CHAPTER clix.

An Act for confirming certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Cleethorpes Gas, Dorchester Gas, Dronfield Gas, Eckington Gas, Enfield Gas, Havant Gas, Longridge Gas, Northfleet Gas, Wantage Gas, Wellingborough Gas, Dorking Water, Herts and Essex Water, Maidstone Water, Margate Water, Mexbrough and District Water, Oystermouth Water, Rhyl District Water, Saint Alban's Water, Shoreham and District Water, Stourbridge Water, Thirsk District Water, Aldershot Gas and Water, Ventnor Gas and Water, and Ystrad Gas and Water. A.D. 1879.

[21st July 1879.]

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

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

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

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

1. This Act may be cited as the Gas and Water Orders Confirmation Act, 1879. Short title.

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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 effect.

The SCHEDULE of ORDERS.

1. GAS ORDERS.

1. CLEETHORPES GAS.—Order empowering the Cleethorpes Gas Company to raise Additional Capital.
2. DORCHESTER GAS.—Order empowering the Dorchester Gas and Coke Company, Limited, to maintain and continue Gasworks, and to make and supply Gas in the town and borough of Dorchester, the parishes of the Holy Trinity and Fordington (being partly within and partly without the said borough), and also in the adjoining parishes of Stinsford, West Stafford, Winterbourne Came, Winterbourne Herringstone, Winterbourne Monkton, Winterbourne Saint Martin, Bradford Peverell, and Charminster, all in the county of Dorset.
3. DRONFIELD GAS.—Order empowering the Dronfield Gaslight and Coke Company to maintain and continue Gasworks, and to make and supply Gas in part of the parish of Dronfield, in the county of Derby.
4. ECKINGTON GAS.—Order empowering the Eckington and Mosbrough Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the township and parish of Eckington, in the county of Derby.
5. ENFIELD GAS.—Order authorising the Amalgamation of the Ponders End and Enfield Highway Gaslight and Coke Company (Limited) with the Enfield Gas Company, and authorising the Enfield Gas Company to maintain and continue the Gasworks of the said first-mentioned Company, and to raise Additional Capital.
6. HAVANT GAS.—Order empowering the Havant Gas Company (Limited) to maintain and continue Gasworks, to construct additional Gasworks, and to make and supply Gas in the parishes of Havant and Bedhampton, and in certain parts of the parish of Warblington, all in the county of Southampton.
7. LONGRIDGE GAS.—Order empowering the Longridge Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the townships of Dilworth and Alston-with-Hothersall, in the parish of Ribchester, and the township of Whittingham, in the parish of Kirkham, all in the county of Lancaster.
8. NORTHFLEET GAS.—Order empowering Walter George Head, his heirs or assigns, to maintain and continue Gasworks, and to make and supply Gas in parts of the parishes of Northfleet and Swanscombe, in the county of Kent.

9. Wantage Gas.—Order empowering the Wantage Gas and Coke Company, Limited, to maintain and continue Gasworks, and to make and supply Gas in the township of Wantage, in the county of Berks.
10. Wellingborough Gas.—Order empowering the Wellingborough Gaslight Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the parishes of Wellingborough and Irchester, in the county of Northampton.

2. WATER ORDERS.

11. Dorking Water.—Order empowering the Dorking Water Company to raise Additional Capital and to construct and maintain additional Waterworks.
12. Herts and Essex Water.—Order authorising the construction and maintenance of Waterworks and the supply of Water in Sawbridgeworth, in the county of Hertford, and Harlow and other parishes and places in the county of Essex.
13. Maidstone Water.—Order empowering the Maidstone Waterworks Company to raise Additional Capital.
14. Margate Water.—Order empowering the Margate and Broadstairs Waterworks Company to raise Additional Capital.
15. Mexbrough and District Water.—Order empowering the Mexbrough and District Water Company (Limited) to construct and maintain Waterworks and to supply Water within the township of Mexbrough, in the west riding of the county of York.
16. Oystermouth Water.—Order authorising the construction of Waterworks, and the supply of Water in the parishes of Oystermouth and Bishopston, in the county of Glamorgan.
17. Rhyl District Water.—Order empowering the Rhyl District Water Company to raise Additional Capital.
18. Saint Alban's Water.—Order empowering the Saint Alban's Waterworks Company to raise Additional Capital.
19. Shoreham and District Water.—Order empowering the Shoreham and District Waterworks Company to raise Additional Capital, to construct additional Waterworks, and to supply Water within the parishes of Lancing, Upper Beeding, and Bramber, in the county of Sussex.
20. Stourbridge Water.—Order empowering the Stourbridge Waterworks Company to supply Water within the parishes of Pedmore and Hagley, in the county of Worcester, and to raise Additional Capital.
21. Thirsk District Water.—Order empowering the Thirsk District Water Company (Limited) to construct and maintain Waterworks and to supply Water within the townships of Boltby and Feliskirk, in the parish of Feliskirk, and the townships of Thirsk Sowerby and Carlton Miniott, in the parish of Thirsk, all in the north riding of the county of York.

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3. GAS AND WATER ORDERS.

22. ALDERSHOT GAS AND WATER.—Order empowering the Aldershot Gas and Water Company to raise Additional Capital.
23. VENTNOR GAS AND WATER.—Order empowering the Ventnor Gas and Water Company to raise Additional Capital.
24. YSTRAD GAS AND WATER.—Order empowering the Ystrad Gas and Water Company to raise Additional Capital.

Cleethorpes.

CLEETHORPES GAS.

Order empowering the Cleethorpes Gas Company to raise Additional Capital.

Short title.

1. This Order may be cited as "The Cleethorpes Gas Order, 1879."

Construction of Order.

2. The Cleethorpes Gas Act, 1866, (in this Order referred to as "the Act of 1866,") the Cleethorpes Gas Act, 1875, (in this Order referred to as "the Act of 1875,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares;
The transfer or transmission of shares;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

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

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

Undertakers.

4. The Cleethorpes Gas Company, incorporated by the Act of 1866, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1866 and the Act of 1875, they may from time to time—

1. Raise any further sums not exceeding in the whole twenty thousand pounds by the issue of new ordinary or preference shares; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share vest in the person or corporation accepting the same, unless and until the full nominal amount of such share, together with any premium obtained upon the sale thereof, has been paid in respect thereof: Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of twenty thousand pounds; and
2. Borrow on mortgage, in respect of the additional capital of twenty thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole five thousand pounds; and the Undertakers may, as each sum of four thousand pounds of such additional capital has been issued and accepted, and the amount of each sum has been paid up, borrow on mortgage, in respect of each sum of four thousand pounds, any sum or sums not exceeding in the whole one thousand pounds; but in no case shall any part of the said respective sums of one thousand pounds 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 of such capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares created under the powers of this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary

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shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

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

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

Application of premium arising on shares.

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

Power to create debenture stock.

12. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding any-

thing therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

13. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1866 or the Act of 1875 shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividend on additional capital.

14. Except as is by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividend on the original and additional capital authorised by the Act of 1866, and on the additional capital authorised by the Act of 1875 and by this Order, than the standard rates of dividend herein-after mentioned, namely, ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital authorised by the Act of 1875 and by this Order, as is issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such additional capital as is issued as preference capital; and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order, are in this Order referred to as the prescribed rates.

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on borrowed moneys.

16. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

If profits exceed the amount limited, excess may be invested and form an insurance fund.

17. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which, in the opinion of a Justice, due care and management could not have prevented; and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said sum reaches one-twentieth part of the paid-up capital the interest thereon

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shall be carried to the credit of the fund available for dividend: Provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

18. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess, or such portion of it as is not carried to the insurance fund, shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Power to create a reserve fund out of dividends in excess of the standard rates of dividend, and application thereof.

19. Where in any year the amount of the standard rates of dividend is by reason of a diminution of the standard price charged by the Undertakers in such year increased, then out of the amount of the divisible profits of the Undertakers applicable to the payment of such increase the Undertakers may in such year set apart such sum as they think fit, and all sums (if any) so set apart by the Undertakers, and any reserve or other fund of the Undertakers existing at the passing of the Act confirming this Order, may be invested in Government or other securities, and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest, and the fund so formed shall be called "the reserve fund," and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers are insufficient to enable the Undertakers in such year to pay the prescribed rates, and, save as in this Order otherwise provided, no sum shall in any year be carried by the Undertakers to any reserve fund.

Appointment of a receiver.

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

Application of money.

21. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1866 and the Act of 1875.

Price of Gas.

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

22. The standard price to be charged by the Undertakers for gas supplied by them shall be six shillings per one thousand cubic feet, and so in proportion for any less quantity supplied, provided that the Undertakers may increase or diminish such standard price, subject to a reduction or increase in the standard rates, to be calculated as follows:—

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year, the standard rates shall for such year be reduced or increased by five shillings in the one hundred pounds per annum:

In case the amount due by any consumer is not paid within one month after demand, the Undertakers shall be entitled to demand, by way of fine,

a sum equal to one twentieth of such amount, and any such sum so demanded by the Undertakers shall be paid to the Undertakers, and may be recovered by them in like manner as gas rents. A.D. 1879. *Cleethorpes.*

23. 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.

DORCHESTER GAS. *Dorchester.*

Order empowering the Dorchester Gas and Coke Company, Limited, to maintain and continue Gasworks, and to make and supply Gas in the town and borough of Dorchester, the parishes of the Holy Trinity and Fordington (being partly within and partly without the said borough), and also in the adjoining parishes of Stinsford, West Stafford, Winterbourne Came, Winterbourne Herringstone, Winterbourne Monkton, Winterbourne Saint Martin, Bradford Peverell, and Charminster, all in the county of Dorset.

1. This Order may be cited as "The Dorchester Gas Order, 1879." 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 upon lands by the promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order. 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. Interpretation.

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 borough of Dorchester, the parishes of the Holy Trinity and Fordington (being partly within and partly without the said borough), and also the adjoining parishes of Stinsford, West Stafford, Winterbourne Came, Winterbourne Herringstone, Winterbourne Monkton, Winterbourne Saint Martin, Bradford Peverell, and Charminster, all in the county of Dorset. Limits of Order.

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

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Dorchester.

Capital.

Capital.

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

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the additional capital by this Order authorised are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Purchase money of shares sold by auction to be paid within three months.

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

public auction or by tender, in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital by this Order authorised.

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

12. Except as by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividends on the original and on the additional capital by this Order authorised than the standard rates of dividend herein-after mentioned, namely, ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such additional capital as may be issued as preference capital, and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order, are in this Order referred to as "the prescribed rates."

Limit of borrowing powers.

13. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole eight thousand five hundred pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

If profits exceed the amount limited excess may be invested and form an insurance fund.

14. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which in the opinion of a Justice due care and management could not have prevented, and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said fund reaches one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend: Provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not

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at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

15. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess, or such portion of it as is not carried to the insurance fund, shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Power to create a reserve fund out of dividends in excess of the standard rates of dividend, and application thereof.

16. Where in any year the amount of the standard rates of dividend is by reason of a diminution of the standard price charged by the Undertakers in such year increased, then out of the amount of the divisible profits of the Undertakers applicable to the payment of such increase the Undertakers may in such year set apart such sum as they think fit, and all sums (if any) so set apart by the Undertakers, and any reserve or other fund of the Undertakers existing at the passing of the Act confirming this Order, may be invested in Government or other securities, and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest, and the fund so formed shall be called "the reserve fund," and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers shall be insufficient to enable the Undertakers in such year to pay the prescribed rates, and, save as in this Order otherwise provided, no sum shall in any year be carried by the Undertakers to any reserve fund.

Power to purchase additional lands.

17. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than five acres in addition to the lands shown and described as aforesaid.

Maintenance and Continuance of Gasworks.

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

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

Differences with railway and other companies.

19. If any difference arise between the Undertakers and any railway, canal, or other company, whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing,

altering, or enlarging their pipes, or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

Quality of Gas.

Quality of gas.

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

Price of Gas.

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

21. The standard price to be charged by the Undertakers for gas supplied by them shall be four shillings and sixpence per one thousand cubic feet, and so in proportion for any less quantity supplied, provided that the Undertakers may increase or diminish such standard price, subject to a reduction or increase in the standard rates of dividend, to be calculated as follows :—

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year, the standard rates shall for such year be reduced or increased by five shillings in the one hundred pounds per annum.

Pressure of Gas.

Pressure of gas.

22. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

24. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

A.D. 1879.

Dorchester.

Undertakers to pay interest on deposit.

25. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security, for every six months during which the same remains in their hand.

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

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

Saving of existing contracts.

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 gasworks of or the supply of gas by the Undertakers.

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece of land, bounded on the south by land belonging to the feoffees of All Saints Church and their lessee, Robert Williams, Esquire, on the west by Bell Street, on the north partly by lands belonging to the trustees of the Dorchester Girls' Elementary Schools, and partly by lands belonging to Lord Alington and his lessees, and on the east by Salisbury Terrace Road and the Salisbury Walks, in the parish of All Saints, in the borough of Dorchester, in the county of Dorset.

Dronfield.

DRONFIELD GAS.

Order empowering the Dronfield Gaslight and Coke Company to maintain and continue Gasworks, and to make and supply Gas in part of the parish of Dronfield, in the county of Derby.

Short title.

1. This Order may be cited as "The Dronfield Gas Order, 1879."

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 upon lands by the promoters of the undertaking), of the Gasworks

Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parish of Dronfield, in the county of Derby, except the two several townships of Totley and Dore, in the said parish of Dronfield.

Undertakers.

Undertakers.

5. The Dronfield Gaslight and Coke Company, registered under the Companies Acts, 1862 and 1867, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of twenty-four thousand pounds, and the share capital of the Undertakers shall not for such purposes exceed twenty-four thousand pounds, unless the Undertakers are hereafter authorised to raise further additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

Limit of borrowing powers.

7. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole six thousand pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

Power to purchase additional lands.

8. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than three acres in addition to the lands shown and described as aforesaid.

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

Undertakers may maintain and continue

9. The Undertakers on the lands shown on the deposited map and described in the Schedule to this Order annexed, while they are possessed of the same,

A.D. 1879.

Dronfield.

gasworks on lands described in Schedule, and may make and sell gas, &c.

may maintain and continue, and from time to time alter and enlarge, retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas and matter producible therefrom, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas, and matter producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Fixing maximum price of gas.

12. 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 for gas supplied in places situate within a circle having for its centre the central point of the entrance gateway of the gasworks of the Undertakers, and for its radius one mile and a quarter, and six shillings and sixpence per one thousand cubic feet for gas supplied in places situate beyond that circle, and so in proportion for any less quantity supplied: Provided nevertheless, that every fraction of one hundred feet may be charged as one hundred feet.

Pressure of Gas.

Pressure of gas.

13. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Testing of gas.

14. The Undertakers shall, within six months after the passing of the Act confirming this Order, cause to be provided at their works a testing place, with apparatus therein, according to the provisions of the Gasworks Clauses Act, 1871, and the burner to be used for testing gas shall be a Sugg's London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by

two-inch chimney shall be used; and any gas examiner appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

15. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

16. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

8 & 9 Vict. c. 16. s. 140. incorporated.

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

Gas Lands.

All that piece of land (formerly in three pieces) already belonging to the Undertakers, situate in the township and parish of Dronfield, in the county of Derby, bounded on or towards the north by a sheet of water forming the mill-dam attached to a water corn-mill now or late belonging to Samuel Outram, on or towards the east by land belonging to the said Samuel Outram, and used as a road to the said water corn-mill, on or towards the south by the turnpike road leading from Sheffield to Chesterfield, and on or towards the west by land and hereditaments now or late belonging to George Ward, and which said piece of land contains in the whole two thousand one hundred and seventy-eight superficial square yards or thereabouts, be the same more or less.

A.D. 1879.

Eckington.

ECKINGTON GAS.

Order empowering the Eckington and Mosbrough Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the township and parish of Eckington, in the county of Derby.

Short title.

1. This Order may be cited as "The Eckington Gas Order, 1879."

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 upon lands by the Promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

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

Undertakers.

Undertakers.

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

Capital.

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

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the said additional capital are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium

or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Purchase money of shares sold by auction to be paid within three months.

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

Application of premium arising on issue of shares

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

Limits of dividend on capital.

12. Except as by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividends on the said original and additional capital than ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional

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Eckington.

capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital.

Limit of borrowing powers.

13. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole two thousand five hundred pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

Power to purchase additional lands.

14. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than six acres in addition to the lands shown and described 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, and may make and sell gas, &c.

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

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Fixing maximum price of gas.

18. 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, and so in proportion for any less quantity supplied, provided that every fraction of one hundred feet may be charged as one hundred feet.

