeding fourpence per week:

(2.) Where such rateable value of the premises exceeds five pounds and does not exceed thirty pounds, a yearly rate not exceeding ten pounds per centum on the rateable value of such house or part of a house:

(3.) Where such rateable value (except as hereafter mentioned) exceeds thirty pounds, a yearly rate not exceeding seven pounds ten shillings per centum on the amount of such rateable value:

(4.) Provided that all inns and hotels, whether public or private, the rateable value of which exceeds five pounds, shall be liable to a yearly rate not exceeding nine pounds per centum on the rateable value, whether the same exceeds thirty pounds or not.

17. The Undertakers may charge in respect of every bath supplied with water in or belonging to any dwelling-house, and in respect of every watercloset beyond the first, any sum not exceeding one pound per annum.

Rates for watercloset and baths.

18. The Undertakers shall, when required, supply every road authority and every sewer authority within the limits of supply with water for flushing sewers and drains, or for watering streets or other public purpose, at a rate not exceeding two shillings and sixpence for every thousand gallons.

Water for flushing sewers, &c.

19. Every person entitled to have a supply of water may, if he thinks fit, have the same supplied by meter at such rate as may be agreed on between him and the Undertakers: Provided that the meter shall be fitted and adjusted by the consumer at his expense to the satisfaction of the Undertakers.

Supply of water by meter.

Burgess Hill.

Power for Undertakers to make regulations for preventing waste of water.

20. Subject to the provisions of this Order, the Undertakers may from time to time make and enforce such reasonable regulations as they may find expedient for preventing the waste or misuse of water, and, among other things, may prescribe the pipes, cocks, cisterns, and other apparatus proper and suitable for the purposes of supply.

Power for Undertakers to refuse supply where regulations not complied with.

21. In the event of any such regulations not being observed by any person having or requiring a supply of water, the Undertakers may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with; and if and whenever any difference shall arise as to whether the regulations are reasonable, or have been complied with, the difference may be referred by either party to and shall be settled by two justices.

Amendment of 10 & 11 Vict. c. 17. s. 44.

22. Section forty-four of "The Waterworks Clauses Act, 1847," shall for the purposes of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Supply of water to tenements in a row.

23. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Water supplied by agreement.

24. The Undertakers may from time to time supply any person, corporation, or company with water for other than domestic purposes, for such remuneration and upon such terms and conditions as shall be agreed upon between the Undertakers and the person, corporation, or company desirous of having the supply.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

26. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed: Provided always, that if the Undertakers and the consumer differ as the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

27. If on any day the water supplied by the Undertakers is of less purity than it ought to be, according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no such penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters, &c.

28. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may, in addition thereto, recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention when such pipe, meter, or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

29. Any tenant or occupier of one of several tenements in a row who takes or uses the water laid on by the Undertakers to any other such tenement, or allows the same to be used, contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenants not liable to pay arrears of water rents.

30. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several names in one summons or warrant.

31. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

32. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

33. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Burgess Hill.

Costs of Order.

34. 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.

Frome.

FROME.

Order empowering the Frome Water Company, Limited, to construct Waterworks, and to supply Water, in the parish of Corsley in the county of Wilts, and the parishes of Frome, Rodden, and Marston Bigott in the county of Somerset.

Short title.

1. This Order may be cited as "The Frome Water Order, 1871."

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), and "The Waterworks Clauses Acts, 1847 and 1863," 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.

Provided always, that the expression "superior courts" or "court of competent jurisdiction," in any Act wholly or partially incorporated therewith, shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute.

The term "premises" in this Order shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 Corsley in the county of Wilts, and the parishes of Frome, Rodden, and Marston Bigott in the county of Somerset.

Undertakers.

Undertakers.

5. The Frome Water 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 not exceed twelve 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.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase and use such of the lands shown on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Frome.

8. Persons empowered by The Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers may acquire easements, &c. by agreement.

9. The Undertakers shall not hold more than three acres of land.

Undertakers to hold limited quantity of land only.

Construction of Waterworks.

10. The Undertakers may, on land belonging to them or acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order (in this Order referred to as the deposited plans and sections), the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

Power to construct waterworks.

The works authorised by this Order are as follows:

A collecting well, reservoir, or tank, with all proper adits, shafts, tunnels, and conduits for collecting the water, to be situated in a field at Whitborne belonging to the Marquess of Bath, and in the occupation of James Ball, in the parish of Corsley in the county of Wilts, and numbered 750 on the Award Map of the said parish made in the year one thousand seven hundred and eighty-four, and which well is to be situated one chain or thereabouts in a northerly direction from the north-west corner of two houses, in the respective occupations of John Pearce and Charles Staples, in Upper Whitborne in the said parish of Corsley:

A conduit or pipe along the turnpike road to the town of Frome, commencing at the above well, reservoir, or tank, passing through the parishes of Corsley in the county of Wilts, and Rodden and Frome in the county of Somerset, and terminating in the service reservoir herein-after described:

A service reservoir to be constructed in a field occupied by John Vallis, at about four chains or thereabouts in a westerly direction from a house at Cottles Oak, lately used as a tollhouse, on the road from Frome to Egford, and in the parish of Frome aforesaid:

All needful pipes, conduits, culverts, wells, adits, cuts, drains, sluices, filter beds, valves, weirs, by-washes, gauges, tanks, engines, pumping establishment, and other works, with power to the Undertakers to use, pump up, and collect all water flowing into such works.

11. For the protection of the Great Western Railway Company (in this section called the Great Western Company) the several provisions following shall have full effect:

For protection of Great Western Railway Company.

(*a.*) The conduit or pipe described in this Order shall be made and maintained in the roadway of the said turnpike road under the Great Western Company's arch which carries their Wilts, Somerset, and Weymouth Railway over the said road, at such a depth and in such

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a manner as not to injuriously interfere with the said archway or bridge, or the foundations thereof.

(*b.*) The pipe or aqueduct which is intended to be carried over the railway of the Great Western Railway Company shall be made and maintained in the roadway carried over the said railway of the Great Western Company by the existing bridge over that railway, but in making or maintaining the said pipe or aqueduct the Undertakers shall not cut into or injuriously interfere with any of the brickwork or superstructure of the bridge.

(*c.*) These works respectively shall be made and maintained of such dimensions, in such lines, on such levels, and in such manner as not in any degree to obstruct or prejudice any part of the Great Western Company's railways, works, or conveniences.

(*d.*) In order thereto, the Undertakers from time to time shall submit to the Great Western Company's principal engineer a proper and sufficient description, plan, sections, and specification of such parts of each of those works respectively as are to be made within 35 feet of the Great Western Company's railways, works, or lands for his consideration and reasonable approval thereof; and if in any case he does not within one month after the delivery thereof to him approve the same, with such modifications, if any, thereof as he reasonably requires, and sign the same in testimony of his approval thereof, and deliver the same so signed to the engineer of the Undertakers, or if the Undertakers object to any modification thereof required by him, then they may submit the same to a competent and impartial civil engineer appointed on the application of the Undertakers and the Great Western Company, or either of them, by the Board of Trade, for his consideration and reasonable approval thereof, his approval to be in like manner attested by his signature; and the Undertakers shall not begin the execution of any of the works which affect any of the railways and works of the Great Western Company, unless and until the same with the sections and specifications thereof are so approved.

(*e.*) Those works respectively, so far as they directly or indirectly affect any part of the Great Western Company's railways, works, and conveniences, shall be made and maintained by and at the expense of the Undertakers in accordance with the plans, sections, and specifications so approved, and under the superintendence and to the satisfaction of the Great Western Company's principal engineer.

Limits of lateral and vertical deviation.

12. In constructing the works authorised by this Order, on lands not belonging to the Undertakers, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Period for completion of works.

13. The works authorised by this Order shall be completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act, 1870: Provided always, that, subject to the restrictions

and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes, reservoirs, and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes crossing the works of a railway or other company.

14. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross under the authority of this Order, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their conduits or 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 Water.

Quality of water.

15. The water supplied by the Undertakers shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

As to constant supply, &c.

16. The water to be supplied under this Order need not be constantly laid on under pressure, or be supplied at a level above that to which it will ascend by means of the pressure derived from the service reservoir by this Order authorised.

Rates and charges.

17. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house, entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier or other persons a sufficient supply for such domestic purposes, at rates not exceeding the rate of seven pounds per centum per annum on the annual rackrent or value of the premises supplied; provided that the Undertakers shall not be obliged to furnish any such supply for any less rent than after the rate of twopence per week; and in addition to the before-mentioned rents or rates, the Undertakers may demand and take any rents and rates not exceeding the following; (that is to say,)

For or in respect of each additional watercloset upon the premises supplied, ten shillings per annum:

For or in respect of each plunge or swimming bath upon the premises supplied by measure at the rates or rents specified in the scale herein-after set forth, or, at the option of the Undertakers, ten shillings per annum:

For or in respect of each bath of any other description, if connected with or supplied directly from the Undertakers pipes, ten shillings per annum:

For or in respect of one head of cattle consuming water supplied by the Undertakers, four shillings per annum, and for or in respect of each additional head of cattle as aforesaid, three shillings per annum:

For or in respect of each horse consuming water supplied by the Undertakers, or kept upon the premises so supplied, ten shillings per annum:

For or in respect of each carriage kept by the occupier of the premises supplied by the Undertakers, ten shillings per annum:

For or in respect of each garden attached or unattached to premises supplied by the Undertakers, and rented therewith, or separately, for each rood

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or fraction of a rood of such garden, five shillings per annum, or, at the option of the Undertakers, by measure according to the scale herein-after mentioned.

Water supplied by agreement.

18. The Undertakers may from time to time supply any person, corporation, or company with water for other than domestic purposes, for such remuneration and upon such terms and conditions as shall be agreed upon between the Undertakers and the person, corporation, or company desirous of having the supply.

Undertakers may sell by measure.

19. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Rents and rates for water supplied by measure.

20. The Undertakers may demand and take any rents and rates for a supply of water by measure not exceeding the following; that is to say,

Where the quarterly supply does not exceed fifty thousand gallons, two shillings and sixpence per one thousand gallons:

Where the same exceeds fifty thousand gallons and does not exceed one hundred thousand gallons, one shilling and sixpence per one thousand gallons:

Where the same exceeds one hundred thousand gallons and does not exceed two hundred thousand gallons, one shilling and threepence per one thousand gallons:

Where the same exceeds two hundred thousand gallons, one shilling per one thousand gallons.

Amendment of 10 & 11 Vict. c. 17. s. 44.

21. Section forty-four of "The Waterworks Clauses Act, 1847," shall for the purposes of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Supply of water to tenements in a row.

22. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

24. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed, and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices,

who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

25. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided, that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meter.

26. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention when such pipe, meter, or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

27. Any tenant or occupier of one of several tenements in a row who takes or uses the water laid on by the Undertakers to any other such tenement, or allows the same to be used, contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenants not liable to pay arrears of water rents.

28. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several names in one summons or warrant.

29. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Frome.

Warrant of distress shall include costs.

30. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

31. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Costs of Order.

32. 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.

Gisborough.

GISBOROUGH.

Order conferring powers for the construction of Waterworks, and for the Supply of Water to Gisborough, in the north riding of the county of York.

Short title.

1. This Order may be cited as "The Gisborough Water Order, 1871."

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), and "The Waterworks Clauses Acts, 1847 and 1863," 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; provided always, that the expression "superior courts" or "court of competent jurisdiction," in any Act wholly or partially incorporated therewith, shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

The term "premises" in this Order shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 whole of the township of Gisborough in the north riding of the county of York.

Undertakers.

The Undertakers.

5. Thomas Chaloner of Gisborough in the north riding of the county of York, Esquire, Rear-Admiral in Her Majesty's Fleet, and Thomas Tudor Trevor of Gisborough aforesaid, Attorney-at-Law, their heirs or assigns, 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 not exceed six 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.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase and use such of the lands shown on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by The Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers to hold limited quantity of land only.

9. The Undertakers shall not hold more than five acres of land.

Construction of Waterworks.

Power to construct waterworks.

10. The Undertakers may, on lands acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order (in this Order referred to as the deposited plans and sections), the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works authorised by this Order are as follows:

A reservoir, of eleven thousand superficial square yards in extent, or thereabouts, situate wholly in the township and parish of Gisborough aforesaid, on land belonging to the said Thomas Chaloner, and which reservoir, when made, will be wholly surrounded by other lands belonging to the said Thomas Chaloner, and will be formed by an embankment or dam across the stream or beck flowing through Warming Pits Wood, at a point on the said stream situate about one hundred and fifty yards to the south-west of the junction of the said stream or beck with Wiley Cat Beck, and extending to a point about four hundred yards to the south-west of the said junction:

A conduit, or line of pipes, situate wholly in the township and parish of Gisborough aforesaid, commencing from and out of the northern end of the before-mentioned reservoir, passing through the lands of the said Thomas Chaloner into the highway leading from Gisborough to Whitby, and thence along the said highway to a street in the town of Gisborough, called Bow Street, thence along the said street into and through the several other public streets and roads of the town of Gisborough:

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All necessary approaches, embankments, filtering beds, works, and conveneniences in connection with the works herein-before described.

Power to take water from beck.

11. The Undertakers may, by agreement, abstract and take a sufficient supply of water from the said stream or beck flowing through Warming Pits Wood, at a point in the said stream or beck at the southern end of the proposed reservoir, and may by all proper means prevent the pollution or contamination of the water of the said stream, and of the several tributaries thereof. And the said stream and tributaries shall for this purpose be deemed streams belonging to the Undertakers, within the meaning of the "Waterworks Clauses Act, 1847."

Limits of lateral and vertical deviation.

12. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Period for completion of works.

13. The works authorised by this Order shall be completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act, 1870: Provided always, that, subject to the restrictions and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes, reservoirs, and other works, in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes crossing the works of a railway or other company.

14. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross under the authority of this Order, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their conduits or 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 Water.

Quality of water.

15. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Limits of pressure.

16. The water to be supplied by the Undertakers need not be constantly laid on under pressure, or be at any time delivered at a height greater than can be reached by gravitation from the reservoir or works authorised by this Order.

Water for domestic purposes.

17. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier a sufficient supply of water for such domestic purposes, at any water rent agreed upon between the Undertakers and such owner or occupier, not exceeding the amounts following,

estimated according to the full net annual value of the dwelling-house or part of a dwelling-house occupied as a separate dwelling; (that is to say,)

If there be no bath in the dwelling-house or part of the dwelling-house to be supplied with water, then at the following rates:

Where the full net annual value of such dwelling-house shall not amount to ten pounds, at a rate per centum per annum not exceeding seven pounds ten shillings:

Where the full net annual value of such dwelling-house shall be ten pounds and under twenty pounds, at a rate per centum per annum not exceeding seven pounds:

Where the full net annual value of such dwelling-house shall be twenty pounds and under forty pounds, at a rate per centum per annum not exceeding six pounds ten shillings:

Where the full net annual value of such dwelling-house shall be forty pounds and upwards, at a rate per centum per annum not exceeding six pounds:

And if there be a more than one watercloset, or a private bath or baths, in such dwelling-house, then, in addition to the rents above specified, rents at the following rates shall be payable:

Where the full net annual value of such dwelling-house shall amount to ten pounds, the sum of four shillings for each such watercloset, and four shillings for each such bath:

Where the full net annual value of such dwelling-house shall be above ten pounds and under twenty pounds, the sum of six shillings for one such watercloset, and six shillings for one bath, and four shillings for every additional watercloset or bath:

Where the full net annual value of such dwelling-house shall be twenty pounds and under forty pounds, the sum of eight shillings for one watercloset, and eight shillings for one bath, and four shillings for every additional watercloset or bath:

Where the full net annual value of such dwelling-house shall be forty pounds and upwards, the sum of ten shillings for one watercloset, and ten shillings for one bath, and four shillings for every additional watercloset or bath.

Provided always, that for baths containing, as usually filled for use, a greater quantity of water than thirty gallons, the Undertakers may charge such sums as they think fit; provided also, that the Undertakers shall not be allowed to make any charge for a private bath of less capacity than thirty gallons, in any house the annual value of which shall be less than ten pounds.

Recovery of sums for baths, &c.

18. The additional rents chargeable for watercloset and baths shall be paid with and as part of and may be recovered by the same means as the rent for the supply of water for domestic purposes.

Amendment of 10 & 11 Vict. c. 17. s. 44.

