CHAPTER clxxxii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Rainham Water Sevenoaks Water Southwold Water Wetherby District Water and Meldreth and Melbourn District Gas and Water. A.D. 1904.

[15th August 1904.]

WHEREAS under the authority of the Gas and Water Works Facilities Act 1870 the Board of Trade have made the Provisional Orders set out in the Schedule to this Act annexed: 33 & 34 Vict. c. 70.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatsoever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the Provisional Orders made by the Board of Trade as aforesaid and set out in the Schedule to this Act be confirmed:

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

1. This Act may be cited as the Gas and Water Orders Confirmation Act 1904. Short title.

2. The Orders as amended and 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. Confirmation of Orders in schedule.

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SCHEDULE.

LIST OF ORDERS.

RAINHAM WATER.—Order empowering the Rainham Waterworks Company Limited to maintain and continue waterworks to supply water and for other purposes.

SEVENOAKS WATER. — Order empowering the Sevenoaks Waterworks Company to acquire and hold additional land.

SOUTHWOLD WATER. — Order empowering the Southwold Waterworks Company Limited to construct additional works to extend their limits of supply to raise additional capital and for other purposes.

WETHERBY DISTRICT WATER.—Order empowering the Wetherby District Water Company to reduce the authorised share and loan capital and to empower them to raise further money by means of preference shares and for other purposes.

MELDRETH AND MELBOURN DISTRICT GAS AND WATER.—Order empowering the Meldreth and Melbourn District Gas and Water Company Limited to construct and maintain gasworks and waterworks and to make and supply gas and to supply water within the parishes of Meldreth Melbourn and Shepreth in the county of Cambridge.

RAINHAM WATER.

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Order empowering the Rainham Waterworks Company Limited to maintain and continue Waterworks to supply Water and for other purposes. — *Rainham.*

Short title.

1. This Order may be cited as the Rainham Water Order 1904.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."

Incorporation of Acts.

3. 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 of the Waterworks Clauses Acts 1847 and 1863 except where the same are expressly varied by this Order are hereby incorporated with and form part of this Order and the provisions of the said Waterworks Clauses Acts shall apply as well to the mains pipes and works of the Undertakers laid down or constructed before the commencement of this Order and situate within the limits of supply 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 terms and expressions to which by any Act 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 in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall include the waterworks and works connected therewith by this Order authorised to be maintained constructed and continued.

Limits of supply.

5. 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 Rainham Upchurch and Hartlip in the rural district of Milton in the county of Kent.

Power to Undertakers to lay mains and construct service reservoirs in parish of Newington-next-Sittingbourne.

6. Subject to the provisions of this Order the Undertakers may for the purposes of the supply of any district or place within the limits of supply make lay down maintain repair and renew within the parish of Newington-next-Sittingbourne in the county of Kent as well as within the limits of supply such mains pipes culverts tanks apparatus machinery appliances and conveniences as may be necessary or convenient and for those purposes or any of them shall have and may exercise within that parish the powers of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes.

Where Undertakers not furnishing sufficient supply

7. If at any time after the expiration of three years from the commencement of this Order the Undertakers are not furnishing or prepared

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local authority or company may supply.

on demand to furnish a sufficient supply of water in accordance with the provisions of this Order in any part of the district of any local authority within the limits of supply defined by this Order the local authority of such district may provide a supply in the whole or any part of their district within the limits of supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Undertakers as if in either case there were no company authorised by this Order to supply water therein.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Undertakers.

Undertakers.

8. The Rainham Waterworks Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Capital.

Capital.

9. The share capital of the Undertakers shall not for the purposes of the undertaking exceed twenty-four thousand pounds consisting of the original share capital already raised or authorised to be raised by the Undertakers and in this Order referred to as "the original capital" amounting to seventeen thousand pounds and of additional share capital (in this Order referred to as "the additional capital") either new ordinary shares or new preference shares or partly one class or partly of the other class to be issued subject to the provisions of this Order not exceeding seven thousand pounds including any premiums which may be obtained on the sale of any shares under the provisions of this Order unless the Undertakers are hereafter authorised to raise for such purposes further additional share capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Additional capital to be offered by auction or tender.

10. The Undertakers shall when any of the additional capital is 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 tender in such manner at such times and subject to such conditions of sale as the Undertakers shall 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 value 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 of the Undertakers except that if the bidding or offer by tender of any holder of shares shall be the same in amount as the bidding or offer by tender of any other person for the same lot the bidding or offer by tender of such holder shall be accepted in preference.