Pressure of Gas.

Pressure of gas.

19. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

21. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

22. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

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

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

Saving of existing contracts.

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

A.D. 1879.

Eckington.
Costs of Order.

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

SCHEDULE.

Gas Lands.

Certain lands in the township and parish of Eckington in the county of Derby (on which the Company's existing works are situate), containing two thousand superficial square yards or thereabouts, and bounded on or towards the north and west by land belonging to Sir Sitwell Reresby Sitwell, Baronet, on or towards the east by land belonging to Mr. George Stevenson, and on or towards the south by Park Mill Lane.

Enfield.

ENFIELD GAS.

Order authorising the Amalgamation of the Ponders End and Enfield Highway Gaslight and Coke Company (Limited) with the Enfield Gas Company, and authorising the Enfield Gas Company to maintain and continue the Gasworks of the said first-mentioned Company, and to raise Additional Capital.

Short title.

1. This Order may be cited as "The Enfield Gas Order, 1879."

Construction of Order.

2. The Enfield Gas Act, 1867, (in this Order referred to as "the Act of 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.

Incorporation of Acts.

3. 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 of the Company into shares;
The transfer or transmission of shares;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

and Part 1 (relating to cancellation and surrender of shares), and Part 2 (relating to additional capital), and Part 3 (relating to debenture stock) of

the Companies Clauses Act, 1863, the Companies Clauses Act, 1869, the Gasworks Clauses Act, 1847, and the Gasworks Clauses Act, 1871, are, except where expressly varied by this Order, incorporated with and form part of this Order. And the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and to the mains, pipes, and works vested in the Undertakers by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

5. The limits within which this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the limits of the Act of 1867 as defined by section four of that Act.

Undertakers.

6. The Enfield Gas Company incorporated by the Act of 1867 shall be the Undertakers for the purpose of this Order, and are in this Order referred to as "the Undertakers."

Amalgamation of Ponders End Company with Enfield Gas Company.

7. From and after the passing of the Act confirming this Order the Ponders End and Enfield Highway Gaslight and Coke Company (Limited) (in this Order referred to as "the Ponders End Company") shall be and the same is hereby amalgamated and incorporated with the Enfield Gas Company; and the undertaking of the Ponders End Company, together with all the lands, gasworks, erections, buildings, rights, and easements which on the 1st day of October 1878 or on any subsequent day were vested in the Ponders End Company, or any person in trust for them, or to which the Ponders End Company were in anywise entitled, and all mains and pipes, plant, plugs, lamps, irons, retorts, gauges, meters, lamp-posts, syphons, apparatus, stock, effects, matters, and things which have been by them purchased, provided, laid down, erected, or placed in any place or house, and which on the 1st day of October 1878 or on any subsequent day were the property of the Ponders End Company, and all moneys, securities, credits, effects, and other property whatsoever which on the 1st day of October 1878 or on any subsequent day belonged to the Ponders End Company, or to any trustee on their behalf, and the benefit of all contracts and engagements entered into by or on behalf of the Ponders End Company, and on the 1st day of October 1878 in force, shall be and the same are, subject to the provisions of this Order, hereby vested in the Undertakers to the same extent and for the same estate and interest as the same were previously to the passing of the Act confirming this Order vested in the Ponders End Company, or any trustee on their behalf, and may according to the provisions of this Order be held and enjoyed, sued for and recovered, maintained, altered, discontinued, removed, dealt with, and disposed of by the Undertakers as they think fit.

A.D. 1879.

Enfield.

Memorandum and articles of association of the Ponders End Company to be void, without prejudice to remedies for antecedent breaches thereof.

8. Subject to the provisions of this Order, the memorandum and articles of association of the Ponders End Company shall, as to any operation thereof subsequent to the passing of the Act confirming this Order, be wholly void, and the Undertakers and the shareholders in their undertaking shall be exempted from all the provisions, restrictions, and requirements of any Act which applied to the Ponders End Company and the members thereof as such; but nothing in this Order contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum or articles of association incurred before the passing of the Act confirming this Order, but such liability or obligation in respect of any such breach shall continue, and, save as in this Order otherwise provided, may be enforced by or on behalf of the Undertakers, as nearly as may be, in like manner as the same might have been enforced by or on behalf of the Ponders End Company if the Act confirming this Order had not been passed.

Nothing to affect previous rights and liabilities.

9. Except as is by this Order otherwise expressly provided, everything before the passing of the Act confirming this Order done or suffered by or with reference to the Ponders End Company, or the members thereof as such, shall be as valid as if the Ponders End Company had not been amalgamated and incorporated with the Undertakers, and as if the said memorandum and articles of association had not been avoided by this Order, and such amalgamation and incorporation and avoidance, and this Order respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which if the Ponders End Company were not amalgamated and incorporated with the Undertakers, and the said memorandum and articles of association were not avoided by this Order, and the Act confirming this Order were not passed, would be incident to or consequent on any and every thing so done or suffered; and with respect to all such rights, liabilities, claims, and demands, the Undertakers and the shareholders in their undertaking and their property shall to all intents and purposes represent the Ponders End Company, and the members thereof as such, and the property of the Ponders End Company, as the case may be.

Contracts prior to 1st October 1878 to be binding.

10. Except as is by this Order otherwise specially provided, all purchases, sales, conveyances, grants, assurances, deeds, contracts, bonds, and agreements entered into or made before the 1st day of October 1878, by, to, or with the Ponders End Company, or any trustees or persons acting on behalf of the Ponders End Company, or by, to, or with any other person to whose rights and liabilities they have succeeded and now in force, shall be as binding and of as full force and effect in every respect against or in favour of the Undertakers, and may be enforced as fully and effectually, as if instead of the Ponders End Company, or the trustees or persons acting on behalf of the Ponders End Company, the Undertakers had been a party thereto.

Actions, &c. not to abate.

11. Nothing in this Order contained shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which was pending by or against the Ponders End Company, or any member thereof in relation to the affairs of the Ponders End Company, or to which the Ponders End Company,

or any member thereof in relation to such affairs, were parties immediately before the passing of the Act confirming this Order, but such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Undertakers (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by or in favour of or against the Ponders End Company, or any member thereof, if the Act confirming this Order had not been passed, the Undertakers and the shareholders in their undertaking being in reference to the matters aforesaid in all respects substituted for the Ponders End Company and its members respectively.

Trustees of Ponders End Company to be indemnified.

12. Every trustee or other person in whom or in whose name any lands, works, buildings, easements, rights, property, or effects belonging to the Ponders End Company were vested immediately before the passing of the Act confirming this Order, and who (being authorised so to do) entered into any bond, covenant, contract, or engagement in respect of the same, or otherwise, on behalf of the Ponders End Company shall be indemnified out of the funds and property of the Undertakers against all liability (including costs, charges, and expenses) which he may sustain or incur or be put unto by reason of his having entered into such bond, covenant, contract, or engagement.

Undertakers to satisfy liabilities of Ponders End Company.

13. From and after the passing of the Act confirming this Order, and except as is by this Order otherwise expressly provided, the Undertakers shall in all respects be subject to and shall discharge all obligations and liabilities to which the Ponders End Company immediately before the passing of the Act confirming this Order were subject, and shall indemnify the members, directors, officers, and servants of the Ponders End Company and their respective representatives from all such obligations and liabilities, and from all expenses and costs in that behalf.

Recovery of gas rents, &c.

14. All gas rents and sums of money which immediately before the passing of the Act confirming this Order were due or accruing to the Ponders End Company shall be payable to and may be collected and recovered by the Undertakers, and the Undertakers shall be entitled to such gas rents and sums of money in like manner as if they had become payable for the like matters supplied or done under the powers of this Order.

As to payment of debts owing before passing of Act.

15. All persons who immediately before the passing of the Act confirming this Order owed any money to the Ponders End Company, or to any person on their behalf, shall pay the same, with all interest (if any) due or accruing upon the same, to the Undertakers, and all debts and moneys which immediately before the passing of the Act confirming this Order were due or recoverable from the Ponders End Company, or for the payment of which the Ponders End Company were or, but for this Order, would be liable, shall be paid, with all interest (if any) due or accruing upon the same, by or be recoverable from the Undertakers.

Certificates, &c. to remain in force.

16. Notwithstanding the avoidance of the said memorandum and articles of association, all certificates (until cancelled under the powers of this Order), sales, transfers, and dispositions heretofore made or executed under them for and with respect to any shares in the Ponders End Company shall remain in

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full force and continue and be available in all respects as if they had not been avoided.

Books, &c. continued evidence.

17. All documents, books, and writings which if the said dissolution and avoidance had not taken place would have been receivable in evidence for or against the Ponders End Company shall be admitted as evidence in all courts of law and equity and elsewhere for or against the Undertakers, notwithstanding such dissolution and avoidance.

Power to create preference stock to vest in shareholders of Ponders End Company.

18. The Undertakers shall, as soon as conveniently may be after the passing of the Act confirming this Order, create and issue additional capital to the amount of eleven thousand six hundred and twenty-five pounds by the creation and issue of preference stock to that amount, to be deemed fully paid up; and such preference stock shall carry interest after the rate of six pounds per centum per annum, and such interest shall commence to run from the 1st day of October 1878; and such preference stock shall be distributed between and issued to and shall vest in the respective persons or corporations who immediately before the passing of the Act confirming this Order were the registered members of the Ponders End Company, and such preference stock shall be distributed between such persons and corporations in proportion to the number of shares in the Ponders End Company to which such persons respectively were then entitled, and shall be subject and liable to the same trusts, powers, provisions, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of the Act confirming this Order affected the share or shares in the Ponders End Company for which the same is substituted, and so as to give effect to and not revoke any testamentary disposition of or affecting the same.

Undertakers shall call in and cancel existing share certificates of Ponders End Company and issue new certificates in lieu thereof.

19. The Undertakers shall call in and cancel the existing certificates of shares in the Ponders End Company, and issue in lieu thereof certificates in the form and under the conditions prescribed by the Companies Clauses Consolidation Act, 1845; but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship under this Order until they have delivered up to the Undertakers, to be cancelled, the certificates of proprietorship issued to them before the passing of the Act confirming this Order, or have proved to the reasonable satisfaction of the Undertakers the loss or destruction thereof.

Further additional capital.

20. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1867, and in addition to the eleven thousand six hundred and twenty-five pounds of preference stock by this Order herein-before directed to be created and issued, they may from time to time—

1. Raise any further sums not exceeding in the whole twelve thousand three hundred and seventy-five pounds by the issue of new ordinary or preference shares or stock; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share or stock vest in the person or corporation accepting the same, unless and until the full nominal amount of such share or stock, together with any premium obtained upon the sale thereof, has been paid in respect thereof: Provided that it shall not be lawful for the Undertakers to create and issue, in respect of the said

sum of twelve thousand three hundred and seventy-five pounds additional capital by this Order authorised to be raised, any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of twelve thousand three hundred and seventy-five pounds:

2. Borrow on mortgage, in respect of the additional capital of twelve thousand three hundred and seventy-five pounds by this Order authorised to be raised by ordinary or preference shares or stock, any sums not exceeding in the whole six thousand pounds; and the Undertakers may, as each sum of four thousand one hundred and twenty-five pounds of such additional capital has been issued and accepted, and the amount of each sum has been paid up, borrow on mortgage, in respect of each sum of four thousand one hundred and twenty-five pounds, any sum or sums not exceeding in the whole two thousand pounds; but in no case shall any part of the said respective sums of two thousand pounds be borrowed until shares for so much of the said additional capital in respect of which such borrowing powers are sought to be exercised, and as is to be raised by means of shares, are issued and accepted, and paid up, and 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 shares for the whole of such capital in respect of which such borrowing powers are sought to be exercised have been issued, accepted, and paid up, and until stock for so much of the said additional capital in respect of which such borrowing powers are sought to be exercised as is to be raised by means of stock is fully paid up, and the Undertakers have proved to such Justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

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

22. The Undertakers shall, when any shares or stock forming part of the additional capital of twelve thousand three hundred and seventy-five pounds by this Order authorised are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or

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not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock, and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Purchase money of shares sold by auction to be paid within three months.

23. It shall be one of the conditions of any sale of shares or stock under this Order that the whole nominal amount of any such share or stock, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

Application of premium arising on issue of shares or stock.

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

Power to create debenture stock.

27. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by the Act of 1867 or by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863.

Priority of existing mortgages.

28. All mortgages granted by the Undertakers under the authority of the Act of 1867 shall have priority over all mortgages granted under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on borrowed moneys.

31. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

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

Application of moneys.

33. All moneys raised under this Order, whether by shares or stock or debenture stock or borrowing, shall be applied for the purposes of the Act of 1867 and this Order only.

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

34. In addition to the gasworks, and works connected therewith, which the Undertakers are authorised to maintain and continue by the Act of 1867, they may, under the authority of this Order, on the lands shown on the deposited map and described in the Schedule to this Order annexed, while they are possessed of the same, maintain and continue, and from time to time alter and enlarge, retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas, and matter producible therefrom, and they may, subject to the provisions of the Act of 1867 and of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas, and matter producible therefrom, and may, subject to the provisions of the Act of 1867 and of this Order, sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

35. If any difference arise between the Undertakers and any railway, canal, or other company whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for

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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.

Undertakers may discontinue works not necessary and sell land and works discontinued.

36. The Undertakers may at any time or times, when the same are not required for the purposes of their undertaking, discontinue the use of either the lands and works acquired and constructed under the authority of this Order, or any part thereof, or of the lands and works now or hereafter acquired or constructed by the Undertakers under the authority of the Act of 1867, and may from time to time, in such manner, and subject to such conditions as the Undertakers may think proper, sell the lands and works the use whereof is so discontinued, and the clear purchase moneys arising from such sale shall be deemed to be capital of the Undertakers, and shall be applied and dealt with accordingly.

Saving of existing contracts.

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 gasworks of or the supply of gas by the Undertakers.

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.

Gas Lands.

Land belonging to and occupied by the Ponders End Company, situate at Ponders End, in the parish of Enfield and county of Middlesex, bounded on the north by a pasture field belonging to John Whitehead, and in the occupation of George Bingley, on the south and west by land (used as a market garden) belonging to Mrs. Hicks, and in the occupation of John Thirgood, and on the east by the main line of railway of the Great Eastern Railway Company, and containing by admeasurement one acre and three perches, or thereabouts.

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HAVANT GAS.

Order empowering the Havant Gas Company (Limited) to maintain and continue Gasworks, to construct additional Gasworks, and to make and supply Gas in the parishes of Havant and Bedhampton, and in certain parts of the parish of Warblington, all in the county of Southampton.

Short title.

1. This Order may be cited as "The Havant Gas Order, 1879."

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 upon lands by the Promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Havant and Bedhampton, and so much of the parish of Warblington as lies to the west of an imaginary straight line drawn from a point upon the northern shore of Langstone harbour, situate three hundred and ninety-eight yards to the east of the southern end of Pook or Puck Lane, in the parish of Warblington aforesaid (which lane leads from the northern shore of Langstone harbour aforesaid to the main road between Havant and Emsworth), in a northerly direction to the Rowland's Castle station of the London and South-western Railway Company, situate in the tithing of Idsworth, all in the county of Southampton.

Undertakers.

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

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of the original share capital amounting to three thousand pounds, and of additional share capital not exceeding ten thousand pounds, and the original and additional capital of the Undertakers shall not for such purposes exceed thirteen thousand pounds, unless the Undertakers are hereafter authorised to raise further additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the said additional capital are to be issued, and before offering the same to the holder of any other shares of the Undertakers, and whether the ordinary shares of the Undertakers are at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time by resolution determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened

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after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares of the Undertakers.

Purchase money of shares sold by auction to be paid within three months.

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

12. Except as by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividends on the said original and additional capital than the standard rates of dividend herein-after mentioned, namely, ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid of such additional capital as may be issued as preference capital, and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order, are in this Order referred to as "the prescribed rates."

Dividends on different classes of shares to be paid rateably.

13. In case in any half year the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed maximum

rate of dividend on each class of ordinary shares in the capital and additional capital of the Undertakers, a rateable deduction shall be made in the dividend of each class.

Limit of borrowing powers.

14. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole three thousand two hundred and fifty pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

If profits exceed the amount limited, excess may be invested and form an insurance fund.

15. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which in the opinion of a Justice due care and management could not have prevented, and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said fund reaches one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend: Provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

16. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess, or such portion of it as is not carried to the insurance fund, shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Power to create a reserve fund out of dividends in excess of the standard rates of dividend, and application thereof.