19. Section forty-four of "The Waterworks Clauses Act, 1847," shall for the purposes of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by

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an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Supply of water to tenements in a row.

20. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Water supplied by agreement.

21. The Undertakers may from time to time supply any person, corporation, or company with water for other than domestic purposes, for such remuneration and upon such terms and conditions as shall be agreed upon between the Undertakers and the person, corporation, or company desirous of having the supply, but the Undertakers shall not be entitled to charge more than eightpence for each one thousand gallons so supplied.

Undertakers may sell by measure.

22. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

24. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed, and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

25. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

26. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum

not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such pipe, meter, or other fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

27. Any tenant or occupier of one of several tenements in a row who takes or uses the water laid on by the Undertakers to any other such tenement, or allows the same to be used, contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenants not liable to pay arrears of water rents.

28. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several names in one summons or warrant.

29. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

30. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

31. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Costs of Order.

32. 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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Herne Bay.

HERNE BAY.

Order empowering the Herne Bay Waterworks Company to raise additional Capital.

Short title.

1. This Order may be cited as "The Herne Water Order, 1871."

The Act confirming this Order and the recited Act to be construed as one Act.

2. The Herne Water Act, 1867, 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.

Undertakers.

3. The "Herne Bay Waterworks Company" shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Incorporation of Companies Clauses Act.

4. 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 I. (relating to cancellation and surrender of shares), and Part II. (relating to additional capital), and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," and "The Companies Clauses Act, 1869," are, except where expressly varied by this Order, incorporated with and form part of this Order.

For the purposes of such incorporation the term "special Act" in the three last-mentioned Acts shall be construed to mean this Order.

Power to raise additional share 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 three thousand pounds, by the issue of new shares or new stock, either ordinary or preference, or partly ordinary and partly preference, as they may think proper, but not less than the full nominal amount of any such share or stock shall be payable or paid in respect thereof; and
2. Borrow on mortgage any sum not exceeding in the whole seven hundred and fifty pounds, at the times and subject to the restrictions herein-after contained; (that is to say,) when one thousand and five hundred pounds, part of the additional capital by this Order authorised to be raised by shares, has been subscribed for, issued, and accepted, and one half thereof has been paid up, the Undertakers may borrow on mortgage any sum

not exceeding three hundred and seventy-five pounds, and for the further sum of one thousand five hundred pounds of capital so subscribed for, issued, accepted, and one half thereof paid up, a further sum of three hundred and seventy-five pounds; but no money shall be borrowed under this Order until the additional capital authorised by this Order to be raised by shares is subscribed for to the extent necessary to authorise such borrowing, and until the Undertakers have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that such additional capital has been so subscribed for, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production to such justice of the books of the Undertakers, or of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

Calls.

6. 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.

Limits of dividend on new capital.

7. The Undertakers shall not in any year make out of their profits any larger dividend on the additional share capital to be raised under the powers of 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, or of any part thereof, as may be issued as preference capital.

As to votes of proprietors of such shares.

8. The proprietors of any shares to be issued 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 would have entitled them to if the same had been original shares of the Undertakers.

Priority of mortgages under existing powers.

9. Every mortgage granted by the Undertakers under the Herne Water Act, 1867, shall have priority over all mortgages and debenture stock granted and issued under this Order.

Power to create debenture stock.

10. The Undertakers may create and issue debenture stock.

Not to affect provisions of Herne Bay Water Act, 1867.

11. Nothing contained in this Order shall in any way prejudice or affect any of the rights, powers, or privileges of the Undertakers under The Herne Water Act, 1867.

Application of money raised under this Order.

12. All moneys raised under this Order shall be applied to the purposes of the undertaking, and not otherwise.

Costs of this Order.

13. 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 out of the first moneys received by the Undertakers under this Order.

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Holywell.

HOLYWELL.

Order conferring powers for the construction and maintenance of Waterworks and works connected therewith in the parish of Holywell, and for the supply of water to the town of Holywell, and parts of the townships of Greenfield and Brynford in the said parish of Holywell.

Short title of Order.

1. This Order may be cited as the "Holywell Water Order, 1871."

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), and "The Waterworks Clauses Acts, 1847 and 1863," 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: Provided always, that the expression "superior courts" or "court of competent jurisdiction," in any Act wholly or partially incorporated therewith, shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

The term "premises" in this Order shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 places described in the schedule to this Order.

Undertakers.

Undertakers.

5. Robert Scrivener, Thomas Bickley, Nathan Barlow, William Henry Barlow, Moses Daniel Edwards, John Hancock Wolstenholm, John Powell, and Octavius Deane, and their heirs or assigns respectively, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The capital of the Undertakers shall not exceed ten thousand pounds, unless the Undertakers shall be authorised to raise additional capital by provisional order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase and use such of the lands delineated on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by The Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this

behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers to hold limited quantity of land only.

9. The Undertakers shall not hold more than three acres of land.

Construction and Maintenance of Waterworks.

Power to construct and maintain waterworks and supply water.

10. The Undertakers may, on lands acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order, (in this Order referred to as the deposited plans and sections,) the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works authorised by this Order are as follows:—

(*a.*) An engine, pumping, and boiler house, with offices, on a piece of land situate on the west side of Greenfield Street, in the said town of Holywell, and nearly opposite to Saint Winifred's Well, the property of the Earl of Denbigh:

(*b.*) A reservoir in a field situate on the south-west side of Whitford Street, also the property of the Earl of Denbigh, the said reservoir to be of such dimensions as to be capable of containing one million five hundred thousand gallons of water and no more, and to be divided into two compartments, in order that it may be from time to time sufficiently cleansed:

(*c.*) The laying of rising and service pipes from the said engine and pumping house to the said reservoir and back to Whitford Street, across lands also belonging to the Earl of Denbigh:

(*d.*) The laying of pipes from the said Saint Winifred's Well to a well to be constructed on the west side of Greenfield Street aforesaid, nearly opposite to the said Saint Winifred's Well.

Power to take water from St. Winifred's Well, &c.

11. The Undertakers may take, divert, collect, and impound in the said reservoir the waters of the said Saint Winifred's Well: Provided always, that the quantity of water to be so taken by the Undertakers from the said Saint Winifred's Well shall not exceed one million five hundred thousand gallons per week, and that the same shall be taken by the Undertakers from the said well by pumping only, without sinking any shaft, or doing anything calculated to injure the sources of supply of the said Saint Winifred's Well: Provided always, that such weekly quantity of one million five hundred thousand gallons shall be pumped by the Undertakers from the said well on Sundays only; that is to say, between the hours of midnight on Saturday and midnight on the ensuing Sunday.

Limits of lateral and vertical deviation.

12. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within, but not beyond, the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels of the said reservoir and filtering beds as shown on the deposited sections, to any extent not exceeding three feet, and the Undertakers may deviate vertically from the levels as shown on the deposited sections of any work authorised by this Order, other than the said reservoirs and filtering beds, to any extent not exceeding five feet.

Holywell.

Period for completion of works.

13. The works authorised by this Order shall be completed within the time and subject to the conditions prescribed by section eleven of "The Gas and Water Works Facilities Act, 1870:" Provided always, that, subject to the restrictions and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes, reservoirs, and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes, &c. crossing the works of a railway or other company.

14. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes or conduits, 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 Water.

Quality of water.

15. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Supply and rates for a supply of water for domestic purposes.

16. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes, (which shall include one watercloset,) furnish to such owner or occupier a sufficient supply of water for such domestic purposes, at any rate not exceeding the following rates; (that is to say,)

If the rackrent or (if not let at a rackrent) the annual value according to the poor-rate assessment of the house or of part of a house does not amount to five pounds per annum, the rate of seven shillings per annum, and so in proportion for any shorter period;

If such rackrent or (as the case may be) annual value amounts to five pounds but does not amount to seven pounds per annum, the rate of eight shillings per annum, and so in proportion for any shorter period:

If such rackrent or (as the case may be) annual value amounts to seven pounds but does not amount to ten pounds per annum, the rate per annum of twelve shillings, and so in proportion for any shorter period:

If such rackrent or (as the case may be) annual value amounts to ten pounds but does not amount to fifteen pounds per annum, the rate of nineteen shillings per annum, and so in proportion for any shorter period:

If such rackrent or (as the case may be) annual value amounts to fifteen pounds but does not amount to twenty pounds per annum, the sum of twenty-seven shillings and sixpence per annum, and so in proportion for any shorter period:

If such rackrent or (as the case may be) annual value amounts to and exceeds twenty pounds per annum, the rate of six pounds ten shillings per centum per annum upon such rackrent or annual value, as the case may be, and so in proportion for any shorter period.

Holywell.

17. The Undertakers shall, if required so to do by the Local Board of Holywell, supply with water a public fountain or drinking place in the town of Holywell, and also provide sufficient quantity of water for watering the streets of that town for the sum of seven pounds ten shillings per annum.

Supplying water for drinking fountain and watering streets of Holywell.

18. In addition to the rates for the supply of water for domestic purposes, the Undertakers may demand and receive for every watercloset beyond or more than one in any house any yearly sum not exceeding ten shillings, and for every private bath in any house any yearly sum not exceeding twelve shillings and sixpence.

Rates for waterclosets and baths.

19. Subject to the provisions of this Order, the Undertakers may from time to time make and enforce such reasonable regulations as they may find expedient for preventing the waste or misuse of water, and, amongst other things, may prescribe that the pipes, cocks, cisterns, and other apparatus used shall be proper and suitable for the purposes of supply.

Power for Undertakers to make regulations for preventing waste of water.

20. In the event of any such regulations not being observed by any person having or requiring a supply of water, the Undertakers may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with; and if and whenever any difference shall arise as to whether the regulations are reasonable, or have been complied with, the difference may be referred by either party to and shall be settled by two justices.

Power for Undertakers to refuse supply where regulations not complied with.

21. The Undertakers may supply any person, corporation, or company with water for other than domestic purposes for such remuneration and upon such terms and conditions as shall be agreed upon between the Undertakers and the person, corporation, or company desirous of having the supply; but, notwithstanding any such agreement, no person shall be entitled to such a supply whenever and as long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes under this Order, and every such agreement shall be, by virtue of this Order, determinable by the Undertakers on one month's notice in writing.

Water for other than domestic purposes.

22. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Undertakers may sell by measure.

23. When several houses or parts of houses in the occupation of several persons shall be supplied by one common pipe, the several owners or occupiers of such houses or parts of houses shall be liable to the payment of the same rates for the supply of water as they would have been liable to if each of such several houses or parts of houses had been separately supplied with water from the works of the Undertakers by a distinct pipe: Provided always, that the Undertakers shall not be compelled to supply water to the occupier of any part of a dwelling-house, or for any premises occupied with a dwelling-house, unless the water rate is paid for the whole of such dwelling-house and premises.

When several houses supplied by one pipe, each to pay.

24. Section forty-four of "The Waterworks Clauses Act, 1847," shall, for the purposes of this Order, have effect as if the words "with the consent in writing of "the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Amendment of 10 & 11 Vict. c. 17. s. 44.

Holywell.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

26. The register of the meter or other instrument shall be primâ facie evidence of the quantity of water consumed, and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

27. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

28. Every person who wilfully, fraudulently, or by culpable negligence, injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such meter is under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Penalty for mis-user of water by tenant of one of several houses supplied by a common pipe.

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

Miscellaneous.

Holywell.

30. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Incoming tenants not liable to pay arrears of water rents.

31. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Several names in one summons or warrant.

32. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money; and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Warrant of distress shall include costs.

33. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Liability to water rate not to disqualify justices from acting.

34. 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.

Limits of Order.

Such parts of the district of the Holywell Local Board and such parts of the respective townships of Brynford and Greenfield as are shown on the deposited plans.

PORTMADOC.

Portmadoc.

Order conferring powers for the maintenance and continuance of Waterworks and works connected therewith at Portmadoc, and for the supply of Water to the parishes of Llanfihangel-y-Traethau in the county of Merioneth, and Ynyscynhaiarn in the county of Carnarvon.

1. This Order may be cited as the "Portmadoc Water Order, 1871."

Short title of Order.

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), and "The Waterworks Clauses Acts,

Incorporation of Acts.

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Portmadoc.

1847 and 1863," are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the last-mentioned Acts shall apply as well to the 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 to any pipes or works which may be laid down or constructed under the authority of this Act.

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: Provided always, that the expression "superior court" or "court of competent jurisdiction," in any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

The term "premises" in this Order shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 of Llandecwyn and Llanfihangel-y-Traethau, in the county of Merioneth, and Ynyscynhaiarn, in the county of Carnarvon.

Undertakers.

Undertakers.

5. William Jones of Portmadoc in the county of Carnarvon, and John Lewis of the same place and county, their heirs or assigns, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The capital of the Undertakers shall not exceed eight thousand five hundred pounds, unless the Undertakers shall be authorised to raise additional capital by Provisional Order, under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

Undertakers may purchase lands by agreement.

7. The Undertakers may by agreement purchase or take on lease and use such of the lands shown on the plans deposited for the purposes of this Order as may be required for the undertaking authorised by this Order.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by The Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Undertakers to take limited quantity of land only.

9. The Undertakers shall not purchase under the authority of this Order more than two acres of land.

Maintenance of Waterworks.

Power to maintain existing works, and to construct additional works.

10. The Undertakers may from time to time, as they think fit, maintain, continue, and use their existing waterworks and works connected therewith, and may make and maintain in the line and according to the levels shown on the plans and sections deposited for the purposes of this Order (in this Order referred to as the deposited plans and sections) the additional works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, weirs, meters, and other works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

The works authorised by this Order are as follows:

(1.) A reservoir in the parish of Ynyscynhaiarn aforesaid, situated in or near to the town of Portmadoc, as shown on the deposited plans, with conduit pipes therefrom to the pipes already laid, as shown on the plans:

(2.) An embankment or dam at the lower or west end of Llandecwyn Lake, five feet or thereabouts in height, and one hundred and fifty feet or thereabouts in length, for the purpose of storing and damming the water of the said lake:

(3.) Conduit pipes through the town of Tremadoc, as shown on the said plans, with all proper appliances, together with service pipes from the same to the houses:

(4.) Conduit pipes to Borthygest, as shown on the said plans, with all proper appliances, together with service pipes from the same to the houses:

(5.) Conduit pipes through the town of Penrhyndeudraeth, as shown on the said plans, with all proper appliances, together with service pipes from the same to the houses:

(6.) Conduit pipes, service pipes, and all necessary appliances for supplying houses with water throughout all new streets, lanes, and roads in or near to the town of Portmadoc aforesaid, which shall hereafter be made as the said town extends and increases.

Limits of lateral and vertical deviation.

11. In constructing the works authorised by this Order, the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans, and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Power to divert and impound water.

12. The Undertakers may, by agreement, take, divert, collect, and impound in the said reservoirs the waters of the lake called Llyndecwyn, in the parish of Llandecwyn, and of the springs at Tanyrallt and Bendyrychain, in the said parish of Ynyscynhaiarn, and of the springs, brooks, and streams flowing into the same.

Period for completion of works.

13. The works authorised by this Order shall be completed within the time and subject to the conditions prescribed by section eleven of the Gas and Water Works Facilities Act, 1870: Provided always, that, subject to the restrictions and provisions of this Order, the Undertakers may from time to time alter, enlarge, and extend their engines, machinery, tanks, wells, pipes,

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reservoirs, and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

As to pipes, &c. crossing the works of a railway or other company.

14. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, for the purposes of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes or conduits, 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 Water.

Quality of water.

15. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Limits of pressure.

16. The water to be supplied by the Undertakers need not at any time be delivered at a height greater than can be reached by gravitation from the reservoir or works authorised by this Order.

Rates for a supply of water for domestic purposes.

17. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes, furnish to such owner or occupier a sufficient supply of water for such domestic purposes, at any rate not exceeding the following rates; (that is to say,)

Where the full net annual value stated in the poor-rate assessment of such house so supplied does not exceed seven pounds, eight shillings:

Where the same exceeds seven pounds and does not exceed eight pounds, nine shillings and sixpence;

Where the same exceeds eight pounds and does not exceed nine pounds, ten shillings and sixpence;

Where the same exceeds nine pounds and does not exceed ten pounds, twelve shillings;

Where the same exceeds ten pounds and does not exceed eleven pounds, thirteen shillings;

Where the same exceeds eleven pounds and does not exceed twelve pounds, fourteen shillings;

Where the same exceeds twelve pounds and does not exceed thirteen pounds, fifteen shillings and sixpence;

Where the same exceeds thirteen pounds and does not exceed fourteen pounds, sixteen shillings and sixpence;

Where the same exceeds fourteen pounds and does not exceed fifteen pounds, eighteen shillings;

Where the same exceeds fifteen pounds and does not exceed sixteen pounds, nineteen shillings;

Where the same exceeds sixteen pounds and does not exceed seventeen pounds, twenty shilings;

Where the same exceeds seventeen pounds and does not exceed eighteen pounds, twenty-one shillings and sixpence;

Where the same exceeds eighteen pounds and does not exceed nineteen pounds, twenty-two shillings and sixpence;

Where the same exceeds nineteen pounds and does not exceed twenty pounds, twenty-four shillings;

Where the same exceeds twenty pounds and does not exceed twenty-five pounds, twenty-eight shillings;

Where the same exceeds twenty-five pounds and does not exceed thirty pounds, thirty-one shillings;

Where the same exceeds thirty pounds and does not exceed thirty-five pounds, thirty-five shillings;

Where the same exceeds thirty-five pounds and does not exceed forty pounds, forty shillings;

Where the same exceeds forty pounds and does not exceed forty-five pounds, forty-five shillings;

Where the same exceeds forty-five pounds and does not exceed fifty pounds, fifty shillings;

Where the same exceeds fifty pounds and does not exceed sixty pounds, fifty-five shillings;

Where the same exceeds sixty pounds and does not exceed seventy pounds, sixty-three shillings;

Where the same exceeds seventy pounds and does not exceed eighty pounds, seventy shillings;

Where the same exceeds eighty pounds and does not exceed ninety-five pounds, seventy-six shillings;

Where the same exceeds ninety-five pounds at a rate not exceeding four pounds per centum per annum:

Provided always, that a supply of water for domestic purposes shall include a supply of water for one watercloset, and in the case of all houses of the aforesaid full net annual value of ten pounds and upwards one bath.

Rates at which water to be supplied for watercloset and baths.

18. In addition to the rates for the supply for domestic purposes the Undertakers may demand and receive for one additional watercloset in any house beyond the first any yearly sum not exceeding seven shillings and sixpence, and for every additional watercloset beyond such last-mentioned watercloset, any yearly sum not exceeding five shillings, and for every private bath beyond the first any yearly sums not exceeding those herein-after specified; (that is to say,)

Where the annual value at rackrent of a house or part of a house or premises supplied with water does not exceed fifteen pounds, the yearly rate of five shillings;

Where the annual value at rackrent exceeds fifteen pounds, the yearly rate of eight shillings for the second bath, and the yearly rate of five shillings for every additional bath.

Regulations for preventing waste of water.

19. Subject to the provisions of this Order, the Undertakers may from time to time, for the purpose of preventing any waste, misuser, or undue consumption or contamination of water supplied by them, by regulation prescribe the fittings to be

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used within the limits of supply, in which term fittings is included the size, nature, strength, materials, mode of arrangement, and repair of the pipes, valves, cocks, cisterns, waterclosets, and other matters connected therewith, and may interdict any fittings which in their judgment may tend to any such waste, misuser, undue consumption, or contamination.

The Undertakers shall not be bound to supply any water unless and until the fittings by means of which such water is to be supplied are as prescribed by such regulations; and if and whenever any difference shall arise as to whether the regulations are reasonable or have been complied with, the difference may be referred by either party to and shall be settled by two justices.

Amendment of 10 & 11 Vict. c. 17. s. 44.

20. Section forty-four of "The Waterworks Clauses Act, 1847," shall, for the purposes of this Order, have effect as if the words "with the consent in writing "of the owner or reputed owner of any such house, or of the agent of such "owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Supply of water to tenements in a row.

21. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Water supplied by agreement.

22. The Undertakers may from time to time supply any person, corporation, or company with water for other than domestic purposes, for such remuneration and upon such terms and conditions as shall be agreed upon between the Undertakers and the person, corporation, or company desirous of having the supply.

Undertakers may sell by measure.

23. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

25. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

To supply Tanyrallt mansion, &c. free of charge.

26. The Undertakers shall, at all times hereafter, so long as they shall use the water of the spring at Tanyrallt, where their reservoir is now constructed, supply or cause to be supplied, for domestic purposes, and also for the use of waterclosets and baths, the mansion house, outbuildings, and stables

of Tanyrallt aforesaid with sufficient water from the said reservoir or spring, without making any charge for the same, either to the owner of the said mansion house or to any tenant thereof.

To supply vessels in Portmadoc harbour at fixed rates.

27. The Undertakers shall supply all vessels lying in the harbour of Portmadoc at the public wharf or quay with a sufficient supply of water for the use of every such vessel during the then next voyage to be made by such vessel, at or for a sum not to exceed one halfpenny per ton on the registered tonnage of every such vessel.

Penalties.

Penalty for impurity of water.

28. If on any day the water supplied by the Undertakers is of less purity than it ought to be, according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds:

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters, &c.

29. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

30. Any tenant or occupier of one of several tenements in a row who takes or uses the water laid on by the Undertakers to any other such tenement, or allows the same to be used, contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenants not liable to pay arrears of water rents.

31. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Portmadoc.

Several names in one summons or warrant.

32. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

33. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

34. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Saving of existing contracts, &c.

35. 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 supply of water by the said William Jones and John Lewis.

Saving of rights of Cambrian Railways Company.

36. Nothing in this Order contained shall authorise the Undertakers to enter upon or use any lands, bridges, or works belonging to the Cambrian Railways Company without the previous consent of the said company.

Costs of Order.

37. 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.

Southend.

SOUTHEND.

Order empowering the Southend Waterworks Company (Limited) to maintain and continue Waterworks and works connected therewith at Southend in the county of Essex, and to supply Water to Southend, Prittlewell, and Southchurch in the county of Essex.

Short title.

1. This Order may be cited as "The Southend Water Order, 1871."

Incorporation of Acts.

2. The provisions of "The Waterworks Clauses Acts, 1847 and 1863," are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions shall apply as well to any pipes or 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 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: Provided always, that the expression "superior courts" or "court of

competent jurisdiction," in any Act wholly or partially incorporated with this Order, shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

The term "premises" shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this Order.

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 several townships, parishes, and places of Southend, Prittlewell, and Southchurch, all in the county of Essex.

Undertakers.

Undertakers.

5. The Southend Waterworks 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 not exceed twenty 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.

Maintenance of Waterworks.

Power to maintain and continue works.

7. The Undertakers may from time to time, as they think fit, maintain, continue, and use their existing waterworks and works connected therewith, and they may, subject to the provisions of this Order, supply and sell water within the limits of supply.

Quality of Water.

Quality of water.

8. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Limitation of pressure.

9. The water to be supplied from any pipe of the Undertakers need not be laid on under a pressure greater than that to be afforded from the reservoir of the Undertakers.

Rates for supply of water.

10. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier a sufficient supply for such domestic purposes, at rates not exceeding the amounts following, estimated according to the annual value of the dwelling-house or part of a dwelling-house occupied as a separate dwelling; (that is to say,)

Where the annual rackrent or value of the premises so supplied with water does not exceed seven pounds per annum, at a rate not exceeding twopence per week:

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Where such rackrent or value exceeds seven pounds but does not exceed twenty pounds, at a rate per centum per annum not exceeding seven pounds ten shillings:

Where such annual rackrent or value exceeds twenty pounds and does not exceed forty pounds, at a rate per centum per annum not exceeding seven pounds:

Where such annual rackrent or value exceeds forty pounds and does not exceed eighty pounds, at a rate per centum per annum not exceeding six pounds ten shillings:

Where such annual rackrent or value exceeds eighty pounds, at a rate per centum per annum not exceeding six pounds:

After the supply of water for domestic purposes, as above stated, and in addition thereto,

For every watercloset beyond the first the sum of five shillings per annum; and

For every bath the sum of ten shillings per annum.

Prohibition from impurities and against waste.

11. The Undertakers shall not be compelled to supply with water any watercloset or private bath, or the pipes or apparatus connected therewith, unless the same shall be so constructed and used as to prevent the waste, misuse, or undue consumption of the water of the Undertakers, and the flow or return of foul air or other noisome or impure matter into the mains or pipes of the Undertakers, or into any pipes connecting or communicating therewith, or any private baths which shall be so constructed as to contain when filled for use more than fifty gallons of water.

Regulations to be made for preventing waste of water.

12. The Undertakers may from time to time make such regulations as shall be necessary or expedient for the purpose of preventing the waste or misuse of water, and amongst other things may prescribe the size, nature, and strength of the pipes, cocks, cisterns, and other apparatus whatsoever to be used, and may interdict any arrangements and the use of any pipes, cocks, cisterns, or other apparatus which may tend to such waste or misuse as aforesaid.

Power for Undertakers to refuse supply where regulations not complied with.

13. In the event of any such regulations not being observed by any person having or requiring a supply of water, the Undertakers may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with; and if and whenever any difference shall arise as to whether the regulations are reasonable, or have been complied with, the difference may be referred by either party to and shall be settled by two justices.

Amendment of 10 & 11 Vict. c. 17. s. 44.

14. Section forty-four of "The Waterworks Clauses Act, 1847," shall for the purposes of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner.

Supply of water to tenements in a row.

15. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Southend.

Water supplied by agreement.

16. The Undertakers may from time to time supply any person, corporation, or company with water for other than domestic purposes, for such remuneration and upon such terms and conditions as may be agreed upon between the Undertakers and the person, corporation, or company desirous of having the supply.

Undertakers may sell by measure.

17. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer.

Undertakers to keep meters let for hire in repair.

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

Register of water meters, &c. to be primâ facie evidence.

19. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

20. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters, &c.

21. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may, in addition thereto, recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such

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injury, alteration, or prevention, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

22. Any tenant or occupier of one of several tenements in a row who takes or uses the water laid on by the Undertakers to any other such tenement, or allows the same to be used, contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenants not liable to pay arrears of water rents.

23. In case any consumer of water supplied by the Undertakers leave the premises where such water has been supplied to him without paying to them the water rate or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several names in one summons or warrant.

24. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

25. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to water rate not to disqualify justices from acting.

26. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rate or other charge under this Order.

Saving of existing contracts, &c.

27. 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 supply of water by the Southend Waterworks Company, Limited.

Costs of Order.

28. All 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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Bognor.

BOGNOR.

Order empowering the Bognor Gaslight and Coke Company, Limited, to maintain and continue Gasworks, and to manufacture and supply Gas, in the town of Bognor and its vicinity in the County of Sussex.

Short title.

1. This Order may be cited as "The Bognor Gas Order, 1871."

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), and "The Gasworks Clauses Act, 1847," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the last-mentioned Act 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: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this Order, or in "The Gasworks Clauses Act, 1847," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this Order,—

The term "premises" shall include house and building:

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply as defined by this Order within which such lighting authority has such control aforesaid.

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 town of Bognor and the parishes of South Bersted and Felpham in the county of Sussex.

Undertakers.

Undertakers.

5. The Bognor 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 not exceed eight thousand five hundred pounds, unless the Undertakers shall be authorised to raise

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additional share capital by provisional order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

Power to purchase additional lands.

7. The Undertakers may from time to time purchase, by agreement, and hold, for any of the purposes of this Order, any land not exceeding two acres, in addition to the lands shown on the map deposited for the purposes of this Order (in this Order referred to as the "deposited map").

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Sale of superfluous lands.

9. The Undertakers may at any time sell and dispose of any lands belonging to them, or which they may acquire, and which are not required for the purposes of their undertaking, and, except as to the time within which such sale shall take place, the provisions of the Lands Clauses Acts relating to the sale of superfluous lands shall apply to any such sale; and the Undertakers may also from time to time sell and dispose of any works, buildings, or erections on any lands belonging to them which are not required for the purposes of this Order.

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

Undertakers may maintain and continue gasworks on lands shown on deposited map, and may make and sell gas, &c.

10. The Undertakers, on the lands shown on the deposited map and described in the schedule (A.) 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 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.

Prohibition against manufacturing or storing gas, except on lands described in schedule (A.)

11. The Undertakers shall not, except on the lands described in the schedule (A.) to this Order annexed, manufacture gas or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands, upon any land within three hundred yards of any dwelling-house existing at the time when the Undertakers propose to store gas thereon, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Differences with railway and other companies.

12. If any difference arises between the Undertakers and any railway, canal, or other company whose land 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.

As to quality of gas.

13. The quality of the gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce, at the testing place provided in conformity with the provisions of this Order, a light equal in intensity to the light produced by fourteen sperm candles of six in the pound; and such gas shall, with respect to its purity, be wholly free from sulphuretted hydrogen.

Price of Gas.

Limiting price of gas.

14. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed five shillings and tenpence per one thousand cubic feet within the district of the Bognor Local Board of Health, nor the sum of six shillings and eightpence per one thousand cubic feet elsewhere within the limits of supply.

Supply of Gas to Owners and Occupiers of Premises.

Undertakers to furnish supply of gas to owners and occupiers.

15. The Undertakers shall give and continue to give to every owner or occupier of premises within twenty-five yards of any main of the Undertakers requiring the same a supply of gas for such premises, and they shall furnish any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

The cost of so much of any pipe for the supply of gas to any owner or occupier as may be laid upon premises the property of such owner or in the possession of such occupier shall be defrayed by such owner or occupier, and the costs of so much of any such pipe as may be laid for a greater distance than thirty feet from any main of the Undertakers, and not upon such premises as aforesaid, shall be defrayed by such owner or occupier: Provided that nothing herein contained shall authorise the Undertakers to enter into or upon any private property for the purpose of laying down such pipes unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them:

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Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing, require the owner or occupier of such premises to whom such supply is given, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient, and in case any such owner or occupier fails to comply with the terms of such notice the Undertakers, may if they please, discontinue to supply of gas for such premises so long as such failure continue.

Undertakers to supply meters.

16. The Undertakers shall supply to any owner or occupier of premises to whom gas is supplied by them, and who requires the same, a meter for registering gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security for payment to them of the price of such meter if he desires to purchase the same, or of the rent of such meter if he desires to hire the same.

Nature and amount of security.

17. Where any owner or occupier is required by this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agreement, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited, by way of security, under the provisions of this Order, with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum.

Undertakers may require consumers to use meters.

18. Subject to the provisions of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers; provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

19. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him whereby any gas supplied by the Undertakers is registered in proper order for correctly registering such gas,

and in default of his so doing the Undertakers may cease to supply gas through such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers if the meter be found in proper order, but otherwise at the expense of the consumer.

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

Register of gas meters to be primâ facie evidence.

20. The register of the meter shall be primâ facie evidence of the quantity of gas consumed and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Power to remove meter and fittings.

21. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises, under the provisions of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee, of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

22. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers, in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, shall be settled by agreement between the lighting authority and the undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case and the prices charged to private consumers in the district.

As to consumption of gas supplied to the public lamps.

23. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority of the district or of the Undertakers; and in

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case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district, and the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Governors for public lamps.

24. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may at their own expense cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

25. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

26. The Undertakers shall, before supplying gas under the authority of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

The said apparatus shall be in accordance with the regulations prescribed in Part I. of the Schedule (B.) to this Order annexed, and shall be so situated and arranged as to be used for the purpose of testing the illuminating power and purity of the gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

Appointment and powers of gas examiners.

27. Any local authority within the limits of supply, after the passing of the Act confirming this Order, may from time to time appoint or may appoint and keep appointed a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers, on every day between the hours of five o'clock and ten o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and eleven o'clock in the afternoon from the first day of April to the thirtieth day of September, both inclusive.

Representation of Undertakers.

28. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Report of gas examiner.

29. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power or purity of the gas has been conducted, make and deliver a report of the results of his testing to the local authority by whom he was appointed, and to the Undertakers, and such report shall be receivable in evidence.

Any five or more consumers may appoint person to test gas.

30. Any five or more consumers of gas supplied by the Undertakers may, by order in writing, appoint some competent person to proceed to the works of the Undertakers for the purpose of testing the illuminating power and purity of the gas supplied by them; and the person so appointed may at any reasonable hour in the daytime, on producing such order, enter on the premises of the Undertakers, and, in the presence of the superintendent or other officer of the Undertakers, test the illuminating power and purity of the gas.

The costs and expenses attending any such testing may be ascertained by two justices, and shall be paid by the Undertakers in the event of any penalty being recovered against them under the provisions of this Order, by reason of the illuminating power or the purity of the gas not being in conformity with the provisions of this Order on the occasion of such testing, but otherwise the said costs and expenses shall be paid by the consumers who appointed the person to test the gas.