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

11. It shall be one of the conditions of any sale of the additional capital under the provisions of this Order that the full price thereof including any premium given by any purchaser at such sale shall be paid to the Undertakers within three months after such sale.

Notice to be given as to sale of shares.

12. The intention to sell any of the additional capital by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply of the Undertakers 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 such limits of supply.

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

13. 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 the manner prescribed by special resolution passed by the Undertakers Provided 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 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 and the reserve put upon such shares may upon such second or any subsequent auction or tender if the directors of the Undertakers think fit be less than the nominal value thereof and any shares not then sold shall be again offered to the holders of ordinary shares at the last-mentioned reserved price and so on until the whole amount of such shares is sold.

Application of premium arising on issue of shares.

14. 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.

Limits of dividend on capital.

15. The Undertakers shall not in any year declare or make out of their profits any larger dividends on the original and additional capital than ten pounds in respect of every one hundred pounds actually paid up of so much of such original capital as is ordinary capital and four pounds in respect of every one hundred pounds actually paid up of so much of the original

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capital as is preference capital and seven pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as preference capital.

Prescribed rates to be paid proportionately.

16. In case in any year or in any half year (if the Undertakers declare a dividend half yearly) 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 original or additional capital of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Limit of borrowing powers.

17. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one third of the amount of the capital of the Undertakers actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares under the provisions of this Order 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 commencement of this Order and secured as aforesaid.

Lands.

Power to acquire lands.

18. The Undertakers may by agreement purchase take on lease acquire and use (in addition to any lands now held by them for the purposes of their undertaking) any lands and any easements rights or privileges (not being easements rights or privileges to take water in which persons other than the grantors have an interest) in over or affecting any lands which they may require for the purposes of the undertaking Provided always that they shall not create or permit a nuisance on any lands held by them and that they shall not at any time hold for the purposes of this Order more than ten acres of land in the whole Provided also that no building shall be erected on such lands except such as are required for the purposes of the undertaking.

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 right or privilege of water in which persons other than the grantors have an interest) 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.

Maintenance of Waterworks.

Power to maintain existing works and to supply water.

20. The Undertakers on the lands upon which the same are situate so long as they are possessed of the said lands may maintain and continue alter enlarge renew and improve their existing waterworks hereinafter described and

the works connected therewith with all necessary adits wells conduits mains pipes culverts drains sluices pumps engines engine-houses machinery filter beds tanks valves apparatus and works connected therewith and they may subject to the provisions of this Order supply and sell water for domestic and other purposes within the limits of supply.

The works hereinbefore referred to are situate wholly in the parish of Rainham in the county of Kent and comprise—

(1) A well pumping station and reservoir situate in the field or enclosure known as Barrsgrave Field numbered 129 on the $\frac{1}{2500}$ Ordnance map (edition 1897) of the parish of Rainham in the county of Kent;

(2) A storage reservoir situate in a piece of land in the parish of Rainham abutting on the south-east side of the roadway known as Orchard Street and having a frontage thereto of 45 feet and a depth of 122 feet;

together with the said field or enclosure piece of land and the mains and distributing and service pipes machinery and other works in connection therewith in the parishes of Rainham Upchurch Hartlip and Newington-next-Sittingbourne.

For protection of Kent County Council.

21. Whenever the Undertakers shall exercise the power conferred by the Waterworks Clauses Act 1847 of breaking up any main road within the limits of supply or otherwise as authorised by this Order for the purpose of laying or repairing or removing pipes the Undertakers shall as soon as the work is completed fill in the trenches and forthwith notify the Kent county surveyor thereof and the road or footpath shall thereupon be reinstated and made good by the said surveyor and all expenses properly incurred by such surveyor in reinstating the said road or footpath during a period of not more than twelve months in the whole from the time when the said surveyor shall have been so notified as aforesaid shall be paid by the Undertakers to the Kent County Council Provided that nothing herein contained shall prejudice or affect the rights of the Undertakers or the said council or the obligations of the Undertakers under the Waterworks Clauses Act 1847 and the Local Government Act 1888.

For protection of London Chatham and Dover Railway Company and South Eastern and Chatham Railway Companies' Managing Committee.