17. Where in any year the amount of the standard rates of dividend is by reason of a diminution of the standard price charged by the Undertakers in such year increased, then out of the amount of the divisible profits of the Undertakers applicable to the payment of such increase the Undertakers may in such year set apart such sum as they think fit, and all sums (if any) so set apart by the Undertakers, and any reserve or other fund of the Undertakers existing at the passing of the Act confirming this Order, may be invested in Government or other securities, and the dividends and interest arising from such securities may also be invested in the same or the like securities, in order that the same may accumulate at compound interest, and the fund so formed shall be called "the reserve fund," and shall be applicable to the payment of

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dividend in any year in which the clear profits of the Undertakers shall be insufficient to enable the Undertakers in such year to pay the prescribed rates, and, save as in this Order otherwise provided, no sum shall in any year be carried by the Undertakers to any reserve fund.

Power to purchase lands.

18. The Undertakers may by agreement purchase or take on lease and use such of the lands shown on the map deposited for the purpose of this Order (in this Order referred to as "the deposited map"), and described in Part II. of the Schedule to this Order annexed, as may be required for the undertaking authorised by this Order; and they may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold for any of the purposes of this Order, such other lands as they may require: Provided that they shall not at any time hold for such purposes more than five acres in addition to the lands described in the Schedule to this Order annexed.

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

19. The Undertakers on the lands shown on the deposited map and described in Part I. of the Schedule to this Order annexed, so long as they are possessed of the same, may maintain and continue, and from time to time alter and enlarge, their existing gasworks and works connected therewith, and on the lands shown on the deposited map and described in Part II. of the said Schedule, when and so long as they are possessed of the same, they may construct and maintain, and from time to time alter and enlarge, retorts, gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas, and matter producible therefrom, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas, and matter producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

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

22. The standard price to be charged by the Undertakers for gas supplied by them shall be five shillings per one thousand cubic feet, and so in proportion for any less quantity supplied; provided nevertheless that every fraction of

one hundred feet may be charged as one hundred feet, and provided that the Undertakers may increase or diminish such standard price, subject to a reduction or increase in the standard rates of dividend, to be calculated as follows:—

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year, the standard rates shall for such year be reduced or increased by five shillings in the one hundred pounds per annum.

Pressure of Gas.

Pressure of gas

23. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

25. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

26. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hand.

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

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

Havant. Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

GAS LANDS.

PART I.

Land belonging to and occupied by the Undertakers, situate in the parish of Havant, in the county of Southampton, bounded on the north, south, and east by land belonging to the London and South-western Railway Company, and on the west by a road or lane there called the New Lane, leading from Havant to East and West Leigh, and containing by admeasurement two thousand four hundred and twenty-one square yards, or thereabouts.

PART II.

A piece or parcel of land situate in the said parish of Havant belonging to and in the occupation of the London and South-western Railway Company, bounded on the north by other land of the said railway company, on the south by the land of the Undertakers herein-before described, on the east by the said other land of the said railway company, and on the west by the New Lane aforesaid, and containing by admeasurement four hundred square yards, or thereabouts.

Longridge.

LONGRIDGE GAS.

Order empowering the Longridge Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the townships of Dilworth and Alston-with-Hothersall, in the parish of Ribchester, and the township of Whittingham, in the parish of Kirkham, all in the county of Lancaster.

Short title.

1. This Order may be cited as "The Longridge Gas Order, 1879."

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 upon lands by the promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the townships of Dilworth and Alston-with-Hothersall, in the parish of Ribchester, and the township of Whittingham, in the parish of Kirkham, all in the county of Lancaster.

Undertakers.

Undertakers.

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

Capital.

6. The share capital of the Undertakers shall, for the purposes of their gas undertaking, consist of ten thousand pounds, unless the Undertakers are hereafter 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 borrowing powers.

7. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole two thousand five hundred pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

Power to purchase additional lands.

8. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than five acres in addition to the lands shown and described 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

9. The Undertakers on the lands shown on the deposited map and described in the Schedule to this Order annexed, while they are possessed of the same, may maintain and continue, and from time to time alter and enlarge, retorts,

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Longridge.

in Schedule, and may make and sell gas, &c.

gas-holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas and matter producible therefrom, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas and matter producible therefrom, and may sell and dispose of the same at the works and elsewhere, and may also manufacture, purchase, let, or deal in, and contract for doing work in connexion with fittings, tubes, meters, pipes, apparatus, and all articles and things in any way connected with gasworks or with the supply of gas, and may take charges and remunerations in respect thereof.

Differences with railway and other companies.

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

Power to take licenses.

11. The Undertakers may, subject to the provisions of this Order (but only for the purposes of the undertaking within the limits of supply, and not so as to acquire any exclusive right therein), contract for, take, and use any leave, license, or authority to work, use, exercise, and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working, using, or vending any invention in relation to the manufacture, production, and distribution of gas, or the conversion, manufacture, or utilization of any products obtainable in or arising from such manufacture or production, or from the materials used therein.

Quality of Gas.

Quality of gas.

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

Price of Gas.

Fixing maximum price of gas.

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

Pressure of Gas.

Pressure of gas.

14. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Longridge.

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

Testing of gas.

Miscellaneous.

16. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

No penalty in case of unavoidable cause.

17. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Undertakers to pay interest on deposit.

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

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

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

Saving of existing contracts.

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

Costs of Order.

SCHEDULE.

Gas Lands.

Land now belonging or reputed to belong to and occupied by the Undertakers, situate in the township of Dilworth aforesaid, containing about five thousand seven hundred and twenty-six square yards, and bounded on the

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Longridge.

north by property belonging or reputed to belong to William Swarbrick and others, on the south by property belonging or reputed to belong to Charles Fletcher, on the east by property belonging or reputed to belong to Henry Copeland Breakell and others, and on the west by property belonging or reputed to belong to the trustees of the late John Forrest.

Northfleet.

NORTHFLEET GAS.

Order empowering Walter George Head, his heirs or assigns, to maintain and continue Gasworks, and to make and supply Gas in parts of the parishes of Northfleet and Swanscombe, in the county of Kent.

Short title.

1. This Order may be cited as "The Northfleet Gas Order, 1879."

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 upon lands by the Promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order; and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parish of Northfleet, except so much of the district of St. Mark's, Rosherville, within the parish of Northfleet, as is situate north of an imaginary line dividing the turnpike road leading from Dartford to Strood into two equal parts, and so much of the parish of Swanscombe as lies to the east of an imaginary line commencing on the bank of the River Thames, near to the footpath leading from the said bank to the high road alongside of Cliff House, passing thence at the foot of the cliffs on the west side of the said footpath and the north side of the said high road to the boundary of Ingress Park, and along the said boundary to the high road, thence crossing the high road due south to the northern corner of Knockholt Farm, thence along the north-eastern and eastern boundary of the said farm to the south-eastern corner thereof, and thence in a straight line due south to the boundary of the parish.

Undertakers.

Northfleet. The Undertakers.

5. Walter George Head, of Ingress Cliff, Greenhithe, in the county of Kent, gas engineer, his 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 for the purposes of the undertaking authorised by this Order consist of ten thousand pounds, already expended by the Undertakers, and of additional capital not exceeding ten thousand pounds, and the original and additional capital of the Undertakers shall not for the purposes of the said undertaking exceed twenty thousand pounds, unless the Undertakers are authorised to raise further additional capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

Limits of profits on additional capital.

7. The Undertakers shall not in any year make any larger profits on the additional capital by this Order authorised than seven pounds in respect of every one hundred pounds of such capital actually expended.

Limit of borrowing powers.

8. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking authorised by this Order shall not at any time exceed in the whole five thousand pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers and secured as aforesaid after the passing of the Act confirming this Order.

Power to purchase additional lands.

9. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require: Provided that the Undertakers shall not at any time hold for such purposes more than five acres in addition to the lands shown and described 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, and may make and sell gas, &c.

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

Differences with railway and other companies.

11. If any difference arise between the Undertakers and any railway, canal, or other company whose lands or works the Undertakers have power to

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Northfleet.

cross, under the authority of this Order, for the purposes of meeting the demands for gas within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes, or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Board of Trade at the request of either party.

Quality of Gas.

Quality of gas.

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

Price of Gas.

Price of gas.

13. 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, and so in proportion for any less quantity supplied: Provided that every fraction of one hundred feet may be charged as one hundred feet: Provided always, that on the expiration of five years from the date of the passing of the Act confirming this Order, and at the expiration of every successive period of five years thereafter, the Board of Trade may, in case any application in writing is made to them by the local authority of any district within the limits of supply, or by any twenty persons being consumers of gas supplied by the Undertakers, or by the Undertakers to alter such maximum price, and if after consideration of such application it seems proper to them, by an Order to be signed by the secretary or an assistant secretary of the said Board, to be addressed and forwarded by post in a registered letter to the Undertakers (a copy of which Order shall be published once at least in some newspaper circulating within the limits of supply), alter the maximum price herein-before authorised to be charged to such sum as, having regard to all the circumstances of the case, may appear just to be charged by the Undertakers for gas, and such sum may be either greater or less than the sum herein-before authorised, and thereupon and thenceforth until the said Board, in pursuance of the provisions herein-before contained, otherwise direct, the price to be charged by the Undertakers for gas shall not exceed the sum prescribed by such Order of the said Board as aforesaid.

Pressure of Gas.

Pressure of gas.

14. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Test meter.

15. The Undertakers shall, within six months after the passing of the Act confirming this Order, cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act, 1871, and the burner to be used for testing the gas shall be a Sugg's London Argand, No. 1, with a six-inch by one-and-three-quarter-inch glass chimney,

and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used; and any gas examiner appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

16. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

17. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Saving of existing contracts.

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

Saving rights of Conservators of River Thames.

19. Nothing in this Order contained shall extend to or be construed to extend to prejudice or derogate from the estates, rights, interests, liberties, privileges, or franchises of the Conservators of the River Thames, or to prohibit, defeat, alter, or diminish any power, authority, or jurisdiction which at the time of passing the Act confirming this Order the said Conservators did or might lawfully claim, use, or exercise.

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece or parcel of land abutting on the south side of the River Thames, in the parish of Northfleet, in the county of Kent, immediately adjoining and on the east side of the cement works belonging to Messrs. Knight, Bevan, and Sturge, and bounded on the west and south by the said cement works, on the east partly by land belonging to Benjamin Wood, and in his own occupation, and partly by an open dock or landing-place from the Thames, and on the north by the River Thames.

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Wantage.

WANTAGE GAS.

Order empowering the Wantage Gas and Coke Company, Limited, to maintain and continue Gasworks, and to make and supply Gas in the township of Wantage, in the county of Berks.

Short title.

1. This Order may be cited as "The Wantage Gas Order, 1879."

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 upon lands by the promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Interpretation.

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

Limits of Order.

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

Undertakers.

Undertakers.

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

Capital.

6. The share capital of the Undertakers shall, for the purposes of their gas undertaking, consist of the original share capital amounting to two thousand pounds, and of additional share capital not exceeding five thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed seven thousand pounds, unless the Undertakers are hereafter authorised to raise further additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the said additional capital are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less

than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Purchase money of shares sold by auction to be paid within three months.

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

12. Except as by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividends on the said original and on the said additional capital than the standard rates of dividend hereinafter mentioned, namely, ten pounds in respect of every one hundred pounds actually paid up of the said original capital, and seven pounds in respect of every one hundred pounds actually paid up of the said additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital, and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order, are in this Order referred to as "the prescribed rates."

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Wantage.

Limit of borrowing powers.

13. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole one thousand two hundred and fifty pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

If profits exceed the amount limited, excess may be invested and form an insurance fund.

14. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which in the opinion of a Justice due care and management could not have prevented, and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said sum reaches one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend: Provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

15. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess, or such portion of it as is not carried to the insurance fund, shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Power to create a reserve fund out of dividends in excess of the standard rates of dividend, and application thereof.

16. Where in any year the amount of the standard rates of dividend is by reason of a diminution of the standard price charged by the Undertakers in such year increased, then out of the amount of the divisible profits of the Undertakers applicable to the payment of such increase the Undertakers may in such year set apart such sum as they think fit, and all sums (if any) so set apart by the Undertakers, and any reserve or other fund of the Undertakers existing at the time of the passing of the Act confirming this Order, may be invested in Government or other securities, and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest, and the fund so formed shall be called "the reserve fund," and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers are insufficient to enable the Undertakers in such year to pay the prescribed rates, and, save as in this Order otherwise provided, no sum shall in any year be carried by the Undertakers to any reserve fund.

Power to purchase additional lands.

17. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than three acres in addition to the lands shown and described as aforesaid.

Maintenance and Continuance of Gasworks.

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

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

Differences with railway and other companies.

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

Power to take licenses.

20. The Undertakers may, subject to the provisions of this Order (but only for the purposes of the Undertaking within the limits of supply, and not so as to acquire any exclusive right therein), contract for, take, and use any leave, license, or authority to work, use, exercise, and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working, using, or vending any invention in relation to the manufacture, production, or distribution of gas, or the conversion, manufacture, or utilization of any products obtainable in or arising from such manufacture or production or from the materials used therein.

Quality of Gas.

Quality of gas.

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

Price of Gas.

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

22. The standard price to be charged by the Undertakers for gas supplied by them shall be five shillings and tenpence per one thousand cubic feet, and so in proportion for any less quantity supplied, provided that the Undertakers

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Wantage.

may increase or diminish such standard price, subject to a reduction or increase in the standard rates of dividend, to be calculated as follows :—

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year, the standard rates shall for such year be reduced or increased by five shillings in the one hundred pounds per annum.

Pressure of Gas.

Pressure of gas.

23. All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to midnight a column of water not less than eight tenths of an inch in height at the main, as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

25. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

26. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

8 & 9 Vict. c. 16. s. 140. incorporated.

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

Saving of existing contracts.

28. 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 Undertakers. A.D. 1879.

Wantage.

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

SCHEDULE.

Gas Lands.

Lands now belonging to and occupied by the Undertakers, containing by admeasurement three roods and twenty-five perches, or thereabouts, situate in the parish of Wantage, in the county of Berks, bounded on the north by meadow land belonging to James Palmer, on the west by the Wantage Mill Brook, on the south by an orchard of Noah Beldon Langley and Fanny Elizabeth his wife, and by the land or ground belonging to the Wantage Tramway Company, Limited, and on the east by garden ground and premises belonging to George Camden.

WELLINGBOROUGH GAS.

Wellingborough.

Order empowering the Wellingborough Gaslight Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the parishes of Wellingborough and Irchester, in the county of Northampton.

1. This Order may be cited as "The Wellingborough Gas Order, 1879." 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 upon lands by the promoters of the undertaking), of the Gasworks Clauses Act, 1847, and of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order, except where the same are expressly varied by this Order, and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains, pipes, and works of the Undertakers laid down or constructed before the passing of the Act confirming this Order, and situate within the limits of supply as defined by this Order, as to any mains, pipes, or works which may be laid down or constructed under the authority of this Order. 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. Interpretation.

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 Wellingborough and Irchester, in the county of Northampton. Limits of Order.

Undertakers.

Wellingborough. Undertakers.

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

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking consist of the original share capital, amounting to twenty-five thousand pounds, of which seventeen thousand five hundred pounds has been called up and seven thousand five hundred pounds remains to be called up by the Undertakers, and of additional share capital to be raised subject to the provisions of this Order not exceeding five thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed thirty thousand pounds, unless the Undertakers are hereafter authorised to raise further additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the said additional capital are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Purchase money of shares sold by auction to be paid within three months.

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

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

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

12. Except as by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividends on the original and on the additional capital by this Order authorised than the standard rates of dividend herein-after mentioned, namely, ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital, and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order, are in this Order referred to as "the prescribed rates."

Limit of borrowing powers.

13. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole seven thousand five hundred pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order.

If profits exceed the amount limited, excess may be invested and form an insurance fund.

14. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which in the opinion of a Justice due care and management could not have prevented, and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said sum reaches one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend: Provided

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Wellingborough.

also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

15. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess, or such portion of it as is not carried to the insurance fund, shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Power to create a reserve fund out of dividends in excess of the standard rates of dividend, and application thereof.

16. Where in any year the amount of the standard rates of dividend is by reason of a diminution of the standard price charged by the Undertakers in such year increased, then out of the amount of the divisible profits of the Undertakers applicable to the payment of such increase the Undertakers may in such year set apart such sum as they think fit, and all sums (if any) so set apart by the Undertakers, and any reserve or other fund of the Undertakers existing at the passing of the Act confirming this Order, may be invested in Government or other securities, and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest, and the fund so formed shall be called "the reserve fund," and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers are insufficient to enable the Undertakers in such year to pay the prescribed rates, and, save as in this Order otherwise provided, no sum shall in any year be carried by the Undertakers to any reserve fund.

Power to purchase additional lands.