Mode of testing.

31. Any tests to be taken in pursuance of this Order shall be taken in accordance with the rules prescribed in part II. of the schedule (B.) to this Order annexed.

Access to testing place.

32. The Undertakers shall give to every gas examiner and to his assistants, and to every person appointed to test gas by consumers under the authority of this Order, access to the testing place, and shall afford all facilities for the proper execution of this Order; and in case the Undertakers make default in complying with any of the provisions of this section they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty for failure in supply of gas.

33. Whenever the Undertakers wilfully fail to give a supply of gas to any owner or occupier of premises entitled to require the same under the provisions of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

Whenever the Undertakers wilfully fail to supply gas as by this Order required to any of the public lamps, they shall be liable to a penalty not exceeding forty shillings for each default.

If on any day the gas supplied by the Undertakers is of less illuminating power or purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds.

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power or excess of impurity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

34. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly

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registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such alteration or prevention, when such meter is under the custody or control of the consumer, shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Incoming tenants not liable to pay arrears of gas rents, &c.

35. In case any consumer of gas supplied by the Undertakers leave the premises where such gas has been supplied to him without paying to them the gas rent or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Recovery of sums due to Undertakers.

36. Whenever any person neglects to pay any rent or sum due and payable by him to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction, and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Several names in one summons or warrant.

37. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

38. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Service of notices by Undertakers.

39. Every notice which the Undertakers are by this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last-named place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot, after due inquiry, be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

Liability to gas rent not to disqualify justices from acting.

40. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or other charge under this Order.

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41. 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 supply of gas by the Bognor Gaslight and Coke Company, Limited. Saving of existing contracts, &c.

42. 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 (A.)

Land occupied by the Bognor Gaslight and Coke Company (Limited) gasworks, and other apparatus and buildings, and land used in connection therewith, situated in the parish of South Bersted in the county of Sussex, bounded on the north by the boundary line separating the tithing of Bognor from the other parts of the parish of South Bersted; on the east in part by Circus Road, and in other part by a private road leading to Circus Road; on the south-west by land belonging to Charles Thomas Marshall.

SCHEDULE (B.)

Part I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

The burner to be used for testing the gas shall be

A Sugg's "London" Argand No. 1., with a 6-inch by $1\frac{3}{4}$-inch glass chimney; and if at any time the gas flame tails over the top of the glass a 6-inch by 2-inch chimney shall be used.

The candles used for testing the gas shall be sperm candles of six to the pound, and two candles shall be used together.

2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containing a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

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Bognor.

Part II.

Rules as to mode of testing gas.

1st. Mode of testing for illuminating power.

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before beginning each testing, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralize the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2nd. Mode of testing for sulphuretted hydrogen.

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

Hawkhurst.

HAWKHURST.

Order empowering the Hawkhurst Gas Company, Limited, to maintain and continue Gasworks, and to manufacture and supply Gas in the parish of Hawkhurst in the county of Kent.

Short title.

1. This Order may be cited as "The Hawkhurst Gas Order, 1871."

Incorporation of the Gasworks Clauses Act, 1847.

2. The provisions of "The Gasworks Clauses Act, 1847," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions 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 Gasworks Clauses Act, 1847," and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this Order, or in "The Gasworks Clauses Act, 1847," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this Order,—

The term "premises" shall include house and building:

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply as defined by this Order within which such lighting authority has such control as aforesaid.

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 Hawkhurst in the county of Kent.

Undertakers.

Undertakers.

5. The Hawkhurst 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 not exceed two 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.

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 (A.), and may make and sell gas, &c.

7. The Undertakers, on the lands shown on the map deposited for the purposes of this Order, and described in the schedule (A.) 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 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.

Prohibition against manufacturing or storing gas, except on lands described in schedule (A.)

8. The Undertakers shall not, except on the lands described in the schedule (A.) to this Order annexed, manufacture gas or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands, upon any land within three hundred yards of any dwelling-house existing at the time when the Undertakers propose to store gas thereon, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Hawkhurst.

Differences with railway and other companies.

9. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, under the authority of this Order, 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 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.

As to quality of gas.

10. The quality of the gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce, at the testing place provided in conformity with the provisions of this Order, a light equal in intensity to the light produced by fourteen sperm candles; and such gas shall, with respect to its purity, be wholly free from sulphuretted hydrogen.

Price of Gas.

Limiting price of gas.

11. 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.

Supply of Gas to Owners and Occupiers of Premises.

Undertakers to furnish supply of gas to owners and occupiers.

12. The Undertakers shall give, and continue to give, to every owner or occupier of premises within twenty-five yards of any main of the Undertakers requiring the same, a supply of gas for such premises, and they shall furnish any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

The cost of so much of any pipe for the supply of gas to any owner or occupier as may be laid upon premises the property of such owner or in the possession of such occupier shall be defrayed by such owner or occupier, and the costs of so much of any such pipe as may be laid for a greater distance than thirty feet from any main of the Undertakers, and not upon such premises as aforesaid, shall be defrayed by such owner or occupier: Provided, that nothing herein contained shall authorise the Undertakers to enter into or upon any premises for the purpose of laying down such pipes, unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them;

Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing require the owner or occupier of such premises to whom such supply is given, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient, and in case any such owner or occupier fails to comply with the terms of such notice the Undertakers may, if they please, discontinue the supply of gas for such premises so long as such failure continues.

Undertakers to supply meters.

13. The Undertakers shall supply to any owner or occupier of premises to whom gas is supplied by them, and who requires the same, a meter for registering gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security for payment to them of the price of such meter if he desires to purchase the same, or of the rent of such meter if he desires to hire the same.

Nature and amount of security.

14. Where any owner or occupier is required by this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agreement, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited, by way of security, under the provisions of this Order, with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum.

Undertakers may require consumers to use meters.

15. Subject to the provisions of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers; provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

16. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him whereby any gas supplied by the Undertakers is registered in proper order for correctly registering such gas, and in default of his so doing the Undertakers may cease to supply gas through

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such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers if the meter be found in proper order, but otherwise at the expense of the consumer.

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

Register of gas meters to be primâ facie evidence.

17. The register of the meter shall be primâ facie evidence of the quantity of gas consumed and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Power to remove meter and fittings.

18. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises, under the provisions of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee, of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

19. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers, in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, shall be settled by agreement between the lighting authority and the undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case and the price charged to private consumers in the district.

As to consumption of gas supplied to the public lamps.

20. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority of the district or of the Undertakers; and in case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered

and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district, and the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Governors for public lamps.

21. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may at their own expense cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

22. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

23. The Undertakers shall, before supplying gas under the authority of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

The said apparatus shall be in accordance with the regulations prescribed in Part I. of the schedule (B.) to this Order annexed, and shall be so situated and arranged that it may be used for the purpose of testing the illuminating power and purity of any gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

Appointment and powers of gas examiners.

24. The local authority, after the passing of the Act confirming this Order, may from time to time appoint, or may appoint and keep appointed, a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers, on every day between the hours of five o'clock and ten o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and eleven o'clock in the afternoon from the first day of April to the thirtieth day of September, both inclusive.

Representation of Undertakers.

25. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Mode of testing.

26. Any tests to be taken in pursuance of this Order shall be taken in accordance with the rules prescribed in part II. of the schedule (B.) to this Order annexed.

Report of gas examiner.

27. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power or purity of the gas has been conducted, make and deliver a report of the results of his testing to the local authority and to the Undertakers, and such report shall be receivable in evidence.

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Access to testing place.

28. The Undertakers shall give to the gas examiner and to his assistants access to the testing place, and shall afford all facilities for the proper execution of this Order; and in case the Undertakers make default in complying with any of the provisions of this section they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty for failure in supply of gas.

29. Whenever the Undertakers wilfully fail to supply gas to any owner or occupier of premises entitled to require the same under the provisions of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

Whenever the Undertakers wilfully fail to supply gas as by this Order required to any of the public lamps, they shall be liable to a penalty not exceeding forty shillings for each default.

If on any day the gas supplied by the Undertakers is of less illuminating power or purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds.

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power or excess of impurity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

30. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such alteration or prevention when such meter is under the custody or control of the consumer shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Incoming tenants not liable to pay arrears of gas rents, &c.

31. In case any consumer of gas supplied by the Undertakers leave the premises where such gas has been supplied to him without paying to them the gas rent or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Recovery of sums due to Undertakers.

32. Whenever any person neglects to pay any rent or sum due and payable by him to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction; and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Several names in one summons or warrant.

33. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

34. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Service of notices by Undertakers.

35. Every notice which the Undertakers are by this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last-named place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot, after due inquiry, be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

Liability to gas rent not to disqualify justices from acting.

36. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or other charge under this Order.

Saving of existing contracts, &c.

37. 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 supply of gas by the Hawkhurst Gas Company, Limited.

Costs of Order.

38. 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 A.

All that piece of land situated in the parish of Hawkhurst, in the county of Kent, bounded on the east by land belonging to Ebenezer Comfort, on the south by the Rye and Flimwell turnpike road, and on the north and west by land formerly belonging to Henry Maynard and now to the Right Honourable the Earl of Home and others, and containing half an acre or thereabouts.

SCHEDULE B.

Part I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

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The burner to be used for testing the gas shall be

A Sugg's "London" Argand No. 1., with a 6-inch by 1¾-inch glass chimney; and if at any time the gas flame tails over the top of the glass a 6-inch by 2-inch chimney shall be used.

The candles used for testing the gas shall be sperm candles of six to the pound, and two candles shall be used together.

2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containing a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

Part II.

Rules as to mode of testing gas.

1*st. Mode of testing for illuminating power.*

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before beginning each testing, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralize the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2nd. Mode of testing for sulphuretted hydrogen.

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

NORTHAMPTON.

Northampton.

Order empowering the Northampton Gaslight Company to raise additional Capital.

Short title.

1. This Order may be cited as "The Northampton Gas Order, 1871."

Construction of order.

2. This Order, and "The Northampton Gasworks Act, 1858," shall be construed together, except so far as such construction would be inconsistent therewith or repugnant thereto.

Northampton.

Incorporation of certain provisions of the Companies Clauses Act, 1863.

3. Parts I., II., and III. of "The Companies Clauses Act, 1863," shall be incorporated with and form part of this Order. For the purposes of such incorporation the term "special Act" in the said Act shall be construed to mean this Order.

Undertakers.

4. The Northampton Gaslight Company shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Power to raise 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 forty-five thousand pounds, by the issue of new shares or new stock, either ordinary or preference, or partly ordinary and partly preference, as they may think proper, but not less than the full nominal amount of any such share or stock shall be payable or paid in respect thereof; and
2. Borrow on mortgage any sum not exceeding, with the amount which they are already authorised to raise by mortgage, fifteen thousand pounds, and may also, for the purposes aforesaid, from time to time borrow on mortgage any further sum not exceeding in the whole eleven thousand two hundred and fifty pounds, at the times and subject to the restrictions herein-after contained; that is to say, when fifteen thousand pounds of the amount hereby authorised to be raised by additional shares has been subscribed for, issued, and accepted, and one half thereof has been paid up and certified as herein-after mentioned, the sum of three thousand seven hundred and fifty pounds; and a similar sum not exceeding three thousand seven hundred and fifty pounds when a further sum of fifteen thousand pounds of the amount hereby authorised to be raised by additional shares shall be subscribed for, issued, and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned; and a further sum not exceeding three thousand seven hundred and fifty pounds when the remaining fifteen thousand pounds of the said amount hereby authorised to be raised by additional shares has been subscribed for, issued, and accepted, and one half thereof shall have been paid up and certified as herein-after mentioned; but no part of any such sum shall be borrowed until the Undertakers have from time to time proved to the justice who is to certify, under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the required amount of additional shares has been subscribed for, 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 or portion of stock has been paid on account thereof, before or at the time of the issue or acceptance thereof, and that such additional shares was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; and upon production from time to time to such justice of the books of the Undertakers, or of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

Limit of dividend upon new capital.

6. The Undertakers shall not in any year make out of their profits any larger dividend on the additional share capital to be raised under the powers of this

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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 or of any part thereof as may be issued as preference capital.

Privileges, &c. of the holders of new capital.

7. Save as herein otherwise provided, the holders of shares or stock in the additional capital hereby authorised to be raised shall be entitled to the like rights and privileges and be subject to the like liabilities as the holders of shares or stock in the existing ordinary capital of the Undertakers.

Arrears may be enforced by appointment of a receiver.

8. The mortgagees under this Order may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver; and in order to authorise the appointment of a receiver, in the event of the principal money or interest due on such mortgages not being duly paid, the amount owing to the mortgagees by whom the application for a receiver shall be made shall be not less than three thousand pounds in the whole.

Priority of existing mortgages.

9. Every mortgage granted by the Undertakers in pursuance of the powers of the Northampton Gasworks Act, 1858, shall have priority over all mortgages granted under this Order.

Power to issue debenture stock.

10. In respect of any part of the money hereby authorised to be raised by mortgage, the Undertakers may create and issue debenture stock.

Application of moneys.

11. All moneys raised under this Order by the Undertakers, whether by shares, debenture stock, or borrowing, shall be applied only for the purposes authorised by the Northampton Gasworks Act, 1858.

As to annual accounts.

12. The annual account to be sent by the Undertakers to the clerk of the peace for the county of Northampton, under the thirty-eighth section of "The Gasworks Clauses Act, 1847," shall be made out to the twenty-fourth day of June, and shall be transmitted free of charge to the said clerk to the peace on or before the thirtieth of November in each year.

Costs of Order,

13. 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 defrayed by the Undertakers.

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Order empowering the North Middlesex Gas Company (Limited) to maintain and continue Gasworks, and to manufacture and supply Gas, in portions of the parishes of Hendon and Finchley in the county of Middlesex.

Short title.

1. This Order may be cited as "The North Middlesex Gas Company's Order, 1871."

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), and "The Gasworks Clauses Act, 1847," are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the last-mentioned Act 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 wholly 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: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this Order, or in any Act wholly or partially incorporated therewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute.

In this Order—

The term "premises" shall include house and building;

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply as defined by this Order within which such lighting authority has such control as aforesaid.

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 include the district following; that is to say,—

The district commences at a point in a certain brook known as Dollis Brook, eighty-five yards southward of Frith's Bridge, extends in a northerly direction along the centre of the said brook to the junction of the boundary of the counties of Hertford and Middlesex with the said Dollis Brook, thence westward along the said county boundary to the junction of the boundary of the parishes of Edgware and Hendon with the said county boundary, thence southward along the said parish boundary to a point in the said boundary one hundred yards south of a certain lane known as Hale Lane, thence in a south-easterly direction by an imaginary line to a point on the Midland Railway eight hundred yards southwards of the south-western platform of the Mill Hill station of the said railway, thence southward along the said railway, including the same, to a certain lane known as Collin Deep or Ancient Lane, thence in a south-easterly direction in an imaginary line to a point in a certain lane known as Upper Gutter Hedge Lane, three hundred yards north-eastward of Gutter Hedge Farmhouse, thence eastward in an imaginary line to a point in Golder's Green two hundred and twenty yards northward of the junction of Hoop Lane with Golder's Green aforesaid, thence across the road in an easterly direction to a point twenty yards eastward of the said road, thence in a north-westerly direction in an imaginary line to a point formed by the

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junction of Mutton Brook with Dollis Brook before mentioned and the River Brent, thence eastward along the centre of the said brook to a point one hundred yards west of a certain road known as Finchley High Road, thence south-eastward and parallel to the said road at a distance of one hundred yards to the boundary of the parishes of Hornsey and Finchley, thence northward along the said boundary to within sixty yards of a certain brook known as Bound's Green Brook, thence eastward and parallel to the said brook, at a distance of sixty yards, to within sixty yards of the Finchley High Road before mentioned, thence northward and parallel to the said road at a distance of sixty yards to a certain lane known as Woodhouse Lane, thence westward along such lane, excluding the same, to the Finchley High Road before mentioned, thence northward along the centre of the said Finchley High Road to Moss Hall Lane, thence westward along the said lane, excluding the same, to a point thirty-four yards west of Ballard's Lane, thence southward and parallel to the said lane to a point one hundred and fifty yards south of Moss Hall Lane before mentioned, and thence westward by an imaginary line to the before-mentioned point in Dollis Brook, eighty-five yards south of Frith's Bridge.

Undertakers.