22. For the protection of the London Chatham and Dover Railway Company and the South Eastern and Chatham Railway Companies' Managing Committee (hereinafter respectively referred to as "the railway company") the following provisions shall (unless otherwise agreed) apply and have effect (that is to say):—

(A) In laying down altering improving enlarging extending maintaining or renewing or in executing or effecting the repairs or renewals of any mains pipes culverts or other works in the exercise of the powers contained in this Order upon across over under or adjoining or in any way affecting the railways lands and property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works

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or any level crossings over the railways of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by such engineer in writing:

(B) All such works shall be done by and at the expense of the Undertakers (except as in this section otherwise provided) who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over or under any bridge or over any level crossing of the railway of the railway company or over the approaches to any such bridge or level crossing so far as the same may be disturbed or interfered with by or owing to any operations of the Undertakers Provided always that should the railway company elect so to do where any mains or pipes require to be laid under or across any level crossing of their railway they may themselves lay the same at the costs charges and expenses of the Undertakers:

(C) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges level crossings approaches viaducts stations works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railways or at to or from any station thereon:

(D) If the Undertakers lay down any mains or pipes in or under any embankment or over any bridge tunnel or viaduct of the railway company they shall provide and maintain such stop-cocks on either side of such embankment bridge tunnel or viaduct as in the opinion of the engineer of the railway company shall be necessary:

(E) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid or the bursting leakage or failure of any such mains culverts pipes or works in under or near to any railway bridge level crossing embankment cutting approach viaduct station lands works or property of the railway company the Undertakers shall make compensation to the railway company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided:

(F) If the railway company at any time or times hereafter require under their existing powers to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges viaducts or works upon across over or under which any of the works of the Undertakers may have been constructed or laid the railway company may on giving to the Undertakers fourteen days' notice in writing under the hand of their secretary or general mananger for the time being and in case of emergency

of which their engineer shall be the sole judge without notice divert support or carry the said works of the Undertakers across over or under their lands railways bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversions supporting carrying or dealing with such works:

(c) Except as in this section otherwise provided any dispute or difference which may arise between the railway company and the Undertakers with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the railway company and the Undertakers or either of them.

Differences with road authorities or railway or other companies.

23. If any difference arise between the Undertakers and any road authority or railway canal or other company other than the London Chatham and Dover Railway Company or the South Eastern Railway Company whose lands or works the Undertakers have power to cross under the authority of this Order as to the mode of laying down repairing altering or enlarging their mains pipes or other works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

For protection of Sittingbourne Urban District Council.

24. In exercising the powers conferred upon them by this Order the Undertakers shall not acquire or sink any well or wells or collect take divert impound or use any streams or surface water or any underground springs or waters within the distance of two and a half miles of the existing waterworks of the Sittingbourne Urban District Council at Keycol Hill Bobbing unless expressly authorised so to do by Parliament.

For protection of Milton-next-Sittingbourne Urban District Council.

25. In exercising the powers conferred upon them by this Order the Undertakers shall not acquire or sink any well or wells or collect take divert impound or use any streams or surface water or any underground springs or waters within the distance of three miles drawn from the Milton-next-Sittingbourne Urban District Council's present wells at Highsted in the parish of Murston unless expressly authorised so to do by Parliament.

Supply.

Constant supply and pressure.

26. The water to be supplied by the Undertakers shall be constantly laid on under pressure but the Undertakers shall not be required to supply water in any case at a pressure greater than that to be afforded by gravitation from the service reservoir from which the supply is taken.

For protection of Milton Rural District Council.

27. For the protection of the Milton Rural District Council (in this section referred to as "the council") the following provisions shall notwith-

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standing anything contained in the section of this Order whereof the marginal note is "Constant supply and pressure" have effect (that is to say):—

(1) If at any time the council shall by notice in writing under the hand of their clerk require the Undertakers so to do the Undertakers shall forthwith construct all such works and lay all such pipes and apparatus as may be necessary for affording and shall at all times afford a supply of water for domestic purposes constantly laid on to the dwelling-houses already or which may hereafter be erected at Meresborough and Meres Court in the parish of Rainham:

(2) The council shall at the request of the Undertakers enter into a binding agreement to pay to the Undertakers in respect of such supply of water during each of the next fifteen years thereafter such annual sum as shall be equivalent to ten per centum per annum upon the capital outlay incurred by the Undertakers in executing works and laying pipes and mains necessary to furnish such supply:

(3) If the Undertakers make default or unnecessary delay in complying with the foregoing provisions of this section they shall forfeit and pay to the council a penalty of five pounds and a daily penalty of forty shillings for every day on which such default or delay occurs which penalty shall be recoverable by the council from the Undertakers as a civil debt Provided always that no such penalty shall be incurred if and so long as the council neglect or refuse to enter into a binding agreement as provided by the last preceding subsection or if the failure of the Undertakers shall arise from frost unusual drought or other unavoidable cause or accident:

(4) Any difference between the council and the Undertakers under this section shall be referred to an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers.