17. 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 to this Order annexed, the Undertakers may from time to time purchase by agreement, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than three acres in addition to the lands shown and described 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, and may make and sell gas, &c.

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

For protection of the London and North-western Railway Company.

19. In laying down or in effecting the repairs or renewals of any mains or pipes, or in executing any other works under or in exercise of the powers conferred by this Order across or upon or in any way affecting any railway

bridges, stations, works, lands, or other property now or hereafter belonging to or in the occupation of the London and North-western Railway Company, the same shall be done under the superintendence and to the reasonable satisfaction of their principal engineer, and according to such plans and at such times as shall be reasonably approved by him, and shall be executed by and in all things at the expense of the Undertakers, and so as not to cause any injury to any such railway bridges, stations, works, lands, or property, or interruption to the passage or conduct of traffic over any such railway or at any station thereon; and if any such injury or interruption shall arise, the Undertakers shall make full compensation to that Company in respect thereof, the amount of such compensation, together with full costs, to be recoverable by that Company from the Undertakers by all and the same means as any simple contract debt.

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

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

22. The standard price to be charged by the Undertakers for gas supplied by them shall be four shillings per one thousand cubic feet, and so in proportion for any less quantity supplied, provided that the Undertakers may increase or diminish such standard price, subject to a reduction or increase in the standard rates of dividend, to be calculated as follows:—

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year, the standard rates shall for such year be reduced or increased by five shillings in the one hundred pounds per annum:

In case the amount due by any consumer is not paid within one month after demand, the Undertakers shall be entitled to demand, by way of fine, a sum equal to one twentieth of such amount, and any such sum so demanded by the Undertakers shall be paid to the Undertakers, and may be recovered by them in like manner as gas rents.

Pressure of Gas.

Pressure of gas.

23. 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.

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Welling-borough.

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

25. No penalty shall be incurred by the Undertakers for insufficiency of pressure, defect of illuminating power, or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

26. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of all moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

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

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece of land situate in the parish of Wellingborough on the west side of the high road leading from Wellingborough to Newport Pagnell, about twenty chains south of the town, bounded on the north and west by land belonging

to Nathaniel Pearce Sharman, on the south by land belonging to Elizabeth Payne and Thomas Payne, and on the east by the said high road. A.D. 1879. *Wellingborough.*

DORKING WATER. *Dorking.*

Order empowering the Dorking Water Company to raise Additional Capital and to construct and maintain additional Waterworks.

1. This Order may be cited as "The Dorking Water Order, 1879." Short title.

2. The Dorking Water Act, 1869 (in this Order referred to as "the Act of 1869"), 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. Construction of Order.

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

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 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 consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to 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, the Companies Clauses Act, 1869, and the Waterworks Clauses Acts, 1847 and 1863, are, except where expressly varied by this Order, incorporated with and form part of this Order.

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

4. 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: Interpretation.

Provided always, that the expression "superior court" 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 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.

In this Order—

The terms "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order.

Undertakers.

5. The Dorking Water Company, incorporated by the Act of 1869, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Limits of supply.

6. 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 Dorking, in the county of Surrey.

Additional Capital.

Additional capital.

7. 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 eight thousand pounds, by the issue of new shares, either ordinary or preference, or partly ordinary and partly preference, but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, and not less than the full nominal amount of any such share shall be payable or paid in respect thereof; and
2. Borrow on mortgage, in respect of the additional capital of eight thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole two thousand pounds; and the Undertakers may, as each sum of two thousand pounds of such additional capital has been issued and accepted, borrow on mortgage, in respect of each sum of two thousand pounds, any sum or sums not exceeding in the whole five hundred pounds; but in no case shall any part of the said respective sums of five hundred pounds 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 shares for the whole of such capital in respect of which such borrowing powers are sought to be exercised have been issued, accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued and accepted bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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

8. The Undertakers shall not issue any share under the authority of this Order, nor shall any such share vest in the person accepting the same, unless

and until a sum not being less than one fifth part of the amount of such share has been paid up in respect thereof

Calls.

9. One fifth of the amount of a share issued under the authority of this Order shall be the greatest amount of a call, and three months at least shall be the interval between the 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.

Receipt clause in case of person not sui juris.

10. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Votes of proprietors.

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

Power to create debenture stock.

12. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

13. Every mortgage and all debenture stock granted and issued by the Undertakers under the authority of the Act of 1869 shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on moneys borrowed.

16. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

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Dorking.

Appointment of a receiver.

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

Application of money.

18. All moneys raised under this Order shall be applied in the first instance to the payment of the debts of the Undertakers existing at the time of the passing of the Act confirming this Order, and not secured by mortgage or debentures under the authority of the Act of 1869, and then to the purposes of the undertaking authorised by the Act of 1869 and by this Order.

Lands.

Undertakers may purchase lands by agreement.

19. The Undertakers may, by agreement, purchase and use such of the lands delineated on the deposited plans as may be required for the undertaking authorised by this Order, and they may, by agreement, from time to time purchase and use any other lands and any easements, rights, or privileges in, over, or affecting any lands which they may require for such purposes: Provided always, that they shall not at any time hold more than one acre of land under the authority of this Order in addition to the lands delineated on the deposited plans.

Persons under disabilities may grant easements, &c. to Undertakers.

20. 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.

Construction of Waterworks.

Power to construct additional works.

21. The Undertakers may on the lands shown on the deposited plans, when the same have been acquired by them, make and maintain, in the line and according to the levels shown on the deposited plans and deposited sections, the additional works herein-after described, with all needful approaches, fences excavations, embankments, pipes, dams, weirs, outfalls, valves, culverts, cuts, conduits, tanks, wells, drains, sluices, engines, pumps, filtering beds, ventilation or inspection shafts, 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.) The laying of water mains and pipes, commencing at or immediately below the wheel-house on the estate known as "The Rookery," in the parish of Dorking, in the county of Surrey, belonging to George Arthur Fuller, Esquire, through or under lands of the said George Arthur Fuller, and lands belonging or reputed to belong to Lachlan Mackintosh Rate, Esquire, and George Cubitt, Esquire, M.P., and under, across, and along a highway called Balchin's Lane, Westcott

Street, and the Dorking and Guildford Road, a public road near to Westcott Green, a road on the south side of Milton Heath, a public road called Hampstead Lane, and into and out of the reservoir hereinafter mentioned, then along South Street to the junction of that street with the Horsham Road, and terminating with a junction with the existing water pipe of the Company:

(2.) A reservoir in a field belonging to George Cubitt, Esquire, M.P., immediately to the north of the road aforesaid, called Hampstead Lane:

(3.) The interception and abstraction of the overflow of the spring from the wheel-house and the spring immediately to the south of the Dorking and Guildford Road, both on "The Rookery Estate," and the using of the supply of water obtained thereby for the purposes of the Act of 1869 and of this Order.

Limits of deviation.

22. 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 they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Time for completion of works.

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

Differences with railway and other companies.

24. If any difference arise between the Undertakers and any railway, canal, or other company, whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for 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.

Miscellaneous.

Limit of quantity of water to be taken from springs.

25. The Undertakers shall not at any time abstract or permit to be abstracted in any consecutive twenty-four hours, reckoned from midnight, from the said springs, for all or any of the purposes of this Order, any quantity of water exceeding seventy-two thousand gallons per twenty-four hours: Provided that nothing herein contained shall limit or affect the rights and powers of the Undertakers of taking water under or by virtue of the Act of 1869.

Undertakers to provide proper water gauge.

26. The Undertakers shall provide and maintain a proper gauge at or near to the said springs, so as to show the quantity of water abstracted therefrom.

Mill owners to have free access to gauge.

27. The owners and occupiers for the time being of the following mills and property, viz., the mills known as the Rookery Saw Mill, Westcott Flour

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Dorking.

Mill, Milton Court Mill, Parsonage Mill, the Old Waterworks Water Wheel, Pipp Brook Mill, Pixham Mill, Fetcham Mill, and Cobham Mill, shall, upon request, at all reasonable times have full and free access by themselves, their agents or servants, to the said gauge for the purpose of testing the quantity of water from time to time abstracted from the said springs; and if upon such request the Undertakers neglect or refuse such access they shall be liable to forfeit to the millowner or occupier making such request the sum of forty shillings for every day during which such neglect or refusal continues.

Penalty in default.

Costs of Order.

28. 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.

HERTS AND ESSEX WATER.

Herts, &c.

Order authorising the construction and maintenance of Waterworks and the supply of Water in Sawbridgeworth, in the county of Hertford, and Harlow and other parishes and places in the county of Essex.

Short title.

1. This Order may be cited as "The Herts and Essex Water Order, 1879."

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 upon lands by the Promoters of the undertaking) 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 court" 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 in respect of which the expression is used were an ordinary simple contract debt and not a debt or demand created by statute.

In this Order,—

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

The expressions "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes 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 parishes and places of Sawbridgeworth, in the county of Hertford, and Harlow, Latton, Netteswell, North Weald Bassett, Epping, Theydon Garnon, and Theydon Bois, in the county of Essex.

Undertakers.

Herts, &c. Undertakers.

5. William Russ and Charles Minns, and the survivor of them, and the executors or administrators of such survivor, their or his assigns, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

Capital.

6. The capital of the Undertakers for the purposes of the undertaking authorised by this Order shall not exceed twenty-five thousand pounds, unless the Undertakers are authorised to raise additional capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

Limit of borrowing powers.

7. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking authorised by this Order shall not at any time exceed in the whole six thousand two hundred and fifty pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers and secured as aforesaid.

Power to acquire lands.

8. The Undertakers may, by agreement, purchase and use such of the lands shown on the deposited plans as they may require for the purposes of the undertaking authorised by this Order, and they may, by agreement, from time to time purchase and use any other lands, and any easements, rights, or privileges in, over, or affecting any lands which they may require for such purposes: Provided always, that they shall not at any time hold for such purposes more than five acres of land.

Confirmation of agreement for purchase of works of sanitary authority.

9. Whereas by section three of the Public Works Loans Act, 1878, after reciting that one of Her Majesty's Principal Secretaries of State being satisfied of the default of the sewer authority for the special drainage district of Epping, in the county of Essex, had appointed a person to provide works of drainage and water supply for the said special drainage district, and that the Public Works Loan Commissioners (herein-after referred to as "the Commissioners") had advanced money on account of the said works, and that the powers, property, and liabilities of the said sewer authority had become vested in and imposed on the rural sanitary authority of the Epping Union, it was enacted by way of compromise that the said sanitary authority should pay to the Commissioners the sum of five thousand six hundred and twenty pounds with interest thereon at four per cent., by twenty annual instalments of four hundred and thirteen pounds ten shillings and sevenpence each on the days, in the manner, and out of the funds therein specified as and in full discharge of all liabilities of the said sanitary authority in respect of the moneys so advanced as aforesaid: And whereas the said sanitary authority and the Undertakers have entered into the articles of agreement set forth in the Schedule to this Order annexed, providing for the sale to and purchase by the Undertakers of the works in the said agreement described and therein referred to as the Epping Waterworks, and the Commissioners have consented thereto, subject as herein-after mentioned, and it is expedient to give effect to such agreement; therefore, from and after the passing of the Act confirming this Order, the said agreement

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shall be binding on the said parties thereto and shall be by them carried into effect respectively; but the said sanitary authority shall, so soon as the said purchase shall have been completed, pay the purchase money of two thousand pounds to the Commissioners, and the money so paid shall be taken and accepted by the Commissioners in part payment of the principal sum then remaining unpaid, in respect of the said sum of five thousand six hundred and twenty pounds, and thereupon the amount of the annual instalments by the said Act directed to be paid shall be reduced so that the balance of the said sum of five thousand six hundred and twenty pounds, with all interest at the rate provided for in the said Act, shall be repaid within the period and on the dates mentioned in the same Act.

Persons under disability may grant easements, &c. to Undertakers.

10. 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.

Construction of Waterworks.

Power to construct waterworks and supply water.

11. The Undertakers may, on the lands shown on the deposited plans when the same have been acquired by them under the authority of this Order, make and maintain, in the line and according to the levels shown on the deposited plans and deposited sections, the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, engines, pumps, filtering beds, 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.) A well and pumping station to be situate in the parish of Sawbridgeworth, in the county of Hertford, in a field numbered 393 on the tithe commutation map belonging or reputed to belong to Thomas Francis Rivers, Esq.:

(B.) An aqueduct, conduit, or line of pipes, commencing at the said pumping station and terminating at and in the parish of Epping, in the county of Essex, in the water tower belonging or reputed to belong to the rural sanitary authority of Epping.

The said aqueduct, conduit, or line of pipes will be made or pass from, in, through, or into the parishes, townships, and extra-parochial places following, or some of them; (that is to say,) Sawbridgeworth, in the county of Hertford, and Harlow, Latton, North Weald Bassett, Epping, Thornwood, and Theydon Garnon, or some of them, in the county of Essex.

Limits of 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 he 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 ten feet downwards, but this section shall not extend to any works on land purchased by the Undertakers.

Herts, &c.

13. 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, pumping station, and other works from time to time belonging to them in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Period for completion of works.

Quality of Water.

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

Quality of water.

Supply.

15. The water supplied by the Undertakers need not at any time be delivered at a greater height than three hundred and thirteen feet above the level of the datum line marked on the deposited plans, nor need the water be constantly laid on.

Limits of 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 rates not exceeding the rates hereinafter specified; (that is to say,)

Rates for supply for domestic purposes.

Six pounds per centum per annum upon the annual rackrent, or if not let at annual rackrent upon the gross rateable value of the dwelling-house supplied, and so in proportion for any longer or shorter period than a year: Provided that the Undertakers shall not be obliged to furnish any such supply for any less rate than twopence per week.

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 ten shillings per annum, and for every bath an additional sum not exceeding twelve shillings and sixpence 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 twenty gallons the Undertakers may charge an increased rate in proportion to the size of such baths, and the Undertakers shall not be compelled to supply water for any bath so constructed as to contain when filled for use more than fifty gallons of water.

Rates for waterclosets and baths.

18. The Undertakers shall when required supply the road authority within the meaning of section two of the Gas and Water Works Facilities Act, 1870, and every sewer authority within the limits of supply, with water for watering roads and streets, and for flushing sewers and drains, or other public purposes, at a rate not exceeding one shilling for every thousand gallons, but no such authority shall be entitled to such a supply whenever and so long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes under the provisions of this Order.

Undertakers to supply water to road and sewer authorities.

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Herts, &c.

Water supplied by agreement.

19. The Undertakers may from time to time supply any local board, sanitary authority, corporation, company, body, or person, within or without the limits of supply, with water in bulk for other than domestic purposes, for such remuneration and upon such terms and conditions as may be agreed upon between the Undertakers and such local board, sanitary authority, corporation, company, body, or person; but, notwithstanding any such agreement, no such local board, sanitary authority, corporation, company, body, or 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 the provisions of this Order; and every such agreement shall be, by virtue of this Order, determinable by the Undertakers on one month's notice in writing: Provided always, that nothing herein contained shall authorise the Undertakers to lay down or place any pipe or conduit, or to break up any road or street, or execute any work beyond the limits of supply, or to supply water within the limits of supply of any local board or sanitary authority, corporation, company, body, or person now or hereafter empowered by Act of Parliament, or by any Provisional Order confirmed by Act of Parliament, to supply water.

Supply of water by meter.

20. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer, and may charge a rent for each meter provided by them at a rate per annum not exceeding fifteen per centum of the price of the meter, such rent to be paid quarterly in advance, and to be recoverable in all respects with and as the water rate.

Undertakers to keep meters in repair.

21. 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 meters to be evidence.

22. 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 water 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.

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.

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

24. When several houses or parts of houses in the occupation of several persons are 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 unless the water rate is paid for the whole of such dwelling-house and premises.

Supply of water to tenements in a row.

25. 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.

Penalties.

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.

Injuring meters.

27. 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 who 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, fraudulently, or by culpable negligence 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, or has fraudulently abstracted, consumed, or used water of the Undertakers, 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, or for abstracting, consuming, or using water of the Undertakers, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, prevention, abstraction, consumption, or user, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Misuser where supply to several houses common to all.

28. Any tenant or occupier of one or part of one of several houses or tenements supplied by a common pipe who takes or uses the water laid on by the Undertakers to any other such house or 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.

Herts, &c. Incoming tenant not liable to pay arrears.

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 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.

Saving rights and protecting works of the Great Eastern Railway Company.