The Undertakers.

5. The North Middlesex 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 not exceed fifteen 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.

Power to purchase additional lands.

7. The Undertakers may from time to time purchase by agreement, and hold, for any of the purposes of this Order, any land not exceeding two acres, in addition to the lands 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 (A.) to this Order annexed.

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Sale of superfluous lands.

9. The Undertakers may at any time sell and dispose of any lands belonging to them, or which they may acquire, and which are not required for the purposes of the Undertakers; and, except as to the time within which such sale shall take place, the provisions of the Lands Clauses Acts relating to the sale of superfluous lands shall apply to any such sale; and the Undertakers may also from time to time sell and dispose of any works, buildings, or structures on any lands belonging to them which are not required for the purposes of this Order.

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

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

10. The Undertakers, on the lands shown on the deposited map, and described in the Schedule (A.) to this Order annexed, may maintain and continue, and from time to time alter and enlarge their existing 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 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.

Prohibition against manufacturing or storing gas, except on lands described in schedule (A.)

11. The Undertakers shall not, except on the lands described in the Schedule (A.) to this Order annexed, manufacture gas or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands, upon any land within three hundred yards of any dwelling-house existing at the time when the Undertakers propose to store gas thereon, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Differences with railway and other companies.

12. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, under the authority of this Order, 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 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.

As to quality of gas.

13. The quality of the gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce, at the testing place provided in comformity with the provisions of this Order, a light equal in intensity to the light produced by fourteen sperm candles; and such gas shall with respect to its purity be wholly free from sulphuretted hydrogen.

Price of Gas.

Limiting price of gas.

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

Supply of Gas to Owners and Occupiers of Premises.

Undertakers to furnish supply of gas to owners and occupiers.

15. The Undertakers shall give and continue to give to every owner or occupier of premises within twenty-five yards of any main of the Undertakers requiring the same a supply of gas for such premises, and they shall furnish

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any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

The cost of so much of any pipe for the supply of gas to any owner or occupier as may be laid upon premises the property of such owner or in the possession of such occupier shall be defrayed by such owner or occupier, and the costs of so much of any such pipe as may be laid for a greater distance than thirty feet from any main of the Undertakers, and not upon such premises as aforesaid, shall be defrayed by such owner or occupier: Provided that nothing herein contained shall authorise the Undertakers to enter into or upon any premises for the purpose of laying down such pipes, unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence;

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them;

Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing, require the owner or occupier of such premises to whom such supply is given, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient, and in case any such owner or occupier fails to comply with the terms of such notice, the Undertakers may, if they please, discontinue the supply of gas for such premises so long as such failure continues.

Undertakers to supply meters.

16. The Undertakers shall supply to any owner or occupier of premises to whom gas is supplied by them, and who requires the same, a meter for registering gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security for payment to them of the price of such meter, if he desires to purchase the same, or of the rent of such meter, if he desires to hire the same.

Nature and amount of security.

17. Where any owner or occupier is required by this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agree-

ment, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited by way of security under the provisions of this Order with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum.

Undertakers may require consumers to use meters.

18. Subject to the provisions of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers; provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

19. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him, whereby any gas supplied by the Undertakers is registered, in proper order for correctly registering such gas, and in default of his so doing the Undertakers may cease to supply gas through such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers if the meter be found in proper order, but otherwise at the expense of the consumer.

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

Register of gas meters to be primâ facie evidence.

20. The register of the meter shall be primâ facie evidence of the quantity of gas consumed, and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Power to remove meter and fittings.

21. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises under the provisions of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the

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secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee, of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

22. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers, in such quantities as the lighting authority of the district may in writing under the hand of their clerk from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp shall be settled by agreement between the lighting authority and the Undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case, and the prices charged to private consumers within the district.

As to consumption of gas supplied to the public lamps.

23. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority of the district or of the Undertakers; and in case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district, and the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Governors for public lamps.

24. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may at their own expense cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

25. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

26. The Undertakers shall, before supplying gas under the authority of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

The said apparatus shall be in accordance with the regulations prescribed in Part I. of the Schedule (B.) to this Order annexed, and shall be so situated and

arranged as to be used for the purpose of testing the illuminating power and purity of the gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

27. Any local authority within the limits of supply, after the passing of the Act confirming this Order, may from time to time appoint, or may appoint and keep appointed, a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers, on every day between the hours of five o'clock and ten o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and eleven o'clock in the afternoon from the first day of April to the thirtieth day of September, both inclusive.

Representation of Undertakers.

28. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Mode of testing.

29. Any tests to be taken in pursuance of this Order shall be taken in accordance with the rules prescribed in Part II. of the Schedule (B.) to this Order annexed.

Report of gas examiner.

30. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power or purity of the gas has been conducted, make and deliver a report of the results of his testing to the local authority by whom he was appointed, and to the Undertakers, and such report shall be receivable in evidence.

Access to testing place.

31. The Undertakers shall give to every gas examiner and to his assistants access to the testing place, and shall afford all facilities for the proper execution of this Order; and in case the Undertakers make default in complying with any of the provisions of this section they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty for failure in supply of gas.

32. Whenever the Undertakers wilfully fail to give a supply of gas to any owner or occupier of premises entitled to require the same under the provisions of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

Whenever the Undertakers wilfully fail to supply gas as by this Order required to any of the public lamps, they shall be liable to a penalty not exceeding forty shillings for each default.

If on any day the gas supplied by the Undertakers is of less illuminating power or purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds.

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power or excess of impurity was occasioned by an unavoidable cause or accident.

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Penalty for injuring meters.

33. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such alteration or prevention when such meter is under the custody or control of the consumer shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Incoming tenants not liable to pay arrears of gas rents, &c.

34. In case any consumer of gas supplied by the Undertakers leave the premises where such gas has been supplied to him without paying to them the gas rent or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Recovery of sums due to Undertakers.

35. Whenever any person neglects to pay any rent or sum due and payable by him to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction, and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Several names in one summons or warrant.

36. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

37. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Service of notices by Undertakers.

38. Every notice which the Undertakers are by this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last named place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot after due inquiry be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

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39. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or other charge under this Order.

Liability to gas rent not to disqualify justice from acting.

40. 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 supply of gas by the North Middlesex Gas Company, Limited.

Saving of existing contracts, &c.

41. 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 (A.)

The lands now used for the purposes of manufacturing gas and gas products by the North Middlesex Gas Company, Limited, now belonging to the said Company, situated in the parish of Hendon, in the county of Middlesex, and containing one acre and eighteen poles, or thereabouts, and bounded on the northerly side by the Great Northern Railway, on the easterly side by a field in the occupation of —— Trinder, on the southerly side by other land belonging to the North Middlesex Gas Company (and described below), and on the westerly side by a field forming part of a farm known as "Dole Farm," in the occupation of George Woolley, the whole being formerly portion of a field known as the "Breeches Field"; and a further portion of the same field containing one acre and three quarters or thereabouts, which adjoins and is bounded by the first-named lands on the northerly side, on the easterly and part of the southerly side by the before-mentioned field in the occupation of the said —— Trinder, on the remaining portion of the southerly side by a field in the occupation of the said —— Trinder, and on the westerly side by the before-mentioned field and a portion of another field forming parts of Dole Farm aforesaid; and which lands contain together upwards of two acres and three quarters.

SCHEDULE (B.)

Part I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

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The burner to be used for testing the gas shall be

A Sugg's "London" Argand No. 1., with a 6-inch by 1¾-inch glass chimney; and if any time the gas flame tails over the top of the glass a 6-inch by 2-inch chimney shall be used.

The candles used for testing the gas shall be sperm candles of six to the pound, and two candles shall be used together.

2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containing a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

Part II.

Rules as to mode of testing gas.

1*st. Mode of testing for illuminating power.*

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before begining each esting, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralize the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2*nd. Mode of testing for sulphuretted hydrogen.*

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

A.D. 1871.

PEMBROKE DOCKS AND TOWN GAS.

Pembroke.

Order empowering the Pembroke Docks and Town Gas Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in the borough and county of Pembroke.

Short title.

1. This Order may be cited as "The Pembroke Docks and Town Gas Order, 1871."

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), and "The Gasworks Clauses Act, 1847," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the last-mentioned Act shall apply as well to the mains, pipes, and works of the County and General Gas Consumers' Company (Limited), or their lessee, acquired or to be acquired by the Undertakers, 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: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this Order, or in "The Gasworks Clauses Act, 1847," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this Order,—

The term "premises" shall include house and building:

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply as defined by this Order within which such lighting authority has such control as aforesaid.

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 parliamentary borough of Pembroke, being the district described under the title "Pembroke" in the first schedule to "The Boundary Act, 1868," and all parishes and extra-parochial places within the limits of such district.

Undertakers.

Undertakers.

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

Pembroke.
Capital.

6. The share capital of the Undertakers shall not exceed ten 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.

Undertakers may purchase existing gas-works.

7. The Undertakers may by agreement purchase, lease, or otherwise acquire a piece of land, shown on the map deposited for the purposes of this Order (in this Order referred to as the "deposited map"), with works for the manufacture and storage of gas thereon, now or late belonging to the County and General Gas Consumers' Company, Limited, and situate at Pembroke Dock, in the parish of St. Mary, Pembroke, in the county of Pembroke, bounded on the north by a road or lane leading from Laws Street, Pembroke Dock aforesaid, to the West Llanion; on the east by a quarry pit and broken land belonging to Charles Thomas Meyrick, Esquire, or his trustees, devisees of the late Thomas Meyrick, Esquire, of Bush, deceased; on the south by land belonging to and in occupation of the Pembroke and Tenby Railway Company; and on the west partly by land now or late in the occupation of William Robertson, Esquire, and partly by other land belonging to the said Charles Thomas Meyrick, Esquire, or his trustees, devisees as aforesaid; all which said piece of land, works, and premises are now in the occupation of the County and General Gas Consumers' Company, Limited, or their lessee, George Wilson Stevenson, his agents and servants, and are known as the Pater Gasworks, together with all plant, apparatus, appliances, and appurtenances belonging thereto, and all pipes, meters, lamp-posts, and other conveniences connected therewith.

Power to purchase additional lands.

8. The Undertakers may from time to time purchase, by agreement, and hold, for any of the purposes of this Order, any land not exceeding three acres, in addition to the lands shown on the deposited map and described in this Order.

Undertakers may acquire easements, &c. by agreement.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

Providing a renewal fund.

10. The Undertakers may provide and form a renewal fund for the purpose of obtaining a renewal of the leases of the land whereon their works are situate, or for the purpose of purchasing the freehold and reversion of the said land, or for the purpose of defraying the expense of removing their works and acquiring other land if such leases be not renewed, and the said lands shall not be sold to them; and neither the said renewal fund, or the annual proceeds thereof, shall be deemed part of the profits of the Undertakers for the purposes of dividend until the same shall have amounted to such a sum as shall be deemed by the Undertakers to be adequate to the purposes aforesaid, and then the annual proceeds thereof shall alone be deemed part of the divisible profits of the Undertakers.

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

Undertakers may maintain and continue gasworks on lands shown on deposited plan, and may make and sell gas, &c.

11. The Undertakers, on the lands shown on the deposited map and in this Order described, 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 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.

Prohibition against manufacturing or storing gas, except on lands shown on deposited plans.

12. The Undertakers shall not, except on the lands shown on the deposited map and in this Order described, manufacture gas or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands, upon any land within three hundred yards of any dwelling-house existing at the time when the Undertakers propose to store gas thereon, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Differences with railway and other companies.

13. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, under the authority of this Order, 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 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.

As to quality of gas.

14. From and after the thirty-first day of October one thousand eight hundred and seventy-four, or from and after thirty days next after the day when the Undertakers enter into the possession of the said gasworks situate at Pembroke Dock aforesaid, discharged from the existing lease thereof, if they shall obtain such possession previous to the thirty-first day of October one thousand eight hundred and seventy-four, the quality of the gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce at the testing place provided in conformity with the provisions of this Order a light equal in intensity to the light produced by fourteen sperm candles; and such gas shall, with respect to its purity, be wholly free from sulphuretted hydrogen.

Price of Gas.

Limiting price of gas.

15. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed five shillings and sixpence per one thousand cubic feet.

A.D. 1871.

Pembroke.

Supply of Gas to Owners and Occupiers of Premises.

Undertakers to furnish supply of gas to owners and occupiers.

16. The Undertakers shall give and continue to give to every owner or occupier of premises within the limits of supply requiring the same a supply of gas for such premises, and they shall furnish any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

The cost of so much of any such pipe for the supply of gas as may be laid upon premises the property of any such owner, or in the possession of any such occupier, and the cost of so much of any such pipe as may be laid for a greater distance than twenty yards from any main of the Undertakers, and not upon such premises as aforesaid, shall be defrayed by such owner or occupier: Provided, that nothing herein contained shall authorise the Undertakers to enter into or upon any premises for the purpose of laying down such pipes, unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them:

Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing, require the owner or occupier of such premises to whom such supply is given, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient; and in case any such owner or occupier fails to comply with the terms of such notice the Undertakers may, if they please, discontinue the supply of gas for such premises, so long as such failure continues.

Undertakers to apply meters.

17. The Undertakers shall supply to any owner or occupier of premises to which gas is supplied by them, and who requires the same, a meter for registering gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security

for payment to them of the price of such meter if he desires to purchase the same, or of the rent of such meter if he desires to hire the same.

Nature and amount of security.

18. Where any owner or occupier is required by this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agreement, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited, by way of security, under the provisions of this Order, with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum

Undertakers may require consumers to use meters.

19. Subject to the provisions of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers; provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

20. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him whereby any gas supplied by the Undertakers is registered in proper order for correctly registering such gas, and in default of his so doing the Undertakers may cease to supply gas through such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers if the meter be found in proper order, but otherwise at the expense of the consumer.

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

Register of gas meters to be primâ facie evidence.

21. The register of the meter shall be primâ facie evidence of the quantity of gas consumed and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Pembroke.

Power to remove meter and fittings.

22. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises, under the provisions of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee, of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

23. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers, in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, shall be settled by agreement between the lighting authority and the Undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case and the prices charged to private consumers in the district.

As to consumption of gas supplied to the public lamps.

24. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority of the district or of the Undertakers; and in case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district, and the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Governors for public lamps.

25. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may at their own expense cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

26. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

27. The Undertakers shall, before supplying gas under the authority of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

The said apparatus shall be in accordance with the regulations prescribed in Part I. of the Schedule to this Order annexed, and shall be so situated and arranged as to be used for the purpose of testing the illuminating power and purity of the gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

Appointment and powers of gas examiners.

28. The local authority may, after the passing of the Act confirming this Order, appoint and keep appointed a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers, on every day between the hours of five o'clock and ten o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and eleven in the afternoon from the first day of April to the thirtieth day of September, both inclusive.

Representation of Undertakers.

29. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Mode of testing.

30. Any tests to be taken in pursuance of this Order shall be taken in accordance with the rules prescribed in Part II. of the schedule to this Order annexed.

Report of gas examiner.

31. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power or purity of the gas has been conducted, make and deliver a report of the results of his testing to the local authority and to the Undertakers, and such report shall be receivable in evidence.

Access to testing place.

32. The Undertakers shall give to every gas examiner and to his assistants access to the testing place, and shall afford all facilities for the proper execution of this Order; and in case the Undertakers make default in complying with any of the provisions of this section, they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty for failure in supply of gas.

33. Whenever the Undertakers wilfully fail to give a supply of gas to any owner or occupier of premises entitled to require the same under the provisions of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

Whenever the Undertakers wilfully fail to supply gas as by this Order required to any of the public lamps, they shall be liable to a penalty not exceeding forty shillings for each default.

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If on any day the gas supplied by the Undertakers is of less illuminating power or purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds.

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power or excess of impurity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

34. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such alteration or prevention when such meter is under the custody or control of the consumer shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Incoming tenants not liable to pay arrears of gas rent, &c.

35. In case any consumer of gas supplied by the Undertakers leave the premises where such gas has been supplied to him without paying to them the gas rent or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Recovery of sums due to Undertakers.

36. Whenever any person neglects to pay any rent or sum due and payable by him to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction; and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Several names in one summons or warrant.

37. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

38. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Service of notices by Undertakers.

39. Every notice which the Undertakers are by this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last-named place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot, after due inquiry, be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

Liability to gas rent not to disqualify justices from acting.

40. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or other charge under this Order.

Saving of existing contracts, &c.

41. Nothing in this Order contained shall alter, vary, or affect any lease, 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 County and General Gas Consumers Company, Limited, or the liquidators thereof, or any other person or persons owning the said gasworks.

Saving rights of corporation of Pembroke.

42. Nothing in this Order contained shall take away, lessen, interfere with, or prejudicially affect the rights, privileges, or authorities of the mayor, aldermen, and burgesses of the borough of Pembroke.

Costs of Order.

43. 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.

Part I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

The burner to be used for testing the gas shall be

A Sugg's "London" Argand No. 1., with a 6-inch by $1\frac{3}{4}$-inch glass chimney; and if at any time the gas flame tails over the top of the glass a 6-inch by 2-inch chimney shall be used.

The candles used for testing the gas shall be sperm candles of six to the pound, and two candles shall be used together.

2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containg a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

A.D. 1871.

Pembroke.

Part II.

Rules as to mode of testing gas.

1*st. Mode of testing for illuminating power.*

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before beginning each testing, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralize the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2*nd. Mode of testing for sulphuretted hydrogen.*

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

SOUTHBANK AND NORMANBY.

Southbank and Normanby.

Order empowering the Southbank and Normanby Gaslight and Coke Company (Limited) to construct, maintain, and continue Gasworks and to manufacture Gas at Southbank near Middlesborough, in the north riding of the county of York, and to supply Gas to the townships of Normanby and Eston in the parish of Ormesby, the townships of Lackenby, Lazenby, and Wilton in the parish of Wilton, and other places in the north riding of the county of York.

Short title of Order.

1. This Order may be cited as the "Southbank and Normanby Gas Order, 1871."

Southbank and Normanby.

Incorporation of the Gasworks Clauses Act, 1847.

2. The provisions of "The Gasworks Clauses Act, 1847," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions 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 Gasworks Clauses Acts, 1847," and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this Order or in "The Gasworks Clauses Act, 1847," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this Order—

The term "premises" shall include house and building;

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district," in relation to such lighting authority, shall mean the area within the limits of supply as defined by this Order, within which such lighting authority has such control as aforesaid.

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 townships of Normanby and Eston in the parish of Ormesby, the townships of Lackenby, Lazenby, and Wilton in the parish of Wilton, and the extra-parochial land lying between the last-mentioned parishes and the River Tees, all in the north riding of the county of York.

Undertakers.

Undertakers.

5. 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 Capital.

Power to raise further capital.

6. The Undertakers may raise, for the purposes of this Order, in addition to the capital already raised by them, any further sums, by the creation and issue of new shares, either ordinary or preference, or partly ordinary or partly preference, at the option of the Undertakers: Provided always, that, together with such additional capital, the whole share capital of the Undertakers shall not exceed ten thousand pounds, unless the Undertakers shall be authorised to raise further additional share capital by provisional order under "The Gas and Water Works Facilities Act, 1870," or by Act of Parliament.

Rates of preferential dividend.

7. Dividend or interest on any shares which may be issued under this Order shall not exceed the rate on ordinary shares of seven pounds per centum, and on preferential shares of six pounds per centum per annum.

Southbank and Normanby.

Privileges of holders of additional capital.

8. Save as by this Order expressly provided, the holders of shares or stock in the additional capital by this Order authorised to be raised shall be entitled to the like rights and privileges and be subject to the like liabilities as the holders of shares or stock in the existing ordinary capital of the Undertakers.

Construction, Maintenance, and Continuance of Gasworks, Manufacture and Sale of Gas, Coke, and residual Products.

Undertakers may maintain and erect gasworks on lands shown on deposited map, and may make and sell gas, &c.

9. The Undertakers may maintain, continue, and from time to time alter and enlarge their existing gasworks, and works connected therewith, situate at Southbank near Middlesborough in the north riding of the county of York, on the lands now held by them, and which are bounded on the north by lands belonging to Ralph Jackson, Esquire, of Normanby, near Middlesborough in the said riding, on the east by the road leading from Southbank to Normanby, and on the south and west by other lands also belonging to the said Ralph Jackson, Esquire, and they may on such lands construct and maintain and from time to time alter and enlarge the additional works herein-after described, for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas, and matters reducible 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.

The works authorised by this Order are—

(1.) Two gasholders, containing respectively twenty thousand and fifty thousand cubic feet of gas:

(2.) A retort-house, containing twenty-six retorts, with all proper and convenient machinery and apparatus connected therewith:

(3.) A depôt for the sale of coals, coke, and lime:

Provided that nothing in this Order contained shall authorise the Undertakers to supply gas in any part of the township of Eston in which they are not supplying gas at the time of the passing of the Act confirming this Order.

Prohibition against manufacturing or storing gas, except on land now held by them.

10. The Undertakers shall not, except on the lands now held by them and in the last preceding section of this Order described, manufacture gas or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands, upon any land within three hundred yards of any dwelling-house existing at the time when the Undertakers propose to store gas thereon, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Differences with railways and other companies.

11. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, under the authority of this Order, 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 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.

As to quality of gas.

12. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce at the testing place provided in conformity with the provisions of this Order a light equal in intensity to the light produced by fourteen sperm candles; and such gas shall with respect to its purity be wholly free from sulphuretted hydrogen.

Price of Gas.

Limiting price of gas.

13. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed five shillings and fivepence per one thousand cubic feet, with an allowance of at least fivepence per 1,000 cubic feet for discount if paid within one month from date of invoice.

Supply of Gas to Owners and Occupiers of Premises.

Undertakers to furnish supply of gas to owners and occupiers.

14. The Undertakers shall give and continue to give to every owner or occupier of premises within twenty-five yards of any main of the Undertakers, requiring the same, a supply of gas for such premises, and they shall furnish any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

The cost of so much of any pipe for the supply of gas to any owner or occupier as may be laid upon premises the property of such owner or in the possession of such occupier shall be defrayed by such owner or occupier, and the cost of so much of any such pipe as may be laid for a greater distance than thirty feet from any main of the Undertakers, and not upon such premises as aforesaid, shall be defrayed by such owner or occupier: Provided, that nothing herein contained shall authorise the Undertakers to enter into or upon any premises for the purpose of laying down such pipes, unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them:

Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing require the owner or occupier of such premises, to whom such supply is given, within seven days after the date

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of the service of such notice, to give them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient; and in case any such owner or occupier fails to comply with the terms of such notice, the Undertakers may, if they please, discontinue to supply gas for such premises, so long as such failure continues.

Undertakers to supply meters.

15. The Undertakers shall supply to an owner or occupier of premises to whom gas is supplied by them, and who requires the same, a meter for registering gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security for payment to them of the price of such meter if he desires to purchase the same, or of the rent of such meter if he desires to hire the same.

Nature and amount of security.

16. Where any owner or occupier is required by this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agreement, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited by way of security under the provisions of this Order with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum.

Undertakers may require consumers to use meters.

17. Subject to the provisions of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers: Provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

18. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him, whereby any gas supplied by the Undertakers is registered, in proper order for correctly registering such gas, and in default of his so doing, the Undertakers may cease to supply gas through such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers, if the meter be found in proper order, but otherwise at the expense of the consumer.

The Undertakers shall at all times, at their own expense, keep all meters let by them for hire to any consumer in proper order for correctly registering

gas; and in default of their so doing the consumer shall not be liable to pay rent for the same during such time as such default continues. The Undertakers shall, for the purposes aforesaid, have access to and be at liberty to remove, test, inspect, and replace any such meter at all reasonable times.

Register of gas meter to be primâ facie evidence.

19. The register of the meter shall be primâ facie evidence of the quantity of gas consumed and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the cost of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Power to remove meter and fittings.

20. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises, under the provisions of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

21. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, shall be settled by agreement between the lighting authority and the Undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case and the prices charged to private consumers in the district.

As to consumption of gas supplied to the public lamps.

22. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority or of the Undertakers, and in case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district.

And the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

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Governors for public lamps.

23. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may, at their own expense, cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

24. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

25. The Undertakers shall, before supplying gas under the authority of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

The said apparatus shall be in accordance with the regulations prescribed in Part I. of the Schedule to this Order annexed, and shall be so situated and arranged as to be used for the purpose of testing the illuminating power and purity of the gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

Appointment and powers of gas examiners.

26. Any local authority within the limits of supply, after the passing of the Act confirming this Order, may from time to time appoint or may appoint and keep appointed a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers, on every day between the hours of five o'clock and ten o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and eleven o'clock in the afternoon from the first day of April to the thirtieth day of September, both inclusive.

Representation of Undertakers.

27. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Mode of testing.

28. Any tests taken in pursuance of this Order shall be taken in accordance with the rules prescribed in part II. of the schedule to this Order annexed.

Report of gas examiner.

29. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power or purity of the gas has been conducted, make and deliver a report of the results of his testing to the local authority by whom he was appointed, and to the Undertakers, and such report shall be receivable in evidence.

Access to testing place.

30. The Undertakers shall give to every gas examiner and to his assistants access to the testing place, and shall afford all facilities for the proper execution

of this Order; and in case the Undertakers make default in complying with any of the provisions of this section they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty for failure in supply of gas.

31. Whenever the Undertakers wilfully fail to give a supply of gas to any owner or occupier of premises entitled to require the same under the provisions of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

Whenever the Undertakers wilfully fail to supply gas as by this Order required to any of the public lamps they shall be liable to a penalty not exceeding forty shillings for each default.

If on any day the gas supplied by the Undertakers is of less illuminating power or purity than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds:

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power or excess of impurity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

32. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such alteration or prevention, when such meter is under the custody or control of the consumer, shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Incoming tenants not liable to pay arrears of gas rents, &c

33. In case any consumer of gas supplied by the Undertakers leave the premises where such gas has been supplied to him without paying to them the gas rent or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

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Recovery of sums due to Undertakers.

34. Whenever any person neglects to pay any rent or sum due and payable by him to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction, and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Several names in one summons or warrant.

35. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

36. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Service of notices by Undertakers.

37. Every notice which the Undertakers are by this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last known place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot after due inquiry be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

Liability to gas rent not to disqualify justices from acting.

38. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or other charge under this Order.

Saving rights of Messrs. Bolcklow, Vaughan, and Co. (Limited.)

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

Saving of existing contracts, &c.

40. 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 supply of gas by the Southbank and Normanby Gaslight and Coke Company (Limited).

Costs of Order.

41. 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.

PART I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch

photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

The burner to be used for testing the gas shall be

A Sugg's "London" Argand No. 1, with a 6-inch by $1\frac{3}{4}$-inch glass chimney; and if at any time the gas flame tails over the top of the glass a 6-inch by 2-inch chimney shall be used.

The candles used for testing the gas shall be sperm candles of six to the pound, and two candles shall be used together.

2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containing a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

Part II.

Rules as to mode of testing gas.

1st. *Mode of testing for illuminating power.*

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before beginning each testing, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralise the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2nd. *Mode of testing for sulphuretted hydrogen.*

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

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Staines and Egham.

STAINES AND EGHAM GAS.

Order empowering the Staines and Egham District Gas and Coke Company, Limited, to maintain and continue Gasworks and to manufacture and supply Gas in certain parishes in the counties of Middlesex, Surrey, and Berks.

Short title.

1. This Order may be cited as "The Staines and Egham Gas Order, 1871."

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), and "The Gasworks Clauses Act, 1847," are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the last-mentioned Act 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: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this Order, or in "The Gasworks Clauses Act, 1847," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this Order,—

The term "premises" shall include house and building:

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply as defined by this Order within which such lighting authority has such control as aforesaid.

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 Staines in the county of Middlesex, the parishes of Egham and Thorpe in the county of Surrey, and the parish of Old Windsor in the county of Berks.

Undertakers.

Undertakers.

5. The Staines and Egham District Gas and Coke Company, Limited, shall be the Undertakers for the purposes of this Order, and are in this Order referred to "the Undertakers."

Capital.

6. The share capital of the Undertakers shall not exceed sixteen 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.

Power to purchase additional lands.

7. The Undertakers may from time to time purchase, by agreement, and hold, for any of the purposes of this Order, any land not exceeding two acres, in addition to the lands described in schedule (A.) to this Order annexed and shown on the map deposited for the purposes of this Order (in this Order referred to as the "deposited map").

Undertakers may acquire easements, &c. by agreement.

8. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may, if they think fit, subject to the provisions of the said Acts, grant to the Undertakers any easement, right, or privilege, not being an easement of water, in, over, or affecting any such lands; and the provisions of the said Act, with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants, or to such easements, rights, or privileges as aforesaid.

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

Undertakers may maintain and continue gasworks on lands shown on deposited plan, and described in Schedule (A.), and may make and sell gas, &c.

9. The Undertakers, on the lands shown on the deposited map, and described in the Schedule (A.) 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 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.

Prohibition against manufacturing or storing gas, except on lands described in Schedule (A.)

10. The Undertakers shall not, except on the lands described in the Schedule (A.) to this Order annexed, manufacture gas, or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands.

Differences with railway and other companies.

11. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to cross, under the authority of this Order, 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 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.

12. The gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce at the testing place provided in conformity with the provisions of this Order, from an argand burner, having fifteen holes and a seven-inch chimney, and consuming 5 cubic feet of gas per hour, a light equal in intensity to the light produced by fourteen sperm candles of six in the pound, burning 120 grains per hour, and shall, as to its purity, not exhibit any trace of sulphuretted hydrogen when tested in accordance with the rules prescribed in that behalf in the schedule (B.) to this Order annexed.

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Staines and Egham.

Price of Gas.

Limiting price of gas.

13. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed five shillings and sixpence per one thousand cubic feet, within the district at the time of the passing of the Act confirming this Order supplied by the Undertakers, and elsewhere within the limits of supply such price shall not exceed seven shillings for one thousand cubic feet.

Supply of Gas to Owners or Occupiers of Premises.

Undertakers to furnish supply of gas to owners and occupiers.

14. The Undertakers shall give and continue to give to every owner or occupier of premises within twenty yards of any main of the Undertakers requiring the same, a supply of gas for such premises, and they shall at their own expense furnish any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

Provided, that nothing herein contained shall authorise the Undertakers to enter into or upon any premises for the purpose of laying down such pipes, unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them:

Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing, require the owner or occupier of such premises to whom such supply is given, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or insufficient; and in case any such owner or occupier fails to comply with the terms of such notice the Undertakers may, if they please, discontinue the supply of gas for such premises, so long as such failure continues.

Pressure of gas.

15. 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.

Undertakers to supply meters.

16. The Undertakers shall supply to any owner or occupier of premises to which gas is supplied by them, and who requires the same, a meter for registering gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security for payment to them of the price of such meter if he desires to purchase the same, or of the rent of such meter if he desires to hire the same.

Nature and amount of security.

17. Where any owner or occupier is required by this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agreement, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited, by way of security, under the provisions of this Order, with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum.

Undertakers may require consumers to use meters.

18. Subject to the provisions of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers; provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

19. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him whereby any gas supplied by the Undertakers is registered in proper order for correctly registering such gas, and in default of his so doing the Undertakers may cease to supply gas through such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers if the meter be found in proper order, but otherwise at the expense of the consumer.

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

Register of gas meters to be primâ facie evidence.

20. The register of the meter shall be primâ facie evidence of the quantity of gas consumed and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order

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by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Power to remove meter and fittings.

21. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises, under the provisions of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

22. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers, in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, shall be settled by agreement between the lighting authority and the Undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case and the prices charged to private consumers in the district.

As to consumption of gas supplied to the public lamps.

23. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority of the district or of the Undertakers; and in case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district, and the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Governors for public lamps.

24. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may at their own expense cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

25. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

26. The Undertakers shall, before supplying gas under the authority of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

The said apparatus shall be in accordance with the regulations prescribed in Part I. of the Schedule (B.) to this Order annexed, and shall be so situated and arranged as to be used for the purpose of testing the illuminating power and purity of the gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

Appointment and powers of gas examiners.

27. Any local authority within the limits of supply, after the passing of the Act confirming this Order, may from time to time appoint, or may appoint and keep appointed, a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers on every day between the hours of six o'clock and eight o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and ten o'clock in the afternoon from the first day of April to the thirtieth day of September, both inclusive; and such gas examiner elsewhere as and when he thinks fit may test the pressure at which such gas is supplied.

Representation of Undertakers.

28. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Mode of testing.

29. Any tests to be taken in pursuance of this Order as to the illuminating power or purity of the gas supplied shall be taken in accordance with the rules prescribed in part II. of the schedule (B.) to this Order annexed.