30. Nothing in this Order, or in the Acts wholly or partially incorporated with this Order contained, shall take away, diminish, or affect any of the rights, privileges, or powers vested in the Great Eastern Railway Company (herein-after called "the Great Eastern Company"), and the Undertakers shall not without the consent in writing of the Great Eastern Company, under the hand of their secretary for the time being first had and obtained, take, use, or in any manner interfere with any part of the railway of the said company, or the works connected therewith, or any land belonging to the Great Eastern Company, and all works authorised by this Order to be constructed, so far as they affect the same, shall be executed according to plans and specifications to be submitted to and previously approved by the engineer for the time being of the Great Eastern Company, or in the event of dispute, according to plans and specifications to be approved by a referee to be appointed by the Board of Trade as herein-after provided, and the same works shall be commenced, carried on, completed, and maintained under the superintendence and to the reasonable satisfaction of the engineer for the time being of the Great Eastern Company, and at the expense of the Undertakers, and the Great Eastern Company may at like expense make such provision and construct such temporary works as their said engineer may think necessary for securing the safety of the railway and the due conduct of the traffic thereon during the construction, alteration, or repair of the said works: Provided that if the engineer for the time being of the Great Eastern Company has not, within one calendar month from the day on which the said plans and specifications have been submitted to him as aforesaid, signified in writing his disapproval thereof he shall be deemed to have approved thereof.

If any dispute arise between the Undertakers and the Great Eastern Company as to the mode of constructing, altering, or repairing any of the works authorised to be constructed by this Order such dispute shall be referred to some competent engineer to be agreed on between the Undertakers and the Great Eastern Company, or in case they do not agree upon a referee within one calendar month from the day on which the engineer for the time being of the Great Eastern Company has signified in writing his disapproval of the said plans and specifications, then to a referee to be appointed by the Board of Trade, and the decision of any such referee shall be final and binding on all parties.

Several names in one summons.

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

Warrant of distress to 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.

Costs of Order.

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.

SCHEDULE

Setting forth the Agreement referred to in the foregoing Order.

Articles of Agreement made and entered into this tenth day of January one thousand eight hundred and seventy-nine, between the Guardians of the Poor of the Union of Epping, in the county of Essex, acting as the Rural Sanitary Authority for such Union, and herein-after referred to as "the Guardians," of the one part, and William Russ and Charles Minns, both of No. 9, Victoria Chambers, Victoria Street, Westminster, civil engineers, and herein-after referred to as "the Purchasers," of the other part.

It is hereby agreed as follows:

1. The Guardians shall sell and the Purchasers shall purchase all and singular the water tower, well, engine-house, land, pipes, machinery, and effects forming and herein-after referred to as "the Epping Waterworks," and situate in the parishes of Epping, Thoydon Garnon, and Thoydon Bois, in the county of Essex, or some of them, upon the terms and conditions following; (that is to say,)

2. The price to be paid by the Purchasers to the Guardians shall be the sum of two thousand pounds sterling.

3. The sum of two hundred pounds (being a deposit on and part payment of the said sum of two thousand pounds) shall be paid by the Purchasers to the Guardians within fourteen days next following the date of a Provisional Order now being applied for, and to be obtained by the Purchasers from the Board of Trade, for liberty (amongst other things) to make and maintain a well and pumping station, to be situate in the parish of Sawbridgeworth, in the county of Hertford, and an aqueduct, conduit, or line of pipes, commencing at the said intended pumping station, and terminating at and in the parish of Epping, in the county of Essex, in the said water tower.

4. The sum of one thousand eight hundred pounds (being the balance of the said purchase money of two thousand pounds), together with interest thereon at the rate of five pounds per cent. per annum from the date of the said Provisional Order now being applied for as aforesaid, shall be paid by the Pur-

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chasers to the Guardians at the expiration of six calendar months from the day of the date of the said Provisional Order being made by the Board of Trade.

5. The Purchasers shall accept the title of the Guardians to the said Epping Waterworks, and shall admit their power to convey and transfer the same, and no objection or inquiry to or on the title having reference to any fact, deed, document, act, or thing prior to the year one thousand eight hundred and seventy-two, when the Guardians were constituted the rural sanitary authority of the Epping Union by virtue of the Public Health Act, 1872, shall be raised, taken, or made by the Purchasers.

6. Provided always, that in case the Purchasers shall not pay the said deposit of two hundred pounds and the said balance of one thousand eight hundred pounds and interest at the times and in accordance with the terms of this contract, or in case the Purchasers shall consistently with clause five hereof make any objection or requisition to or on the title, or as to the power of the Guardians to convey and transfer the said works, or any part thereof which the Guardians shall be unable or unwilling to remove or comply with, then it shall be lawful for the Guardians, by notice in writing under the hand of their clerk, addressed to the Purchasers at their chambers, 9, Victoria Street, Westminster, to rescind this contract, without paying any interest on the deposit or other costs or expenses whatsoever, and immediately upon such notice being put into the Post Office, this contract and every clause and thing herein contained shall become void, except only as to the payment of the costs and expenses provided for by the last clause hereof.

7. The Purchasers shall pay all and every the costs, expenses, and charges incurred or to be incurred by the Guardians of and incidental to the said sale hereby agreed upon, and whether the same shall be carried out or not, in addition to their own costs, ordinarily falling upon a purchaser.

The common seal of the Epping Union Rural Sanitary Authority was hereunto affixed at a meeting of the said authority, holden on the tenth day of January one thousand eight hundred and seventy-nine, by Thomas Chaplin, the chairman, in the presence of

JOHN W. WINDUS,
Solicitor and clerk to the said authority.

(L.S.)

Maidstone.

MAIDSTONE WATER.

Order empowering the Maidstone Waterworks Company to raise Additional Capital.

Short title.

1. This Order may be cited as "The Maidstone Water Order, 1879."

Construction of Order.

2. The Maidstone Waterworks Act, 1860, (in this Order referred to as "the Act of 1860,") the Maidstone Waterworks Act, 1863, (in this Order referred to as "the Act of 1863,") the Maidstone Water Order, 1873 (in this

Order referred to as "the Order of 1873,") the Maidstone Water Order, 1874, (in this Order referred to as "the Order of 1874,") and this Order, shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company 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 non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

The consolidation of the shares into stock;

The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to 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, the Companies Clauses Act, 1869, and the Waterworks Clauses Acts, 1847 and 1863, are, except where expressly varied by this Order, incorporated with and form part of this Order.

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

Undertakers.

4. The Maidstone Waterworks Company incorporated by the Act of 1860 shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

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

1. Raise any further sums, not exceeding in the whole sixteen thousand pounds, by the issue of new ordinary or preference shares, but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, and not less than the full nominal amount of any such share shall be payable or paid in respect thereof:
2. Borrow on mortgage, in respect of the additional capital of sixteen thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole four thousand pounds; and the Undertakers may, as each sum of four thousand pounds of such additional capital has been issued and accepted, and one half of the amount of each such sum has been paid up, borrow on mortgage, in respect of each such sum of four thousand pounds, any sum or sums not

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exceeding in the whole one thousand pounds; but in no case shall any part of the said respective sums of one thousand pounds 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 of such capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and that one half thereof has been paid up, and that not less than one-fifth part of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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

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

Calls.

7. One fifth of the amount of a share issued under the authority of this Order shall be the greatest amount of a call, and three months at least shall be the interval between the 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.

Receipt clause in case of person not sui juris.

8. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Votes of proprietors.

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

Power to create debenture stock.

10. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

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11. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1860, the Act of 1863, or the Order of 1873, shall have priority over all mortgages and debenture stock granted and issued under this Order.

Priority of existing mortgages.

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

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

14. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Limit of interest on moneys borrowed.

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

Appointment of a receiver.

16. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1860, the Act of 1863, and the Order of 1874.

Application of money.

17. 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.

MARGATE WATER.

Margate.

Order empowering the Margate and Broadstairs Waterworks Company to raise Additional Capital.

1. This Order may be cited as "The Margate Water Order, 1879."

Short title.

2. The Margate Waterworks Act, 1857, (in this Order referred to as "the Act of 1857,") the Margate Water Order, 1872, (in this Order referred to as "the Order of 1872,") 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.

Construction of Order.

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Margate.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The consolidation of the shares into stock;

The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to 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, the Companies Clauses Act, 1869, and the Waterworks Clauses Acts, 1847 and 1863, are, except where expressly varied by this Order, incorporated with and form part of this Order.

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

Undertakers.

4. The Margate and Broadstairs Waterworks Company incorporated by the Act of 1857 shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

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

1. Raise any further sums, not exceeding in the whole seven thousand five hundred pounds, by the issue of new ordinary or preference shares; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share vest in the person or corporation accepting the same, unless and until the full nominal amount of such share has been paid in respect thereof; and

2. Borrow on mortgage, in respect of the additional capital of seven thousand five hundred pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole one thousand eight hundred and seventy-five pounds; and the Undertakers may, as each sum of two thousand five hundred pounds of such additional capital has been issued and accepted, and the amount of each such sum has been paid up, borrow on mortgage, in respect of each such sum of two thousand five hundred pounds, any sum or sums not exceeding in the whole six hundred and twenty-five pounds; but in no case shall any part of the said respective sums of six hundred and twenty-five pounds 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 of such capital

in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Receipt clause in case of person not sui juris.

6. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Votes of proprietors.

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

Power to create debenture stock.

8. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

9. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1857, or the Order of 1872, shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividend on additional capital.

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

Profits expended to be part of capital.

11. As part of the additional capital of seven thousand five hundred pounds authorised by this Order, the Undertakers may as ordinary capital create and issue shares or stock to the holders of the ordinary shares of the Undertakers created and issued under the Act of 1857, rateably according to their respective holdings in the capital of the Undertakers, to the amount of two thousand pounds, being in respect of profits that have been expended on the undertaking, which shares or stock shall be considered to be shares or stock fully paid up;

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but in respect of every one hundred pounds of such two thousand pounds of shares or stock so created and issued, there shall not be paid in any year any larger dividend than five pounds.

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on moneys borrowed.

13. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stocks under the authority of this Order.

Appointment of a receiver.

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

Application of money.

15. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1857 and the Order of 1872.

Company not to supply water in Broadstairs.

16. Notwithstanding anything contained in the Act of 1857 or the Order of 1872, the Undertakers shall not supply Water within the limits of supply of the Broadstairs Waterworks Company as defined by the Broadstairs Waterworks Act, 1875.

Costs of Order.

17. 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.

Mexbrough.

MEXBROUGH AND DISTRICT WATER.

Order empowering the Mexbrough and District Water Company (Limited) to construct and maintain Waterworks and to supply Water within the township of Mexbrough, in the west riding of the county of York.

Short title.

1. This Order may be cited as "The Mexbrough District Water Order, 1879."

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.

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: Interpretation.

Provided always, that the expression "superior court" 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 in respect of 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.

The terms "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this 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 township of Mexbrough, in the west riding of the county of York. Limits of Undertaking.

Undertakers.

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

6. The share capital of the Undertakers shall not exceed ten thousand pounds, unless they be hereafter authorised to raise additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament. Capital.

7. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their undertaking shall not at any time exceed in the whole two thousand five hundred pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers. Limit of borrowing powers.

8. The Undertakers may by agreement purchase and use such of the lands shown on the deposited plans as they may require for the purposes of the undertaking authorised by this Order, and they may by agreement from time to time purchase and use any other lands and any easements, rights, or privileges in, over, or affecting any lands which they may require for such purposes: Provided always, that they shall not at any time hold more than five acres of land. Power to acquire lands and easements.

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, 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. Persons under disability may grant easements, &c., to Undertakers.

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Construction of Waterworks.

Power to construct waterworks and supply water.

10. The Undertakers may, on the lands shown on the deposited plans, when the same have been acquired by them, make and maintain, in the line and according to the levels shown on the deposited plans and deposited sections, the works herein-after described, with all the 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 and pumping station situate in the township of Mexbrough and parish of Mexbrough, in the west riding of the county of York, on land belonging to and in the occupation of the Undertakers, being part of a piece of land known as Long Clay Field belonging to and in the occupation of John Pitt Makin.

(2.) A service reservoir situate in the same township on lands belonging to and in the occupation of the Undertakers, being part of a piece of land known as Coal Pit Close, belonging to and in the occupation of the said John Pitt Makin.

(3.) A water tower and tank in the same township on land belonging to and in the occupation of the Undertakers on the south side of Helena Street, about eighty yards east of Park Road.

(4.) An aqueduct, conduit, or line of pipes (herein-after called "pipe No. 1") commencing at the said well and pumping station, and terminating at the south-western end of the said reservoir.

(5.) An aqueduct, conduit, or line of pipes in the same township, commencing at and from the pipe No. 1 on the north-east end of Pitt Street, and terminating at the north end of the water tower in Helena Street aforesaid.

Limits of 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 purpose 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.

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

Supply.

Limits of pressure.

15. The water supplied by the Undertakers need not at any time be delivered at a greater height than can be reached by gravitation from the service reservoir or works authorised by this Order, nor need the water supplied by the Undertakers be constantly laid on under pressure.

Rates for supply 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,)

If the rackrent or (if not let at a rackrent) the annual value of the dwelling-house or of part of a dwelling-house does not amount to twenty pounds per annum, the rate of seven pounds and 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:

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

If such rackrent or (as the case may be) annual value amounts to forty pounds, but does not amount to sixty pounds per annum, the rate of six pounds and 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:

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

Provided always, that the Undertakers shall not be compellable to afford a supply of water for domestic purposes to the owner or occupier of any dwelling-house or part of a dwelling-house at a rate less than eight shillings and eightpence per annum, and so in proportion for any shorter period.

Rates for watercloset, baths, &c.

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 ten shillings per annum, and for every bath an additional sum not exceeding five 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.

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Power to supply water for other than domestic purposes, and in bulk beyond limits of supply.

18. The Undertakers may from time to time supply any person, corporation, or company with water for other than domestic purposes, and any person, corporation, or company beyond the limits of supply with water in bulk for any purpose, for such remuneration, and upon such terms and conditions, as may be agreed upon between the Undertakers and such person, corporation, or company; but, notwithstanding any such agreement, no person, corporation, or company 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 within the limits of supply 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: Provided always, that nothing herein contained shall authorise the Undertakers to lay down or place any pipe or conduit, or to break up any road or street, or execute any work beyond the limits of supply, or to supply or continue to supply water within the limits of supply of any person or persons, company, local board or local authority, or governing body now or hereafter empowered by Act of Parliament, or by any Provisional Order confirmed by Act of Parliament, to supply water.

Supply of water by meter.

19. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer, and may charge a rent for each meter provided by them at a rate per annum not exceeding fifteen per centum of the price of the meter, such rent to be payable quarterly in advance, and to be recoverable in all respects with and as the water rate.

Undertakers to keep meters in repair.

20. 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 meters to be evidence.

21. 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 water 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.

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.

Mexbrough.

23. When several houses or parts of houses in the occupation of several persons are 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 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. 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.

Supply of water to tenements in a row.

Penalties.

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.

Impurity of water.

26. 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 who 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, fraudulently, or by culpable negligence 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, or has fraudulently abstracted, consumed, or used water of the Undertakers, 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, or for abstracting, consuming, or using water of the Undertakers, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, prevention, abstraction, consumption, or user, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Injuring meters.

27. Any tenant or occupier of one or part of one of several houses or tenements supplied by a common pipe who takes or uses the water laid on by the Undertakers to any other such house or tenement, or allows the same to be used

Misuser where supply to several houses is by a pipe common to all.

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contrary to the provisions of this Order, shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenant not liable to pay arrears.

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.

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

Warrant of distress to 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.

Incorporation of section 140 of the Companies Clauses Act, 1845.

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

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.

Oystermouth Water.

OYSTERMOUTH WATER.

Order authorising the construction of Waterworks, and the supply of Water in the parishes of Oystermouth and Bishopston, in the county of Glamorgan.

Short title.

1. This Order may be cited as "The Oystermouth Water Order, 1879."

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 upon lands by the Promoters of the Undertaking) and the Waterworks Clauses Acts, 1847 and 1863, are, except where the same are expressly varied by this Order, hereby incorporated with and form part 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 court" 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 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:

The expression "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order:

The expression "the Sanitary Authority" shall mean the Urban Sanitary Authority for the district of Oystermouth.

Limits of Order.

4. The limits with 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 Oystermouth, and that portion of the parish of Bishopston known as Herbert's Houses, Herbert's Lodge, Millstone Acres, and Redlay, in the county of Glamorgan.

Undertakers.

Undertakers.

5. Richard White Beor, the younger, Henry Kennard Bill, and Henry Stephen Ludlow, and the survivors and survivor of them, and the executors or administrators of such survivor, their or his assigns, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

Capital.

6. The share capital of the Undertakers for the purposes of their undertaking shall not exceed six thousand five hundred pounds, unless they be hereafter 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 borrowing powers.

7. The amount of all moneys borrowed by the Undertakers, and secured by mortgage of the undertaking authorised by this Order, shall not at any time exceed in the whole one thousand five hundred pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers.

Undertakers may purchase lands by agreement.

8. The Undertakers may by agreement purchase and use such of the lands shown on the deposited plans as may be required for the purposes of the undertaking authorised by this Order, and they may by agreement from time to time purchase and use any other lands and any easements, rights, or privileges in, over, or affecting any lands which they may require for such purposes: Provided always, that they shall not hold for the purposes of this Order more than five acres of land.

Persons under disability may grant easements to Undertakers.

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,

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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.

Construction of Waterworks.

Power to construct waterworks and supply water.

10. The Undertakers may, on the lands delineated on the deposited plans, when the same have been acquired by them, make and maintain, in the lines and according to the levels shown on the deposited plans and deposited 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 tank on or near the site of the springs called or known as the Redlay Springs, situated at the western side of Caswell Bay in the parish of Bishopston in the county of Glamorgan, together with an engine-house, pumping-station, and machinery connected therewith :
2. A conduit or line of pipes, No. 1, commencing in the said parish of Bishopston from and out of the said tank, passing in a northerly direction across a field called or known as Redcliffe to a point in the new road leading from Caswell to Bishopston, eleven chains or thereabouts, measuring in a northerly direction, from the said tank, thence along the said new road to the road of the Sanitary Authority, thence along the said road to and terminating in the parish of Oystermouth, in the north end of a field at Kiln Green on the north side of the said road, and marked 597 on the tithe map of the parish of Oystermouth :
3. A reservoir or tank, about half an acre in extent, wholly situate in the parish of Oystermouth, at the north end of the said field at Kiln Green :
4. A conduit or line of pipes, No. 2, wholly situate in the parish of Oystermouth, commencing from and out of the said reservoir, passing in an easterly direction along the lane to the village of Newton to a point opposite Paraclete Chapel, thence along the main road, passing Newton Villa, to a place called Dunns at the junction of that road with the high road leading from the Mumbles to Swansea, thence along the said high road, terminating in that road at a point opposite the southernmost house of South End Villas :
5. A conduit or line of pipes, No. 3, wholly situate in the parish of Oystermouth, commencing by a junction with the said line of pipes No. 2, at the said place known as Dunns, thence proceeding along the high road from the Mumbles to Swansea in a northerly direction, and terminating in that road at or near the point where the stream known as Black Pill crosses the said road :
6. A conduit or line of pipes No. 4, wholly situate in the parish of Oystermouth, commencing by a junction with the line of pipes No. 2, in the village of Newton, in the high road opposite Paraclete Chapel aforesaid,

thence proceeding in a southerly and south-easterly direction along the lane leading to Langland Road, thence crossing the Langland Road at Rotherslade, thence along the continuation of the said lane to and terminating at or near the south side of the parish church of Oystermouth:

Which said tank, reservoir, lines of pipes, and other works hereinbefore described, will be made in or pass from, in, through, and into the parishes of Oystermouth and Bishopston, or one of them, in the county of Glamorgan.

Limits of 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 five 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 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.

Differences with railway and other companies.

13. If any difference arise between the Undertakers and any railway, canal, or other company whose land or works the Undertakers have power, under the authority of this Order, to cross for the purpose of meeting the demands for water within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging their pipes, or as to 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 as pure as, having regard to the source and nature of supply, circumstances will admit.

Supply.

Limits of pressure.

15. The water supplied by the Undertakers need not at any time be delivered at a greater height than can be reached by gravitation from the service reservoir or works authorised by this Order, nor need the water be constantly laid on under pressure.

Rates for supply 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, furnish to such owner or occupier a sufficient supply of water for such domestic purposes, including the supply to waterclosets, at rates not exceeding the rates per annum herein-after specified; (that is to say,)

If the rackrent or (if not let at a rackrent) the annual value of the dwelling-house or part of a dwelling-house does not exceed five pounds, the rate of

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six shillings and sixpence per annum, and so in proportion for any shorter period :

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

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

If such rackrent or (as the case may be) annual value exceed ten pounds, the rate of five pounds per centum per annum on such rackrent or annual value, and so in proportion for any shorter period.

Rates for watercloseets and baths in offices or warehouses.

17. The Undertakers may charge in respect of every watercloset and bath in offices or warehouses within the limits of supply an additional sum not exceeding ten shillings per annum.

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 the access of foul air or other noisome or impure matter to the pipes belonging to or connected with the mains or pipes belonging to the Undertakers, 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.

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.

For supply of vessels.

20. It shall be lawful for the Undertakers to supply with water ships or vessels resorting to the Port of Swansea, and for the greater convenience of supplying such ships or vessels with water to lay down and provide pipes, and other works, in convenient stations upon or near to any of the piers, quays, or wharfs within the limits of supply, and also in like manner and for the like purpose from time to time to vary and alter such pipes, and other works, or to lay down or provide additional pipes and other works on such parts of such piers, quays, and wharfs, as the Undertakers may think necessary, and to charge for the water supplied to any skips or vessels (except fishing boats belonging to the Mumbles, which shall be supplied at the rate of three shillings per annum in respect of every fishing boat) at the rate of one shilling and sixpence for every hundred gallons, or any less quantity, and for every additional hundred gallons, or any less quantity, ninepence.

Supply of water to Urban Sanitary Authority for district of Oystermouth.

21. The Undertakers shall when required supply the Sanitary Authority with water for flushing sewers and drains, and for watering streets and roads, and for other public purposes, at a price not exceeding fourpence per thousand gallons.

Water supplied by agreement.

22. The Undertakers may from time to time supply any person, corporation, or company, other than the Sanitary Authority, with water in bulk for other

than domestic purposes, for such remuneration and upon such terms and conditions as may be agreed upon between the Undertakers and such person, corporation, or company, but, notwithstanding any such agreement, no person, corporation, or company 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 within the limits of supply for domestic purposes under this Order.

Supply of water by meter.

23. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer, and may charge a rent for each meter provided by them at a rate per annum not exceeding fifteen per centum of the price of the meter, such rent to be paid quarterly in advance, and to be recoverable in all respects with and as the water rate: Provided always, that the Undertakers shall not charge higher rates for water supplied by meter, nor higher rents for the use of meters provided by them, than the rates and rents charged by the Corporation of Swansea for water supplied by meter, and the use of meters within the borough of Swansea.

Undertakers to keep meters 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 meters to be 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, and in respect of which any water 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.

Entry on premises to cut off supply in certain cases.

26. In all cases in which the Undertakers are authorised to cut off the pipe to or turn off water from any premises, the Undertakers, their agents or workmen (after giving notice to the owner or occupier as herein-after provided), may enter into any such premises between the hours of nine in the forenoon and four in the afternoon for the purpose of cutting off any pipe by which the water of the Undertakers shall be supplied to such premises; and any person or persons preventing or obstructing or in anywise interfering with the Undertakers, their officers, servants, or workmen, while effecting or endeavouring to effect such entry and cutting off any pipe, shall for every such offence forfeit and pay to the Undertakers a penalty not exceeding forty shillings; and such penalty may be enforced and recovered by the Undertakers by all or any of the methods open to the Undertakers for the recovery of water rates or penalties from consumers of water supplied by the Undertakers.

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Mode of giving notice.

27. The notice to be given previous to such entry shall be in writing, and shall be served in manner following; (that is to say,)

If the premises intended to be entered be occupied, then by leaving the notice thereat, or by delivering the same to the occupier thereof twenty-four hours at least previously to such entry:

If such premises be unoccupied, and the owner thereof and his usual place of abode be in England and be known to the Undertakers, then by delivering the notice to such owner, or by leaving the same at his usual place of abode twenty-four hours or by sending the same by post by registered letter addressed to him at his usual place of abode forty-eight hours at least previously to such entry:

If such premises be unoccupied, and the owner thereof or his usual place of abode be not in England or be not known to the Undertakers after due inquiry, then by affixing the notice on some conspicuous part of such premises three days at least previously to such entry; and for the purposes of this provision any person receiving the rackrent of any such premises, either on his own account or as agent or trustee for any other person, or who would so receive the same if such premises were let at a rackrent, shall be deemed the owner of such premises.

Service pipes.

28. The service pipes to communicate with the mains and pipes of the Undertakers, and the fittings connected therewith, shall be laid, placed, and removed under the superintendence of the Undertakers, and at the expense of the persons requiring or having the supply, and at their option either by themselves or by the Undertakers.

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

29. 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.

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

30. When several houses or parts of houses in the occupation of several persons are 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 unless the water rate is paid for the whole of such dwelling-house and premises.

Supply of water to tenements in a row.

31. 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.

Penalties.

Oystermouth Water.

Impurity of water.

32. 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.

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 who 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, fraudulently, or by culpable negligence, 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, or has fraudulently abstracted, consumed, or used water of the Undertakers, 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, or for abstracting, consuming, or using water of the Undertakers, when such pipe, meter, or fittings is or are under the custody or control of the consumer, shall be primâ facie evidence that such injury, alteration, prevention, abstraction, consumption, or user, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Misuser where supply to several houses is by a pipe common to all.

34. Any tenant or occupier of one or part of one of several houses or tenements supplied by a common pipe who takes or uses the water laid on by the Undertakers to any other such house or 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 tenant not liable to pay arrears.

35. 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.

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

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Warrant of distress to 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.

Liability to water rate 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 water rate or other charge under this Order.

Purchase of water undertaking by Sanitary Authority.

39. Whereas the Sanitary Authority, acting in execution of the powers conferred upon them by the Public Health Act, 1875, for the purpose of providing their district with water, have agreed with the Undertakers for the sale and transfer to them by the Undertakers of their water undertaking in the event, at the price, and subject to the conditions herein-after mentioned, therefore if, at any time within ten years after the passing of the Act confirming this Order, the Sanitary Authority call upon the Undertakers, by notice in writing, to carry the said agreement into execution, the Undertakers shall, on payment of the consideration herein-after mentioned, by deed duly signed, truly setting forth the consideration, transfer, convey, and assign to the Sanitary Authority, their successors and assigns, the water undertaking of the Undertakers, and all their rights, powers, and privileges, and all their waterworks, premises, and other property forming part of such water undertaking, subject to all liabilities to which the same may then be subject; and the Sanitary Authority shall, immediately before the execution of such deed, pay to the Undertakers, as and for the consideration for such sale and transfer, a principal sum not exceeding the amount of the cost price of the waterworks of the Undertakers, and all other incidental charges properly incurred by them on capital account, including the acquisition of land and the costs of this Order, as defined by the last section thereof, together with a sum equal to interest on the above principal sum from the respective times of the amounts constituting that principal sum being respectively disbursed or incurred, and such interest shall (if the purchase of the undertaking by the Sanitary Authority be within five years next after the passing of the Act confirming this Order) be calculated at the rate of five pounds per centum per annum, or (if such purchase be not within five years next after the passing of the Act confirming this Order) such interest shall be calculated at the rate of five pounds per centum per annum during the first five years after the passing of the Act confirming this Order, and at the rate of six pounds per centum per annum thereafter up to the date of such purchase: Provided always, that the amount of any profits that may have been divided by the Undertakers from the date of the passing of the Act confirming this Order shall be deducted from the amount of such interest; and in case of any difference arising as to the amount of such consideration calculated as aforesaid, the same shall be settled by arbitration in the manner prescribed by the Public Health Act, 1875.

Upon payment of the said consideration, and upon the execution of the said deed, the water undertaking of the Undertakers, and all their rights, powers, and privileges, and all their waterworks, premises, and other property forming

part of such water undertaking, shall be transferred to and shall vest in the Sanitary Authority, subject nevertheless to all liabilities to which the same may then be subject; and, as against the Undertakers, the Sanitary Authority shall be entitled to the absolute control of the same as though they had been the Undertakers for the purposes of this Order: Provided always, that the provisions of this Order with respect to capital, and of the Waterworks Clauses Act, 1847, with respect to the amount of profit to be received by the Undertakers when the waterworks are carried on for their benefit, shall not extend or apply to the Sanitary Authority after such sale and transfer as aforesaid.

Costs of Order.

40. 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.

RHYL DISTRICT WATER.

Rhyl.

Order empowering the Rhyl District Water Company to raise Additional Capital.

Short title.

1. This Order may be cited as "The Rhyl District Water Order, 1879."

Construction of Order.

2. The Rhyl District Waterworks Act, 1865, (in this Order referred to as "the Act of 1865,") and the Rhyl District Waterworks Act, 1871, (in this Order referred to as "the Act of 1871,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company 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 non-payment of calls;
The remedies of creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

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

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Rhyl.

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

Undertakers.

4. The Rhyl District Water Company, incorporated by the Act of 1865, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional share capital.

5. The Undertakers may, with the authority of three fifths of the votes of the ordinary shareholders, present in person or by proxy at a meeting of the Company specially convened for the purpose, and with the consent in writing of all the holders of preference shares or stock of the Company, in addition to the capital already raised by them under the provisions of the Act of 1865 and the Act of 1871, from time to time raise any further sums not exceeding in the whole twelve thousand pounds, by the creation and issue of new preference shares or stock; such new preference shares or stock to be entitled to a dividend not exceeding five per centum per annum thereon and to be entitled to dividend in priority of any existing preference shares or stock of the Undertakers; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, and not less than the full nominal amount of any such share or stock shall be payable or paid in respect thereof: Provided always, that such consent as aforesaid shall be proved to the satisfaction of a Justice; and upon production to a Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Power to borrow on mortgage.

6. The Undertakers may from time to time borrow on mortgage, in respect of the additional capital of twelve thousand pounds by this Order authorised to be raised by preference shares or stock, or any sum or sums not exceeding in the whole three thousand pounds; and the Undertakers may, as each sum of two thousand pounds of such additional capital has been issued and accepted, and one half thereof has been paid up, borrow on mortgage, in respect of each such sum of two thousand pounds, any sum or sums not exceeding in the whole five hundred pounds; but in no case shall any part of the said respective sums of five hundred pounds be borrowed until shares for so much of the said additional capital in respect of which such borrowing powers are sought to be exercised, and as is to be raised by means of shares, are issued and accepted, and one half of such capital is paid up, and 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 shares for the whole of such capital in respect of which such borrowing powers are sought to be exercised have been issued and accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital in respect of which such borrowing powers are sought to be exercised as is to be raised by means of stock is fully paid up, and the Undertakers have proved to such Justice as aforesaid, before he so certifies, that such shares

or stock, as the case may be, were issued and accepted bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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

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

Calls.

8. One fifth of the amount of a share issued under the authority of this Order shall be the greatest amount of a call, and three months at least shall be the interval between the 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.

Receipt clause in case of person not sui juris.

9. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

As to votes of proprietors of additional capital.

10. The proprietors of any shares or stock to be created and issued under the authority of this Order shall not be entitled to vote in respect thereof, but the proprietors of such new shares or stock shall, except as in this Order specially provided, be subject to the same obligations and liabilities as the proprietors of the original shares or stock of the Undertakers.

Power to create debenture stock.

11. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

12. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1865, or the Act of 1871, shall have priority over all mortgages and debenture stock granted and issued under this Order.

Limit of interest on moneys borrowed on debenture stock.

13. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage, or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

14. The mortgagees of the Undertakers 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

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the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one-tenth part of the total amount for the time being owing by the Undertakers on mortgage under the authority of this Order.

Application of money.

15. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1865 and the Act of 1871.

Saving for existing contracts.

16. Nothing in this Order contained shall alter, vary, or affect any contract or agreement duly made or any liability duly incurred by the Undertakers before the passing of the Act confirming this Order.

Costs of Order.

17. 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.

St. Alban's.

SAINT ALBAN'S WATER.

Order empowering the Saint Alban's Waterworks Company to raise Additional Capital.

Short title.

1. This Order may be cited as "The Saint Alban's Water Order, 1879."

Construction of Order.

2. The Saint Alban's Waterworks Act, 1865, (in this Order referred to as "the Act of 1865,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company 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 non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

The consolidation of the shares into stock;

The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to 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, the Companies Clauses Act, 1869, and

the Waterworks Clauses Acts, 1847 and 1863, are, except where expressly varied by this Order, incorporated with and form part of this Order.

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

Undertakers.