Report of gas examiner.

30. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power, purity, or pressure of the gas has been conducted, make and deliver a report of the results of his testing to the local authority by whom he was appointed, and to the Undertakers, and such report shall be receivable in evidence.

Access to testing place.

31. The Undertakers shall give to every gas examiner and to his assistants access to the testing place, and shall afford all reasonable facilities for enabling the gas examiner and his assistants to test the pressure at which the gas is supplied, and they shall generally afford all such facilities as aforesaid for the proper execution of this Order; and in case the Undertakers make default in complying with any of the provisions of this section they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty for failure in supply of gas.

32. Whenever the Undertakers wilfully fail to give a supply of gas to any owner or occupier of premises entitled to require the same under the provisions of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

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Whenever the Undertakers wilfully fail to supply gas as by this Order required to any of the public lamps, they shall be liable to a penalty not exceeding forty shillings for each default.

If on any day the gas supplied by the Undertakers is of less illuminating power or purity, or is supplied at a pressure less than it ought to be according to the provisions of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds.

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power, the excess of impurity, or the want of pressure was occasioned by any unavoidable cause or accident.

Penalty for injuring meters.

33. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulenty alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such meter is under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Incoming tenants not to pay arrears of gas rent, &c.

34. In case any consumer of gas supplied by the Undertakers leave the premises where such gas has been supplied to him without paying to them the gas rent or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Recovery of sums due to undertakers.

35. Whenever any person neglects to pay any rent or sum due and payable by him to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction; and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Several names in one summons or warrant.

36. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

37. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the

recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Service of notices by Undertakers.

38. Every notice which the Undertakers are by this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last-named place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot, after due inquiry, be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

Liability to gas rent not to disqualify justices from acting.

39. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or other charge under this Order.

Saving of existing contracts, &c.

40. Nothing in this Order contained shall alter, vary, or affect any lease, 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 Staines and Egham District Gas and Coke Company, Limited.

Costs of Order.

41. 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 (A.)

All that piece or parcel of land containing by admeasurement 0A. 3R. 3P., little more or less, situate at Egham Causeway, in the parish of Egham, in the county of Surrey, bounded on the east in part by land belonging to the Reverend Edgell Wyatt Edgell, and in other part by land belonging to Skidmore Ashby, Esq., on the south by the Great Western turnpike road, on the west by land belonging to the said Edgell Wyatt Edgell, and on the north by the towing-path of the river Thames.

SCHEDULE (B.)

Part I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

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2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containing a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

Part II.

Rules as to mode of testing gas.

1st. Mode of testing for illuminating power.

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before beginning each testing, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralise the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2nd. Mode of testing for sulphuretted hydrogen.

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

Stourbridge Extension.

STOURBRIDGE EXTENSION.

Order empowering the Stourbridge Gas Company to supply Gas in the parish of Hagley in the county of Worcester.

Short title.

1. This Order may be cited as "The Stourbridge Extension Gas Order, 1871."

Incorporation of Gasworks Clauses Act, 1847.

2. The provisions of "The Gasworks Clauses Act, 1847," 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 Gasworks Clauses Act, 1847," and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this Order the same respective meanings:

Provided always, that the expression "superior court" or "court of competent jurisdiction," in this Order or in "The Gasworks Clauses Act, 1847," shall be used and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute.

In this Order—

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply as defined by this Order; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply as defined by this Order within which such lighting authority has such control as aforesaid.

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 Hagley in the county of Worcester.

Undertakers.

5. The Stourbridge Gas Company shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers," and shall have and may, subject to the provisions of this Order, exercise within the limits of supply all and the like powers, privileges, and authorities for the supply and sale of gas, and be subject to all and the like duties, liabilities, and obligations in respect thereof, as they now have and are subject to within the limits of the Stourbridge Gas Act, 1855, and the Stourbridge Gas (Amendment) Act, 1866.

Price of Gas.

Price of gas.

6. The maximum price which the Undertakers may demand and take for gas supplied by them to all persons who shall burn the same by meter within the limits of supply shall not exceed the sum of five shillings and sixpence per 1,000 cubic feet, when and so long as the annual consumption of gas by such persons within the limits of supply is not more than 1,000,000 cubic feet; and when and so long as the said annual consumption is more than 1,000,000 cubic feet, but not more than 1,500,000 cubic feet, the said maximum price shall not exceed five shillings per 1,000 cubic feet; and when and so long as the said annual consumption is more than 1,500,000 cubic feet, the said maximum price shall not exceed four shillings and ninepence per 1,000 cubic feet.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

7. The Undertakers shall supply gas to public lamps within the limits of supply in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, including the cost of the necessary pillars, shall not exceed three pounds five shillings in respect of each public lamp if lighted for nine months in the year, and three pounds fifteen shillings in respect of each such public lamp if lighted for twelve months in the year.

Stourbridge Extension.

For settlement of differences between the Undertakers and the lighting authority.

8. Any difference which may arise between the Undertakers and the lighting authority of any district in relation to the supply or consumption of gas to or by the lighting authority, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Restrictions as to manufacture and storing of gas.

9. Nothing in this Order contained shall authorise the Undertakers to manufacture gas, or any residual products arising in the manufacture of gas, on any land within the limits of supply, nor to store gas on any such land within three hundred yards from any dwelling-house existing at the time when the Undertakers propose to store gas on such land, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Costs of Order.

10. 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.

Taunton.

TAUNTON.

Order empowering the Taunton Gaslight and Coke Company to raise additional capital.

Short title.

1. This Order may be cited as "The Taunton Gas Order, 1871."

Incorporation of general Acts.

2. "The Taunton Gas Act, 1845," "The Taunton Gas Act, 1846," and "The Taunton Gas Act, 1855," (in this Order referred to as "The Taunton Gas Acts, 1845, 1846, and 1855,") and the provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following matters; (that is to say),

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for nonpayment of calls;

The remedies of creditors of the Company against the shareholders;

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

The conversion of borrowed money into capital;

The consolidation of shares into stock;

The making of dividends; and

The giving of notices;

Part I. (Cancellation and Surrender of Shares); so much of Part II. (Additional Capital) as does not relate to preference shares or stock; and Part III. (Debenture Stock) of "The Companies Clauses Act, 1863," as amended by "The Companies Clauses Act, 1869," are (except where expressly varied by this Order, or inconsistent with the express provisions thereof,) incorporated

with and form part of this Order. For the purposes of such incorporation the term "special Act" in the three last-mentioned Acts shall be construed to mean this Order.

Undertakers.

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

Power to raise additional capital.

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

(1.) Raise, by the creation of new ordinary shares, such further sum or sums as they may think proper, not exceeding in the whole seven thousand pounds, in shares of five pounds each, and

(2.) In addition to any sum which they are for the time being independently of this Order authorised to raise by mortgage, borrow on mortgage any further sum not exceeding in the whole one thousand seven hundred and fifty pounds, but no part thereof shall be borrowed until the Undertakers have proved to the justice who is to certify, under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole additional capital has been issued and accepted, and that not less than one fifth 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 additional capital was issued bonâ fide, and is held by subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same, and upon production to such justice of the books of the Undertakers or of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof.

New shares not to be issued unless and until one fifth part thereof paid up.

5. The Undertakers shall not issue any such share, 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.

6. 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.

Limits of dividend on new capital.

7. The Undertakers shall not in any year make out of their profits any larger dividend on the additional share capital to be raised under the powers of 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, or of any part thereof, as may be issued as preference capital.

As to votes of proprietors of each share.

8. The proprietors of any shares to be issued 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 would have entitled them to if the same had been original shares of the Undertakers.

Taunton.

For appointing a receiver.

9. The mortgagees of the Undertakers may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver; and in order to authorise the appointment of a receiver in respect of 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 thousand pounds in the whole.

Priority of mortgages under existing powers.

10. All mortgages granted by the Undertakers under the authority of The Taunton Gas Acts, 1845, 1846, and 1855, shall, while subsisting, have priority over all mortgages and debenture stock granted and issued under this Order.

Power to create debenture stock.

11. The Undertakers may create and issue debenture stock.

Application of part of capital to payment for works already completed.

12. The Undertakers may apply the capital hereby authorised to be raised, to an extent not exceeding one thousand two hundred pounds, towards payment for the following additions and improvements to their works recently made or contracted to be made; namely, the providing and erecting of a new purifying house and purifiers, and the providing of additional mains within the limits for the supply of gas by the Undertakers.

Application of moneys.

13. All moneys raised under this Order by the Undertakers whether by shares, debenture stock, or borrowing, shall be applied only for the purposes authorised by "The Taunton Gas Acts, 1845, 1846, and 1855," or by this Order.

Costs of Order.

14. 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.

Knutsford.

KNUTSFORD GAS AND WATER.

Order empowering the Knutsford Gas and Water Company, Limited, to maintain and continue Gasworks and Waterworks, to manufacture and supply Gas, and to supply Water within the townships of Nether Knutsford, otherwise Knutsford Inferior, Over Knutsford, otherwise Knutsford Superior, Toft, and Bexton, in the parish of Nether Knutsford, otherwise Knutsford Inferior, in the county of Chester, the townships of Tatton, Mere, and Over Tabley, otherwise Tabley Superior, in the parish of Rostherne, in the said county of Chester, and the township of Nether Tabley, otherwise Tabley Inferior, in the parish of Great Budworth, in the said county of Chester.

Preliminary.

Short title.

1. This Order may be cited as "The Knutsford Gas and Water Order, 1871."

Limits of Order.

2. 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 townships of Nether Knutsford, otherwise Knutsford Inferior, Over Knutsford, otherwise Knutsford Superior, Toft, and Bexton, in the parish of Nether Knutsford, otherwise Knutsford Inferior, in the county of Chester, the townships of Tatton, Mere, and Over Tabley, otherwise Tabley Superior, in the parish of Rostherne, in the said county of Chester, and the township of Nether Tabley, otherwise Tabley Inferior, in the parish of Great Budworth, in the said county of Chester.

Undertakers.

Undertakers.

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

Order to consist of three parts.

4. This Order shall consist of three parts:—
Part I. Relating to the gas undertaking.
Part II. Relating to the water undertaking.
Part III. Miscellaneous; relating to the gas undertaking and to the water undertaking.

PART I.

Gas Undertaking.

Incorporation of general Act.

5. The provisions of "The Gasworks Clauses Act, 1847," are hereby incorporated with this part of this Order, except where the same are expressly varied by this part of this Order.

Capital.

6. The share capital of the Undertakers for the purposes of the gas undertaking by this Order authorised shall consist of original share capital, amounting to three thousand eight hundred and ten pounds, and of additional capital not exceeding seven thousand one hundred and ninety pounds, and the original and additional capital of the Undertakers shall not exceed eleven 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.

Limit of dividend upon new capital.

7. The Undertakers shall not in any year make out of their profits arising from the gas undertaking by this Order authorised any larger dividend on the additional share capital than seven pounds in respect of every one hundred pounds actually paid up of such capital.

Interpretation.

8. The several words and expressions to which by "The Gasworks Clauses Act, 1847," and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this part of this Order the same respective meanings: Provided always, that the expression "superior courts" or "court of competent jurisdiction" in this part of this Order, or in "The Gasworks Clauses Act, 1847," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

In this part of this Order,—

The term "premises" shall include house and building:

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Knutsford.

The term "lighting authority" shall include any local or road authority having the control of the lighting of any road within the limits of supply; and

The term "district" in relation to such lighting authority shall mean the area within the limits of supply within which such lighting authority has such control as aforesaid.

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 (A.), and may make and sell gas, &c.

9. The Undertakers, on the lands shown on the map deposited for the purposes of this Order, and described in the schedule (A.) 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 part 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.

Undertakers to hold limited quantity of land only.

10. The Undertakers shall not hold for the purposes of this part of this Order more than five acres of land.

Prohibition against manufacturing or storing gas, except on lands described in schedule (A.)

11. The Undertakers shall not, except on the lands described in the schedule (A.) to this Order annexed, manufacture gas or any residual products arising in and from the manufacture thereof, nor shall they store gas, except on such lands, upon any land within three hundred yards of any dwelling-house existing at the time when the Undertakers propose to store gas thereon, without the consent in writing of the owner, lessee, and occupier of such dwelling-house.

Quality of Gas.

As to quality of gas.

12. The quality of the gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce, at the testing place provided in conformity with the provisions of this part of this Order, from an argand burner consuming five cubic feet of gas per hour, a light equal in intensity to the light produced by fourteen sperm candles of six to the pound; and such gas shall, with respect to its purity, be wholly free from sulphuretted hydrogen.

Price of Gas.

Limiting price of gas.

13. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed the following rates; (that is to say,)

So long as the amount of gas supplied is less than seven million cubic feet per annum, the sum of six shillings per one thousand cubic feet:

When the amount of gas supplied exceeds seven million cubic feet and is less than ten million cubic feet per annum, the sum of five shillings per one thousand cubic feet:

When the amount of gas supplied exceeds ten million cubic feet per annum, the sum of four shillings and sixpence per one thousand cubic feet.

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Supply of Gas to Owners and Occupiers of Premises.

Undertakers to furnish sufficient supply of gas to owners and occupiers.

14. The Undertakers shall give, and continue to give, to every owner or occupier of premises within twenty-five yards of any main of the Undertakers requiring the same, a supply of gas for such premises, and they shall furnish any pipe that may be necessary for such purpose, subject to the conditions following; (that is to say,)

The cost of so much of any pipe for the supply of gas to any owner or occupier as may be laid upon premises the property of such owner or in the possession of such occupier shall be defrayed by such owner or occupier, and the costs of so much of any such pipe as may be laid for a greater distance than thirty feet from any main of the Undertakers, and not upon such premises as aforesaid, shall be defrayed by such owner or occupier: Provided that nothing herein contained shall authorise the Undertakers to enter into or upon any premises for the purpose of laying down such pipes, unless with the consent of the occupier of such premises.

Every owner or occupier of premises requiring a supply of gas shall—

Serve a notice upon the Undertakers at their office, specifying the premises in respect of which such supply is required, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence:

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of gas for a period of at least two years, of such an amount that the rent payable for the same shall not be less than twenty pounds per centum per annum on the outlay incurred by the Undertakers in providing any pipe to be provided by them:

Give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by such owner or occupier in respect of any pipe to be furnished by the Undertakers, and in respect of gas to be supplied by them:

Provided always, that the Undertakers may, after they have given a supply of gas for any premises, by notice in writing require the owner or occupier of such premises to whom such supply is given, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may from time to time become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid or is insufficient, and in case any such owner or occupier fails to comply with the terms of such notice the Undertakers may, if they please, discontinue the supply of gas for such premises so long as such failure continues.

Pressure of gas.

15. 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.

Undertakers to supply meters.

16. The Undertakers shall supply to any owner or occupier of premises to whom gas is supplied by them, and who requires the same, a meter for registering

gas supplied by them: Provided always, that such owner or occupier shall, if required, previous to receiving such meter, give to the Undertakers security for payment to them of the price of such meter if he desires to purchase the same, or of the rent of such meter if he desires to hire the same.

Nature and amount of security.

17. Where any owner or occupier is required by this part of this Order to give security to the Undertakers, such security may be by way of deposit or otherwise, and of such amount as he and the Undertakers agree on, or as, in default of agreement, may be determined, on the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on all parties.

Where any sum of money is deposited, by way of security, under the provisions of this part of this Order, with the Undertakers, they shall pay interest on every ten shillings of such deposit, for every six months during which the same remains in their hands, at the rate of five pounds per centum per annum.

Undertakers may require consumers to use meters.

18. Subject to the provisions of this part of this Order with respect to the supply of gas to public lamps, every consumer of gas supplied by the Undertakers shall, if required by the Undertakers, consume such gas by a meter duly stamped under the authority of an Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty, intituled "An Act for regulating measures used in sales of gas," and being a legal meter within the meaning of the said Act, or by a meter supplied or approved by the Undertakers; provided always, that the Undertakers shall not refuse to approve of any meter which when duly tested according to the rules prescribed by the said Act for regulating measures used in sales of gas is found to be correct within the meaning of the said Act.

Repair of meters.

19. Every consumer of gas supplied by the Undertakers shall at all times, at his own expense, keep all meters belonging to him whereby any gas supplied by the Undertakers is registered in proper order for correctly registering such gas, and in default of his so doing the Undertakers may cease to supply gas through such meter. The Undertakers shall have access to and be at liberty to take off, remove, test, inspect, and replace any such meter at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Undertakers if the meter be found in proper order, but otherwise at the expense of the consumer.