4. The Saint Alban's Waterworks Company incorporated by the Act of 1865 shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

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

1. Raise any further sums, not exceeding in the whole twenty thousand pounds, by the issue of new ordinary or preference shares or stock, but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, and 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, in respect of the additional capital of twenty thousand pounds by this Order authorised to be raised by ordinary or preference shares or stock, any sums not exceeding in the whole five thousand pounds; and the Undertakers may, as each sum of four thousand pounds of such additional capital has been issued and accepted, borrow on mortgage, in respect of each such sum of four thousand pounds, any sum or sums not exceeding in the whole one thousand pounds; but in no case shall any part of the said respective sums of one thousand pounds be borrowed until shares for so much of the said additional capital in respect of which such borrowing powers are sought to be exercised, and as is to be raised by means of shares, are issued and accepted, and one half of such capital is paid up, and 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 shares for the whole of such capital in respect of which such borrowing powers are sought to be exercised have been issued, accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital in respect of which such borrowing powers are sought to be exercised as is to be raised by means of stock is fully paid up, and the Undertakers have proved to such Justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also as regards so much of the said additional capital as is raised by shares, that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such Justice of the books of the Undertakers, and of

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St. Alban's.

such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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

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

Calls.

7. One fifth of the amount of a share issued under the authority of this Order shall be the greatest amount of a call, and three months at least shall be the interval between the 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.

Receipt clause in case of person not sui juris.

8. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Votes of proprietors.

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

Power to create debenture stock.

10. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

11. All mortgages granted by the Undertakers under the authority of the Act of 1865 shall have priority over all mortgages granted under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

13. In case in any half year the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed

maximum rate of dividend on each class of ordinary shares or stock in the capital and additional capital of the Undertakers, a rateable deduction shall be made in the dividend of each class.

Limit of interest on moneys borrowed.

14. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

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

Application of money.

16. All moneys raised under this Order shall be applied in the first instance to the payment of any debts of the Undertakers existing at the passing of the Act confirming this Order, and not secured by mortgage under the authority of the Act of 1865, and then to the purposes of the Undertaking authorised by the Act of 1865.

Costs of Order.

17. 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.

SHOREHAM AND DISTRICT WATER.

Shoreham, &c.

Order empowering the Shoreham and District Waterworks Company to raise Additional Capital, to construct additional Waterworks, and to supply Water within the parishes of Lancing, Upper Beeding, and Bramber, in the county of Sussex.

Short title.

1. This Order may be cited as "The Shoreham and District Waterworks Order, 1879."

Construction of Order.

2. The Shoreham and District Waterworks Act, 1870 (in this Order referred to as "the Act of 1870"), and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company 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 non-payment of calls;

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The remedies of creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to 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, the Companies Clauses Act, 1869, and the Waterworks Clauses Acts, 1847 and 1863, and the provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement), are, except where expressly varied by this Order, incorporated with and form part of this Order.

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

Interpretation.

4. 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 with this Order, 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.

In this Order—

The terms "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order.

Undertakers to exercise powers within extended limits.

5. The Shoreham and District Waterworks Company incorporated by the Act of 1870 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 exercise within the parishes of Lancing, Upper Beeding, and Bramber, in the county of Sussex, all and the like powers, privileges, and authorities for the supply of water, 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 Act of 1870; and the expression "limits of this Act" in the Act of 1870 shall from and after the passing of the Act confirming this Order be deemed to include the said parishes.

Additional Capital.

Additional capital.

6. 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 sixteen thousand pounds, by the issue of new shares, either ordinary or preference, or partly ordinary and partly preference, but the Undertakers shall not issue any share under the authority of this Order of less nominal value

than ten pounds, and not less than the full nominal amount of any such share shall be payable or paid in respect thereof; and

2. Borrow on mortgage, in respect of the additional capital of sixteen thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole four thousand pounds; and the Undertakers may, as each sum of four thousand pounds of such additional capital has been issued and accepted, borrow on mortgage, in respect of each such sum of four thousand pounds, any sum or sums not exceeding in the whole one thousand pounds; but in no case shall any part of the said respective sums of one thousand pounds 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 shares for the whole of such capital in respect of which such borrowing powers are sought to be exercised have been issued, accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued and accepted bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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

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

Calls.

8. One fifth of the amount of a share issued under the authority of this Order shall be the greatest amount of a call, and three months at least shall be the interval between the 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.

Receipt clause in case of person not sui juris.

9. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Votes of proprietors.

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

Power to create debenture stock.

11. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by the Act of 1870 or by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863.

Priority of existing mortgages.

12. Every mortgage granted by the Undertakers under the authority of the Act of 1870 shall have priority over all mortgages granted under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on moneys borrowed.

15. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

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

Application of money.

17. All moneys raised under this Order shall be applied in the first instance to the payment of the debts of the Undertakers existing at the time of the passing of the Act confirming this Order, and not secured by mortgage under the authority of the Act of 1870, and then to the purposes of the undertaking authorised by the Act of 1870 and by this Order.

Additional Lands and Waterworks.

Undertakers may purchase lands by agreement.

18. The Undertakers may, by agreement, purchase and use such of the lands delineated on the deposited plans as may be required for their undertaking authorised by the Act of 1870 and this Order, and they may, by agreement, from time to time purchase and use any other lands, and any easements, rights, or privileges in, over, or affecting any lands which they may require for such purposes: Provided always, that they shall not at any time hold more than five acres of land under the authority of this Order.

Persons under disability may grant easements, &c. to Undertakers.

19. 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.

Power to construct additional works.

20. The Undertakers may, on the lands shown on the deposited plans, when the same have been acquired by them, make and maintain, in the line and according to the levels shown on the deposited plans and deposited sections, the additional works herein-after described, with all needful approaches, fences, excavations, embankments, pipes, dams, weirs, outfalls, valves, culverts, cuts, conduits, tanks, wells, drains, sluices, engines, pumps, filtering beds, and other works connected therewith, and they may from time to time alter, enlarge, and repair the same.

The works authorised by this Order are as follows:

(1.) New or additional engine and boiler house, with engines, boilers, pumping machinery and apparatus, to be situate at or near the existing pumping station of the Undertakers at Spring Dyke, in the parish of Old Shoreham:

(2.) A service reservoir in the said parish of Old Shoreham, to be situate on the slope of the hill, on a portion of the property numbered thirty-two on the Ordnance twenty-five inch map of that parish, and distant about one chain, measured in a south-easterly direction, from the south-east corner of the existing reservoir of the Undertakers:

(3.) A main pipe or conduit in the said parish of Old Shoreham, commencing at the said existing pumping station at Spring Dyke, and terminating at the service reservoir secondly before described:

(4.) A main pipe or conduit in the said parish of Old Shoreham, commencing at the service reservoir secondly before described, and terminating by a junction with the existing main pipe or conduit of the Undertakers in and under the road leading from the said pumping station at Spring Dyke to Shoreham, at a point about half a chain southward of the engine-house at the said pumping station:

(5.) A service reservoir, to be situate in the parish of Portslade, in the south-east corner of the field numbered one hundred and fifty-one on the Ordnance twenty-five inch map of that parish:

(6.) A main pipe or conduit in the said parish of Portslade, commencing by a junction with the Undertakers existing main pipe or conduit, at a point in and under the northern end of Trafalgar Road, opposite the Southern Cross public-house, thence passing northward under and along the public road to Portslade village, thence in a north-easterly direction, under and along the road past Manor House and East Hill Cottage, and terminating at the service reservoir fifthly before described:

and all proper works, machinery, and appliances in connexion with the before-mentioned works.

Limits of deviation.

21. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown

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on the deposited plans, and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards.

Time for completion of works.

22. 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, conduits, pipes, reservoirs, and other works in such way and manner as may be requisite or advisable for supplying water under the authority of this Order.

Miscellaneous.

Differences with railway and other companies.

23. If any difference arise between the Undertakers and any railway, canal, or other company, whose lands or works the Undertakers have power to cross, under the authority of this Order, for the purposes of meeting the demands for 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.

Quality of water.

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

Savings of rights under Act of 1870.

25. Nothing in this Order shall in any way prejudice or affect any of the rights, powers, or privileges of the Undertakers under the Act of 1870.

Costs of Order.

26. 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.

Stourbridge.

STOURBRIDGE WATER.

Order empowering the Stourbridge Waterworks Company to supply Water within the parishes of Pedmore and Hagley, in the county of Worcester, and to raise Additional Capital.

Short title.

1. This Order may be cited as "The Stourbridge Water Order, 1879."

Construction of Order.

2. The Stourbridge Waterworks Act, 1854, (in this Order referred to as "the Act of 1854,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company 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 creditors of the Company against the shareholders;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to 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, the Companies Clauses Act, 1869, and the Waterworks Clauses Acts, 1847 and 1863, are, except where expressly varied by this Order, incorporated with and form part of this Order.

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

Undertakers to exercise powers within extended limits.

4. The Stourbridge Waterworks Company incorporated by the Act of 1854 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 exercise within the parishes of Pedmore and Hagley, in the county of Worcester, all and the like powers, privileges, and authorities for the supply of water, 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 Act of 1854, and the expression "limits of this Act" in the Act of 1854 shall from and after the passing of the Act confirming this Order be deemed to include the said parishes.

For the protection of Oldswinford Hospital Charity and other owners.

5. Before the Undertakers interfere with any conduit or pipe belonging to any of the owners herein-after mentioned, they shall give to such owners such notice as under section thirty of the Waterworks Clauses Act, 1847, they are bound to give (ten clear days notice being substituted for three clear days), before breaking up any sewer or drain, to the person under whose control or management the same may be, and sections thirty to thirty-four (both inclusive) of the said Act shall apply to any conduits or pipes for the time being belonging to such owners, as if the same were sewers or drains, and as if such owners were the persons having the control or management thereof.

The owners herein-before referred to are—

The feoffees of the Oldswinford Hospital Charity; the rector for the time being of the parish of Pedmore, in the county of Worcester; Charles Evers Swindell, Esquire, or the owner or owners for the time being of a dwelling-house and premises, in the said parish and county, in the occupation at the time of making this Order of Edward Westland Bernard, solicitor, and of the two adjoining premises; William Roberts, ironmaster, or the owner for the time being of Ferndale, in the said

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parish and county; and Thomas Taylor, iron merchant, or the owner for the time being of Springfield Cottage, in the said parish and county.

Additional Capital.

Additional capital.

6. 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 twenty thousand pounds, by the issue of new ordinary or preference shares or stock, but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds; and

2. Borrow on mortgage, in respect of the additional capital of twenty thousand pounds by this Order authorised to be raised by ordinary or preference shares or stock, any sums not exceeding in the whole five thousand pounds; and the Undertakers may, as each sum of four thousand pounds of such additional capital has been issued and accepted, borrow on mortgage, in respect of each such sum of four thousand pounds, any sum or sums not exceeding in the whole one thousand pounds; but in no case shall any part of the said respective sums of one thousand pounds be borrowed until shares for so much of the said additional capital in respect of which such borrowing powers are sought to be exercised, and as is to be raised by means of shares, are issued and accepted, and one half of such capital is paid up, and the Undertakers have proved to the Justice who is to certify under the 40th section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole of such capital in respect of which such borrowing powers are sought to be exercised have been issued, accepted, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital in respect of which such borrowing powers are sought to be exercised, as is to be raised by means of stock, is fully paid up, and the Undertakers have proved to such Justice as aforesaid, before he so certifies, that such shares or stock, as the case may be, were issued and accepted bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also as regards so much of the said additional capital as is raised by shares, that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

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

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

Calls.

8. One fifth of the amount of a share issued under the authority of this Order shall be the greatest amount of a call, and three months at least shall be the interval between the 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.

Receipt clause in case of person not sui juris.

9. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Votes of proprietors

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

Power to create debenture stock.

11. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

12. Every mortgage granted by the Undertakers under the authority of the Act of 1854 shall have priority over all mortgages granted under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on moneys borrowed.

15. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

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Appointment of a receiver.

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

Application of money.

17. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1854 and by this Order: Provided that no part of such moneys shall be applied to the construction, maintenance, or continuance of waterworks or works connected therewith, or the supply of water within any part of the limits of the said Act within which the South Staffordshire Waterworks Company are empowered by Act of Parliament to supply water.

Costs of Order.

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

Thirsk.

THIRSK DISTRICT WATER.

Order empowering the Thirsk District Water Company (Limited) to construct and maintain Waterworks and to supply Water within the townships of Boltby and Feliskirk, in the parish of Feliskirk, and the townships of Thirsk, Sowerby, and Carlton Miniott, in the parish of Thirsk, all in the north riding of the county of York.

Short title.

1. This Order may be cited as "The Thirsk District Water Order, 1879."

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 upon lands by the Promoters of the undertaking) 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 court" 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 in respect of 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.

The terms "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes 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 townships of Boltby and Feliskirk, in the parish of Feliskirk, and the townships of Thirsk, Sowerby, and Carlton Miniott, in the parish of Thirsk, all in the north riding of the county of York.

Undertakers.

Undertakers.

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

Share capital.

6. The share capital of the Undertakers shall not for the purposes f their water undertaking exceed sixteen thousand pounds, unless the Undertakers are authorised to raise additional capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

Limit of borrowing powers.

7. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking authorised by this Order shall not at any time exceed in the whole four thousand pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers.

Lands.

Power to acquire land.

8. The Undertakers may, by agreement, purchase and use such of the lands delineated on the deposited plans as may be required for the undertaking authorised by this Order, and they may, by agreement, from time to time purchase and use any other lands, and any easements, rights, or privileges in, over, or affecting any such lands which they may require for such purposes: Provided always, that they shall not at any one time hold more than thirty-five acres of land under the authority of this Order.

Persons under disability may grant easements, &c.

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, 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.

Construction of Waterworks.

Power to make waterworks and supply water.

10. The Undertakers may, on the lands shown on the deposited plans, and described in the Schedule to this Order annexed, when the same have been acquired by them, make and maintain, in the lines and according to the levels

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shown on the deposited plans and deposited sections, the works herein-after described, with all needful pipes, culverts, cuts, drains, sluices, air valves, hydrants, engines, pumps, filter 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 service reservoir to be situate wholly in the township of Boltby and parish of Feliskirk aforesaid, and to be formed by the construction of an embankment or dam across the stream or beck called Lunshaw Beck at a point on the said stream situate one hundred and fifty-nine yards or thereabouts southward from the junction of the Oak Beck with the stream flowing down North Woods Slack:

(2.) A compensation reservoir to be situate wholly in the township of Boltby and parish of Feliskirk aforesaid, and to be formed by the construction of an embankment or dam across the stream or beck called Lunshaw Beck at a point on the said stream situate six hundred and forty-seven yards or thereabouts, measured in a straight line, southward from the junction or point where Oak Beck joins the stream flowing down North Woods Slack:

(3.) A conduit or line of pipes situate wholly in the townships of Boltby, Feliskirk, and Thirsk aforesaid, commencing from and out of the southern end of the before-mentioned service reservoir, and terminating in the town of Thirsk, opposite or nearly opposite to the White Mare Inn, at or near the junction of the several streets called Barbeck, Ingram Gate, and Long Street.

Limits of 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 they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and seven feet downwards.

11a. The reservoirs authorised by this Order shall be so constructed that the top-water level in each reservoir shall be five feet higher than that shown on the deposited sections.

Power to take water from certain streams.

12. The Undertakers may divert and take and impound water from the stream called Oak Beck, and the stream flowing down North Woods Slack, and the stream called Lunshaw Beck, and from the several tributaries of the said several streams above the service reservoir by this Order authorised.

Streams to be deemed to belong to Undertakers for purposes of certain provisions of Waterworks Clauses Act, 1847.

13. For the purposes of the provisions of the Waterworks Clauses Act, 1847, "with respect to the provision for guarding against fouling the water of the Undertakers," the streams mentioned in the last preceding section of this Order, and such of the several tributaries of the said streams respectively as enter the said streams above the service reservoir by this Order authorised, shall be deemed to be streams belonging to the Undertakers.

As to completion, &c. of works.

14. 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 providing supplies of water within or beyond the boundaries of the proposed limits of supply.

Differences with railway and other companies.

15. If any difference arise between the Undertakers and any railway, canal, gas, or other company, or any corporation, body, or person whose lands or works the Undertakers have power to cross under the authority of this Order, for the purpose 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 offered 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.

Pipes, &c. crossing North-eastern Company's Railways to be laid down under superintendence of their engineer.

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

Quality of Water.

Quality of water.

17. The water supplied by the Undertakers shall be as pure as (having regard to the source and nature of supply) circumstances will admit, but the same shall before being supplied to the consumers be passed through properly constructed strainers or filter beds to be provided by the Undertakers.

Supply.

Water need not be constantly laid on under pressure.

18. 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 service reservoir authorised by this Order.

Rates.

19. 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:

Where the annual rent or value of the premises so supplied with water does not exceed three pounds, at a rate not exceeding eight shillings and eightpence per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds three pounds and does not exceed four pounds, at a rate not exceeding ten shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds four pounds and does not exceed five pounds, at a rate not exceeding twelve shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds five pounds and does not exceed six pounds, at a rate not exceeding fourteen shillings per annum, and so in proportion for any shorter period:

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Where such annual rent or value exceeds six pounds and does not exceed seven pounds, at a rate not exceeding sixteen shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds seven pounds and does not exceed eight pounds, at a rate not exceeding seventeen shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds eight pounds and does not exceed ten pounds, at a rate not exceeding eighteen shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds ten pounds and does not exceed twelve pounds, at a rate not exceeding nineteen shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds twelve pounds and does not exceed fifteen pounds, at a rate not exceeding one pound per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds fifteen pounds and does not exceed eighteen pounds, at a rate not exceeding one pound one shilling per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds eighteen pounds and does not exceed twenty-one pounds, at a rate not exceeding one pound two shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds twenty-one pounds and does not exceed twenty-five pounds, at a rate not exceeding one pound four shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds twenty-five pounds and does not exceed thirty pounds, at a rate not exceeding one pound eight shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds thirty pounds and does not exceed forty pounds, at a rate not exceeding one pound twelve shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds forty pounds and does not exceed fifty pounds, at a rate not exceeding one pound sixteen shillings per annum, and so in proportion for any shorter period:

Where such annual rent or value exceeds fifty pounds and does not exceed sixty pounds, at a rate not exceeding two pounds per annum, and so in proportion for any shorter period:

And for every additional five pounds of such annual rent or value above sixty pounds an additional rate not exceeding one shilling per annum, and so in proportion for any shorter period:

Provided that the term "rent or annual value" in this section shall mean rent or annual value according to the poor law rate assessment of any dwelling-house or part of a dwelling-house occupied as a separate dwelling.

Special rates.

20. The Undertakers may charge for every fire-plug placed and maintained on private premises, other than works or manufactories, at the request of the person entitled to a supply of water for domestic purposes to such premises (where the water passes from the mains of the Undertakers to such

plugs without passing through a meter), one pound per annum; and the Undertakers may charge for water supplied by them, within the limits of supply, for brewing purposes, sixpence for every quarter of malt brewed; and in respect of every watercloset beyond the first in any premises, within the limits of supply, an additional sum not exceeding ten shillings per annum each; and for every bath capable of containing not more than fifty gallons the sum of ten shillings per annum, and for every bath capable of containing more than fifty gallons such additional sum as the Undertakers may think fit; 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 the Undertakers shall not be compelled to supply with water any watercloset or any private fixed bath, or the apparatus or pipes connected therewith respectively, unless the same be 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 the mains or pipes of the Undertakers: Provided also, that the Undertakers shall not be allowed to make any charge for a private bath of a less capacity than thirty gallons in any house the annual value of which shall be less than ten pounds.

Supply of water by meter.

21. The Undertakers may, if they think fit, enter into agreements for the supply of water by measure to any consumer, and may charge a rent for each meter provided by them at a rate per annum not exceeding fifteen per centum of the price of the meter, such rent to be payable quarterly in advance, and to be recoverable in all respects as if the same were rates for the supply of water for domestic purposes.

Undertakers may supply pipes, &c.

22. The Undertakers may, if requested by any person supplied or about to be supplied by them with water, furnish to him, and from time to time repair or alter, any pipes, valves, cocks, baths, soil pans, watercloset, apparatus, and receptacles, and may provide all materials and do all work necessary or proper in that behalf; and the cost of providing such materials and executing such work shall be paid by the person requiring the same, and may be recovered from such person by the same means as rates for the supply of water for domestic purposes.

Undertakers to keep meters 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 meters to be evidence.

24. Where the Undertakers supply water 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 water 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

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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.

Amendment of section 44 of Waterworks Clauses Act, 1847.

25. 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: 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.

Provision as to several houses adjoining each other.

26. 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.

Supply of water in bulk.

27. The Undertakers may enter into and carry into effect contracts and arrangements for the supply of water in bulk or otherwise with any corporation, local authority or road authority, railway company, and any other company, body, or person, whether within or beyond the limits of supply, and from time to time may vary, suspend, or rescind any such contracts or arrangements; but, notwithstanding any such agreement, no such corporation, authority, company, body, or person shall be entitled to such a supply whenever and as long as the same would interfere with the proper supply of water within the limits of supply for domestic purposes under this Order: Provided always, that nothing herein contained shall authorise the Undertakers to lay down or place any pipe or conduit, or to break up any road or street, or execute any work beyond the limits of supply, or to supply or continue to supply water within the limits of supply of any person or persons, company, or local authority, now or hereafter empowered by Act of Parliament, or by any Provisional Order confirmed by Act of Parliament, to supply water.

Penalties.

Penalty for not supplying water of proper quality.

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 forty shillings: 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 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 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, fraudulently, or by culpable negligence 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, or has fraudulently abstracted, consumed, or used water of the Undertakers, 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, or for abstracting, consuming, or using water of the Undertakers 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, prevention, abstraction, consumption, or user, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Misuser where supply to several houses is by a pipe common to all.

30. Any tenant or occupier of one of several houses or tenements supplied by a common pipe, who takes or uses the water laid on by the Undertakers to any other such house or 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 tenant not liable for arrears of former tenant.

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.

Several names, &c. 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.

Costs of warrant of distress.

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.

Justices, &c. not disqualified for liability to water rates.

34. No Justice or Judge of any quarter sessions or county court 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.

Incorporation of s. 140 of the Companies Clauses Act, 1845.

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

Compensation to Lunshaw Beck.

36. The Undertakers shall cause to flow from the reservoirs authorised by this Order, or one of them, down the said stream called Lunshaw Beck, a

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minimum quantity of three hundred thousand gallons of water uniformly throughout the twelve hours of each day from 6 a.m. to 6 p.m., excepting on Sundays, when they shall only be bound to supply the said compensation water upon the written notice from time to time of any one or more of the owners or the tenants of the mills on the same streams, and the Undertakers shall pay compensation to each of the millowners, their heirs or assigns, or their respective tenants of the same mills, at the rate of twenty-five shillings for every day or part of a day during which the said quantity of water is not delivered in manner aforesaid from the said reservoirs or one of them, and the Undertakers shall construct below the compensation reservoir authorised by this Order, and hereafter maintain to the satisfaction for the time being of the said millowners or occupiers, a proper gauge weir and measuring tank for the purpose of enabling them, their heirs or assigns, to measure the flow and quantity of water from the said compensation reservoir, and such gauge weir and measuring tank shall be deemed to be the only test of such supply. The Undertakers shall at their own cost at any time after the passing of the Act confirming this Order, upon the request of any one or more of the said millowners, their heirs or assigns, cut and maintain an intercepting gutter along the east and west sides of the said compensation reservoir, so as to conduct the water flowing towards or into the said reservoir into the stream at a point below the said reservoir.

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.

SCHEDULE.

LANDS REFERRED TO IN THE FOREGOING ORDER.

As to the service reservoir:

(A.) Certain lands containing twelve acres one rood twenty-three perches or thereabouts, situate in the township of Boltby aforesaid, forming part of certain moorlands and inclosures belonging to the trustees of the late Edmund Walker, Esq., deceased, and in the several occupations of Thomas Robinson and John Bumby, and bounded on the north, east, and west by other lands of the said trustees in the occupation of the same tenants, and on the south by the lands (B) herein-after described.

As to the compensation reservoir and so much of the conduit or line of pipes as is within the fence wall of such reservoir:

(B.) Certain lands containing eight acres one rood seventeen perches or thereabouts, situate in the township of Boltby aforesaid, forming part of the said moorlands and of certain other inclosures belonging to the said trustees and in the occupation of the same tenants, and bounded on the north by the lands (A) above described, and on the south, east, and west by other lands of the said trustees and in the occupation of the same tenants.

As to the conduit or line of pipes :

(C.) Certain lands containing one acre two roods twenty-eight perches, situate in the township of Boltby aforesaid, forming part of several inclosures belonging to the said trustees, and in the several occupations of the said Thomas Robinson and John Bumby, and bounded on the north end by the lands (B) before described, on the south end by the high road leading from Boltby to Hawnby, and on the east and west by other lands belonging to the said trustees and in the occupation of the same tenants :

(D.) Certain lands containing two roods twenty perches, situate in the township of Boltby aforesaid, forming part of several inclosures belonging to the said trustees and in the occupation of John Fletcher, and bounded on the north end thereof by the said high road leading from Boltby to Hawnby, and on the south end thereof by the high road leading from Boltby to Cold Kirby, and on the east and west by other lands belonging to the same trustees and in the occupation of the same tenant :

(E.) Certain lands containing one acre one rood three perches, situate partly in the township of Boltby aforesaid and partly in the township of Feliskirk aforesaid, forming part of several inclosures belonging to John Walker, Esquire, and in the several occupations of the said John Walker, William Brough, David Bentley, and William Lofthouse, and bounded on the east and west ends thereof by the high road leading from Boltby to Feliskirk, and on the north and south by other lands of the said John Walker in the several occupations of himself and the said William Brough, David Bentley, and William Lofthouse.

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ALDERSHOT GAS AND WATER.

Aldershot.

Order empowering the Aldershot Gas and Water Company to raise Additional Capital.

Short title.

1. This Order may be cited as "The Aldershot Gas and Water Order, 1879."

Construction of Order.

2. The Aldershot Gas and Water Act, 1866 (in this Order referred to as "the Act of 1866"), and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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

The consolidation of the shares into stock ;

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The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

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

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

Undertakers.

4. The Aldershot Gas and Water Company, incorporated by the Act of 1866, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1866, they may from time to time—

1. Raise any further sums not exceeding in the whole twenty-five thousand pounds by the issue of new ordinary or preference shares; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share vest in the person or corporation 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 in respect thereof:

2. Borrow on mortgage from time to time, in respect of the additional capital of twenty-five thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the aggregate one-fourth part of the share capital actually paid up for the time being, but in no case shall any sum 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 of such capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

6. The proprietors of any shares or stock forming part of the additional capital raised under the authority of this Order shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares

or stock would have entitled them to if the same had been original shares or stock of the Undertakers; and the proprietors of such new shares or stock shall, except as in this Order specially provided, be entitled to the same dividends, and the same rights and privileges in all respects, and be subject to the same obligations and liabilities, as the proprietors of the original shares or stock of the Undertakers.

Power to create debenture stock.

7. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank pari passu with the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

8. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1866 shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividend on additional capital.

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

Limit of interest on borrowed moneys.

10. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

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

Application of money.

12. All moneys raised under this Order shall be applied for the purposes of the undertaking authorised by the Act of 1866.

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 paid by the Undertakers.

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Ventnor.

VENTNOR GAS AND WATER.

Order empowering the Ventnor Gas and Water Company to raise Additional Capital.

Short title.

1. This Order may be cited as "The Ventnor Gas and Water Order, 1879."

Construction of Order.

2. The Ventnor Gas and Water Act, 1866, (in this Order referred to as "the Act of 1866,") and this Order shall be construed together, except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares;
The transfer or transmission of shares;
The borrowing of money by the Company on mortgage or bond;
The consolidation of the shares into stock;
The general meetings of the Company, and the exercise of the right of voting by the shareholders;
The making of dividends;
The giving of notices; and
The provision to be made for affording access to the special Act by all parties interested;

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

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

Undertakers.

4. The Ventnor Gas and Water Company, incorporated by the Act of 1866, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1866, they may from time to time—

1. Raise any further sums not exceeding in the whole twenty-seven thousand five hundred pounds by the issue of new ordinary or preference shares; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than twenty pounds, nor shall any such share vest in the person or corporation accepting the same unless and until the full nominal amount of such share, together with any premium obtained upon the sale thereof, has been paid in respect thereof: Provided that it shall not be lawful for the Undertakers to create and

issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of twenty-seven thousand five hundred pounds:

2. Borrow on mortgage, in respect of the additional capital of twenty-seven thousand five hundred pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole five thousand pounds; and the Undertakers may, as each sum of six thousand eight hundred and seventy-five pounds of such additional capital has been issued and accepted, and the amount of each sum has been paid up, borrow on mortgage, in respect of each sum of six thousand eight hundred and seventy-five pounds, any sum or sums not exceeding in the whole one thousand two hundred and fifty pounds; but in no case shall any part of the said respective sums of one thousand two hundred and fifty pounds 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 of such capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares created under the powers of this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such

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day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

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

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

Purchase money of shares sold by auction to be paid within three months.

9. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

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

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

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

Application of premium arising on shares.

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

Power to create debenture stock.

13. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by the Act of 1866 or by this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863.

Priority of existing mortgages.

14. All mortgages granted by the Undertakers under the authority of the Act of 1866 shall have priority over all mortgages granted under this Order.

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

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

17. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order. Limit of interest on borrowed moneys.

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

19. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1866. Application of money.

20. In addition to the ordinary meeting of the Company directed by the Act of 1866 to be held in the month of February in each year, a second ordinary meeting shall be held in the month of August in each year, which meeting shall have and exercise all the powers of the Company exerciseable at a general meeting of the Company. A second ordinary meeting to be held in each year.

21. 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.

YSTRAD GAS AND WATER.

Order empowering the Ystrad Gas and Water Company to raise Additional Capital.

1. This Order may be cited as "The Ystrad Gas and Water Order, 1879." Short title.

2. The Ystrad Gas and Water Act, 1868, the Ystrad Gas and Water Order, 1872, and the Ystrad Gas and Water Company's Gas Act, 1874 (in this Order respectively referred to as "the Act of 1868," "the Order of 1872," and "the Act of 1874"), and this Order shall be construed together, except so far as such Construction of Order.

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Ystrad.

construction would be inconsistent with or repugnant to the provisions of this Order.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The consolidation of the shares into stock;

The general meetings of the Company, and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested;

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

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

Undertakers.

4. The Ystrad Gas and Water Company, incorporated by the Act of 1868, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1868 and the Order of 1872, they may from time to time—

1. Raise any further sums not exceeding in the whole forty thousand pounds by the issue of new ordinary or preference shares; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share vest in the person or corporation accepting the same unless and until the full nominal amount of such share, together with any premium obtained upon the sale thereof, has been paid in respect thereof: Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of forty thousand pounds:

2. Borrow on mortgage, in respect of the additional capital of forty thousand pounds by this Order authorised to be raised by ordinary or preference shares, any sums not exceeding in the whole ten thousand pounds; and the Undertakers may, as each sum of ten thousand pounds of such additional capital has been issued and accepted, and the amount of each

sum has been paid up, borrow on mortgage, in respect of each sum of ten thousand pounds, any sum or sums not exceeding in the whole two thousand five hundred pounds; but in no case shall any part of the said respective sums of two thousand five hundred pounds 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 of such capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares created under the powers of this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time determine: Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares, and that the reserved price put upon such shares shall not be less than the nominal amount thereof, and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders, as the case may be, and such letter may be opened after such day of auction or last day for the reception of tenders, and not sooner, and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

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

8. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

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

9. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing

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

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

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

Application of premium arising on shares.

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

Receipt in case of persons not sui juris.

12. If any money be payable to a shareholder being a minor, idiot, or lunatic, the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Power to create debenture stock.

13. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by the Order of 1872 or this Order, subject to the provisions of Part III. of the Companies Clauses Act, 1863.

Priority of existing mortgages.

14. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1868 or the Order of 1872 shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on borrowed moneys.

17. The Undertakers shall not, without the consent of the Board of Trade, pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

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

Application of money.

19. All moneys raised under this Order shall be applied in the first instance to the payment of the debts of the Undertakers existing at the passing of the Act confirming this Order and not secured by mortgage under the authority of the Act of 1868 or the Order of 1872, and then to the purposes of the undertaking authorised by the Act of 1868, the Order of 1872, and the Act of 1874.

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

20. Notwithstanding anything in the Act of 1874 to the contrary, the Undertakers may increase or diminish the respective maximum prices prescribed by section five of the Act of 1874 for gas consumed by meter, subject to a reduction or increase in the prescribed rates of dividend, to be calculated as follows:—

For every penny or part of a penny charged in excess or in diminution of such prices, or any of them, in any one year, the prescribed rates shall for such year be reduced or increased by five shillings in the one hundred pounds per annum.

Owners of small houses let as separate tenements to pay water rates.

21. The owners of all houses or parts of houses occupied as separate tenements, and respectively not exceeding the yearly value of ten pounds, and the owners of all such houses or parts of houses respectively exceeding the yearly value of ten pounds, if let for a less period than from year to year, shall during such time as such houses or parts of houses are supplied with water by the Company be liable to the payment of the rates chargeable in respect thereof under the Act of 1868 or this Order, instead of the occupiers thereof, and the person receiving the rent of any such house or part of house from the occupier or occupiers thereof on his own account, or as agent or receiver for any person interested therein, shall for that purpose be deemed the owner of such house or part of house.

Costs of Order.

22. 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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