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

Register of gas meters to be primâ facie evidence.

20. The register of the meter shall be primâ facie evidence of the quantity of gas consumed and in respect of which any rent is charged and sought to be recovered by the Undertakers: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of the justices shall be final and binding on both parties.

Power to remove meter and fittings.

21. In all cases in which a consumer of gas supplied by the Undertakers ceases to require a supply of such gas, and in all cases in which the Undertakers are authorised to take away and cut off the supply of gas from any premises, under the provisions of this part of this Order, it shall be lawful for the Undertakers, their agents or workmen, after twenty-four hours notice in writing, under the hand of the secretary or other officer of the Undertakers, to the occupier, or if unoccupied then to the owner or lessee, or to the agent of the owner or lessee of any premises in which any pipes, meters, fittings, or apparatus belonging to the Undertakers are laid or fixed, and through or in which the supply of gas is from any such cause discontinued, to enter such premises between the hours of nine in the morning and four in the evening, for the purpose of removing and to remove such pipes, meters, fittings, or apparatus, repairing all damage caused by such entry or removal.

Supply of Gas to Public Lamps.

Supply and price of gas to public lamps.

22. The Undertakers shall supply gas to public lamps within fifty yards of any main of the Undertakers, in such quantities as the lighting authority of the district may in writing under the hand of their clerk or other officer from time to time require to be supplied, and the price to be charged by the Undertakers, and to be paid to them, for all gas so supplied to or for any such public lamp, shall be settled by agreement between the lighting authority and the Undertakers, and in case of difference by arbitration, regard being had to the circumstances of the case and the prices charged to private consumers in the district.

As to consumption of gas supplied to the public lamps.

23. The gas supplied to the public lamps shall be consumed by meter at the option of the lighting authority of the district or of the Undertakers; and in case of its being consumed by meter the meter shall be provided and fixed by the Undertakers, and be paid for by the party requiring it.

If the gas be supplied to the public lamps by average meter indication, the Undertakers shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps with proper self-acting pressure regulators and burners to the satisfaction of the lighting authority of the district, and the average amount of the indications of all the meters attached to the public lamps in any district shall, except as herein-after mentioned, be deemed to be the amount consumed by each such lamp.

Governors for street lamps.

24. In any case in which gas is supplied to public lamps in any district by the Undertakers, they or the lighting authority may at their own expense cause to be affixed to each lamp the instrument known as a street lamp governor, and the Undertakers or the lighting authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

For settlement of differences between the Undertakers and the lighting authority.

25. Any difference which may arise between the Undertakers and any lighting authority in relation to the supply or consumption of gas, or in relation to any matter connected therewith, shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration.

Testing of Gas.

Test meter to be erected.

26. The Undertakers shall, before supplying gas under the authority of this part of this Order, cause to be provided in some part of their works a testing place, with apparatus therein,

1. For testing the illuminating power of the gas supplied;
2. For testing the presence in the gas supplied of sulphuretted hydrogen.

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The said apparatus shall be in accordance with the regulations prescribed in Part I. of the schedule (B.) to this Order annexed, and shall be so situated and arranged that it may be used for the purpose of testing the illuminating power and purity of the gas supplied by the Undertakers, and the Undertakers shall at all times thereafter keep such testing place and apparatus in good repair and working order.

Appointment and powers of gas examiners.

27. Any local authority within the limits of supply, after the passing of the Act confirming this Order, may from time to time appoint or may appoint and keep appointed a competent and impartial person to be a gas examiner to test the gas at the testing place provided in conformity with the provisions of this part of this Order; and every such gas examiner may there test the illuminating power and purity of the gas supplied by the Undertakers, on every day between the hours of five o'clock and ten o'clock in the afternoon from the first day of October to the thirty-first day of March, both inclusive, and on every day between the hours of eight o'clock and eleven o'clock in the afternoon from the first day of April to the thirtieth day of September, both inclusive, and such gas examiner, elsewhere as and when he thinks fit, may test the pressure at which such gas is supplied.

Representation of Undertakers.

28. The Undertakers may, if they think fit, on each occasion of the testing of the gas by a gas examiner, be represented by some officer, but such officer shall not interfere in the testing.

Mode of testing.

29. Any tests to be taken in pursuance of this part of this Order with respect to the illuminating power and purity of gas shall be taken in accordance with the rules prescribed in part II. of the schedule (B.) to this Order annexed.

Report of gas examiner.

30. The gas examiner shall, on the day immediately following that on which the testing of the illuminating power or purity or pressure of the gas has been conducted, make and deliver a report of the results of his testing to the local authority by whom he was appointed and to the Undertakers, and such report shall be receivable in evidence.

Access to testing place.

31. The Undertakers shall give to the gas examiner and to his assistants access to the testing place, and shall afford all reasonable facilities for enabling the gas examiner and his assistants to test the pressure at which the gas is supplied, and they shall generally afford all such facilities as aforesaid for the proper execution of this part of this Order; and in case the Undertakers make default in complying with any of the provisions of this section they shall for every such default be liable to a penalty not exceeding five pounds.

Penalties.

Penalty on failure in supply of gas.

32. Whenever the Undertakers wilfully fail to supply gas to any owner or occupier of premises entitled to require the same under the provisions of this part of this Order, they shall be liable to a penalty not exceeding forty shillings for each day during which such default continues.

Whenever the Undertakers wilfully fail to supply gas as by this part of this Order required to any of the public lamps, they shall be liable to a penalty not exceeding forty shillings for each default.

If on any day the gas supplied by the Undertakers is of less illuminating power or purity, or is supplied at a less pressure, than it ought to be according to the provisions of this part of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding twenty pounds.

Provided that no penalty shall be incurred in any case with respect to which it is proved that the defect of illuminating power, or the excess of impurity, or the want of pressure, was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

33. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any pipe, meter, or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied, or fraudulently abstracts, consumes, or uses gas of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may in addition thereto recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such meter is under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Miscellaneous.

Recovery of sums due to Undertakers.

34. Whenever any person neglects to pay any rent or sum due and payable by him under the provisions of this part of this Order to the Undertakers, the Undertakers may recover the same, with full costs of suit, in any court of competent jurisdiction; and the remedy of the Undertakers under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Service of notices by Undertakers.

35. Every notice which the Undertakers are by this part of this Order required to serve upon any person shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last-named place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Undertakers, and cannot, after due inquiry, be found or ascertained, then by being affixed for three days to some conspicuous part of the premises to which such notice relates.

PART II.

Water Undertaking.

Incorporation of Acts.

36. The provisions of "The Waterworks Clauses Acts, 1847 and 1863," are hereby incorporated with this part of this Order, except where the same are expressly varied by this part of this Order.

Capital.

37. The share capital of the Undertakers for the purposes of the water undertaking shall consist of original share capital, amounting to three thousand one hundred and twenty pounds, and of additional capital not exceeding five thousand eight hundred and eighty pounds, and the original and additional share capital

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of the Undertakers shall not exceed nine 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.

Limit of dividend upon new capital.

38. The Undertakers shall not in any year make out of their profits arising from the water undertaking by this Order authorised any larger dividend on the additional share capital than seven pounds in respect of every one hundred pounds actually paid up of such capital.

Interpretation.

39. The several words and expressions to which by "The Waterworks Clauses Acts, 1847 and 1863," and by "The Gas and Water Works Facilities Act, 1870," meanings are assigned, have in this part of this Order the same respective meanings: Provided always, that the expression "superior courts" or "court of competent jurisdiction," in "The Waterworks Clauses Acts, 1847 and 1863," shall be read and have effect as if the debt or demand with respect to which the expression is used were an ordinary simple contract debt, and not a debt or demand created by statute:

The term "premises" shall mean and include any house, building, or land in, to, or through which water is supplied under the authority of this part of this Order.

Maintenance of Waterworks.—Supply and Sale of Water.

Power to maintain and continue works.

40. The Undertakers may maintain, continue, and use, and may from time to time alter and enlarge, their existing waterworks and works connected therewith, and they may, subject to the provisions of this part of this Order, supply and sell water within the limits of supply.

Quality of Water.

Quality of water.

41. The water supplied by the Undertakers shall be effectually filtered, and shall be as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Water not necessarily under pressure.

42. Notwithstanding anything in "The Waterworks Clauses Act, 1847," contained or implied to the contrary, it shall not be incumbent on the Undertakers to supply water to houses within the limits of supply in cases in which the supply cannot be afforded from the pipes laid down by the Undertakers by its own residual pressure or gravitation, nor need the water supplied by the Undertakers be constantly laid on under pressure.

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

43. The Undertakers shall, at the request of the owner or occupier of any dwelling-house or part of a dwelling-house entitled under the provisions of this part of this Order to demand a supply of water for domestic purposes (which shall include one watercloset), furnish to such owner or occupier a sufficient supply for such domestic purposes, at rates not exceeding five pounds per centum per annum on the annual rackrent of the premises so supplied with water, if the same be let at rackrent, and five pounds per centum per annum on the annual value, if and while the same is not let at a rackrent: Provided always, that the Undertakers shall not be bound to supply any premises for any less sum than five shillings per annum, nor any bath containing as usually filled for use a greater quantity of water than fifty gallons: Provided also, that in the case of any premises used

in part as retail or wholesale shops or warerooms, the said rates shall be charged (if the annual rackrental amounts to more than twenty pounds, and does not exceed fifty pounds) on three fourths only of such annual rackrental, and if the annual rackrental amounts to more than fifty pounds, upon two thirds of such annual rackrental.

Rates for waterclosets and baths.

44. In addition to the rates for the supply of water for domestic purposes, the Undertakers may demand and receive for every watercloset beyond the first in any premises within the limits of supply a yearly sum not exceeding eight shillings, and for every bath any yearly sum not exceeding twelve shillings.

Regulations for preventing waste of water.

45. Subject to the provisions of this part of this Order, the Undertakers may from time to time, for the purpose of preventing any waste, misuser, or undue consumption or contamination of water supplied by them, by regulation prescribe the fittings to be used within the limits of supply, in which term fittings is included the size, nature, strength, materials, mode of arrangement, and repair of the pipes, valves, cocks, cisterns, waterclosets, and other matters connected therewith, and may interdict any fittings which in their judgment may tend to any such waste, misuser, undue consumption, or contamination.

The Undertakers shall not be bound to supply any water unless and until the fittings by means of which such water is to be supplied are as prescribed by such regulations; and if and whenever any difference shall arise as to whether the regulations are reasonable or have been complied with, the difference may be referred by either party to and shall be settled by two justices.

Amendment of 10 & 11 Vict. c. 17. s. 44.

46. Section forty-four of "The Waterworks Clauses Act, 1847," shall for the purposes of this part of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house, or of the agent of such owner," were omitted therefrom: Provided always, that any rent paid by an occupier in pursuance of the provisions of the said sections may be deducted by such occupier from any rent from time to time due by him to such owner.

Supply of water to tenements in a row.

47. Where there are several tenements in a row, no tenant or occupier of any one of the tenements, nor any person on his behalf, shall take or use the water laid on by the Undertakers to any other such tenement, unless the tenant or occupier be in respect of the tenement so occupied by him rated under this part of this Order for a supply of water.

Water supplied by agreement.

48. The Undertakers may from time to time supply any person, corporation, or company with water for any purposes for which no specific rates are by this part of this Order limited, for such remuneration, and upon such terms and conditions as shall be agreed upon between the Undertakers and the corporation, person, or company desirous of having the supply.

Sale of water by measure.

49. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer: Provided that the price to be charged by the Undertakers for such supply shall not exceed one shilling and sixpence per one thousand gallons.

Undertakers to keep meters let for hire in repair.

50. The Undertakers shall at all times, at their own expense, keep all meters or other instruments for measuring water, let by them for hire to any consumer, in proper order for correctly registering the supply of water; and in default of their so doing the consumer shall not be liable to pay rent for the same during such time as such default continues. The Undertakers

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shall, for the purposes aforesaid, have access to, and be at liberty to remove, test, inspect, and replace, any such meter or other instrument at all reasonable times.

Register of water meters, &c. to be primâ facie evidence.

51. Where water is supplied by measure, the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed: Provided always, that if the Undertakers and the consumer differ as to the quantity consumed, such difference shall be determined, upon the application of either party, by two justices, who may also order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such justices shall be final and binding on all parties.

Penalties.

Penalty for impurity of water.

52. If on any day the water supplied by the Undertakers is of less purity than it ought to be according to the provisions of this part of this Order, the Undertakers shall in every such case be liable to a penalty not exceeding ten pounds.

Provided that no penalty shall be incurred in any case in which it is proved that the defect in purity was occasioned by an unavoidable cause or accident.

Penalty for injuring meters.

53. Every person who wilfully, fraudulently, or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Undertakers, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts, consumes, or uses water of the Undertakers, shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds, and the Undertakers may, in addition thereto, recover the amount of any damage by them sustained; and in any case in which any person has wilfully or fraudulently injured or suffered to be injured any pipe, meter, or fittings belonging to the Undertakers, or has fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of water supplied, the Undertakers may also, until the matter complained of has been remedied, but no longer, discontinue the supply of water to the person so offending notwithstanding any contract previously existing); and the existence of artificial means for causing such injury, alteration, or prevention, when such meter is under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

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

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

PART III.

Miscellaneous, relating to both Gas and Water Undertaking.

Differences with railway and other companies.

55. If any difference arises between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power to

cross, under the authority of this Order, for the purpose of meeting the demands for gas or water 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.

Incoming tenants not liable to pay arrears of gas or water rents.

56. In case any consumer of gas or water supplied by the Undertakers leave the premises where such gas or water has been supplied to him without paying to them the gas rent, water rate, or meter rent due from him, the Undertakers shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant has undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Several names in one summons or warrant.

57. Any summons or warrant issued for any of the purposes of this Order may contain, in the body thereof or in a schedule thereto, several names and several sums.

Warrant of distress shall include costs.

58. Any justice who issues a warrant of distress in pursuance of the provisions of this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money; and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such money.

Liability to gas rent or water rate not to disqualify justices from acting.

59. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any gas rent or water rate or other charge under this Order.

Saving of existing contracts, &c.

60. 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 supply of gas or water by the Knutsford Gas and Water Company, Limited.

Costs of Order.

61. 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 (A.)

A plot of land containing by admeasurement 3,238⅓ square yards or thereabouts, and bounded on the south-west by land belonging to Mr. John Ogden, and on all the other sides by land belonging to the Right Honourable Lord Egerton, of Tatton, which said plot of land is situate in the parish of Nether Knutsford, other Knutsford Inferior, in the county of Chester, and is now in the occupation of the original company.

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SCHEDULE (B.)

PART I.

Regulations in respect of testing apparatus.

1. *The apparatus for testing the illuminating power of the gas* shall consist of the improved form of Bunsen's photometer, known as Letheby's open 60-inch photometer, or Evans' enclosed 100-inch photometer, together with a proper meter, minute clock, governor, pressure gauge, and balance.

2. *The apparatus for testing the presence in the gas of sulphuretted hydrogen.*—A glass vessel containing a strip of bibulous paper moistened with a solution of acetate of lead, containing sixty grains of crystallized acetate of lead dissolved in one fluid ounce of water.

PART II.

Rules as to mode of testing gas.

1*st. Mode of testing for illuminating power.*

The gas in the photometer is to be lighted at least fifteen minutes before the testings begin, and it is to be kept continuously burning from the beginning to the end of the tests.

Each testing shall include ten observations of the photometer made at intervals of one minute.

The consumption of the gas is to be carefully adjusted to five cubic feet per hour.

The candles are to be lighted at least ten minutes before beginning each testing, so as to arrive at their normal rate of burning, which is shown when the wick is slightly bent and the tip glowing. The rate of consumption for the candles shall be 120 grains each per hour. Before and after making each set of ten observations of the photometer the gas examiner shall weigh the candles, and if the combustion shall have been more or less per candle than 120 grains per hour he shall make and record the calculations requisite to neutralize the effects of this difference.

The average of each set of ten observations is to be taken as representing the illuminating power of that testing.

2nd. Mode of testing for sulphuretted hydrogen.

The gas shall be passed through the glass vessel containing the strip of bibulous paper moistened with the solution of acetate of lead for three minutes, and if any discolouration of the test paper is found to have taken place this is to be held conclusive as to the presence of sulphuretted hydrogen in the gas.

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