Rates at which water to be supplied for domestic purposes.

28. The Undertakers shall at the request of the owner or occupier of any dwelling-house or part of a dwelling-house who under the provisions of this Order is entitled to demand a supply of water for domestic purposes furnish to such person a sufficient supply of water for domestic use (including the supply of one watercloset) at rates not exceeding the rates per annum hereinafter specified (that is to say):—

(1) As regards any such dwelling-house which is situate in the parish of Rainham—

If the rateable value of the premises so supplied does not exceed three pounds the sum of eight shillings and eightpence;

If such rateable value exceeds three pounds but does not exceed five pounds the sum of twelve shillings;

If such rateable value exceeds five pounds but does not exceed six pounds the sum of fourteen shillings;

If such rateable value exceeds six pounds but does not exceed eight pounds the sum of fifteen shillings ;

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If such rateable value exceeds eight pounds and does not exceed ten pounds the sum of seventeen shillings ;

If such rateable value exceeds ten pounds and does not exceed fifteen pounds the sum of twenty-two shillings ;

If such rateable value exceeds fifteen pounds the rate of seven pounds ten shillings per centum per annum upon such rateable value and so in proportion for any shorter period :

(2) As regards any such dwelling-house which is situate in the parishes of Upchurch and Hartlip the sums payable in respect of premises of a like rateable value situate in the parish of Rainham and ten per centum in addition :

Provided always that the Undertakers shall not be compellable to afford a supply of water for domestic purposes for any less sum than eight shillings and eightpence in any one year :

Provided also that at any time after the expiration of five years from the commencement of this Order the Board of Trade may if they think fit by order in writing signed by a secretary or an assistant secretary of the said Board alter the said rates by substituting any other rates not exceeding the said rates for the said rates and as from the date specified in such order the rates at which the Undertakers may charge for water supplied by them for domestic purposes shall be in accordance with such order.

A copy of any such order made by the Board of Trade shall be published in the London Gazette and a copy of the said Gazette containing such order shall be primâ facie evidence of the due making and validity of the same and of the contents thereof.

For the purposes of this section the rateable value shall be ascertained by the valuation list in force at the time in the district in which the premises in respect of which the water rate is made are situate and if there should be no such valuation list then by the last rate for the relief of the poor made in respect of such premises Provided that where the water rate is chargeable on the rateable value of a part only of any hereditaments entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be ascertained by two justices.

Rates for waterclosets and baths.

29. In addition to the rates for the supply of water chargeable under the preceding section the Undertakers may demand and receive for every water-closet beyond the first (for which no additional charge shall be made) in any house a yearly sum not exceeding five shillings per annum and for every private fixed bath in any house a yearly sum not exceeding ten shillings per annum such additional sums to be paid quarterly in advance and to be recoverable in all respects with and as the water rate Provided 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

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the size of such baths but the Undertakers shall not be compelled to supply water for any bath capable of containing more than fifty gallons.

Undertakers not bound to supply water to waterclosets or baths unless apparatus and pipes are constructed to prevent contamination.

30. 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 contamination of the water of the Undertakers or the return of foul air or noisome and impure matter into the mains or pipes of the Undertakers Provided that the foregoing provisions shall not entitle the Undertakers to cut off or discontinue the domestic supply of the house in which such watercloset or bath is situate.

Rates for water when supplied by meter.

31. The Undertakers shall at the request of any consumer of water for purposes other than the purposes for or in respect of which the rates or charges are hereinbefore provided or limited afford a supply of water by meter and may charge for such supply where the quantity taken in any quarter of a year shall not exceed fifty thousand gallons at a rate not exceeding two shillings for every one thousand gallons and where the quantity taken in any quarter of a year shall exceed fifty thousand gallons then at a rate not exceeding one shilling and sixpence for every one thousand gallons The Undertakers shall not be compellable to afford a supply by meter for a less sum than four pounds in any one year.

The Undertakers may charge a rent for each meter or other instrument for measuring water provided by them at a rate per annum not exceeding fifteen per centum of the cost of such meter or other instrument such rent to be paid quarterly in advance and to be recoverable in all respects with and as water rates.

Regulations for preventing waste &c. of water.

32. For preventing waste misuse undue consumption or contamination of the water of the Undertakers the following provisions shall be in force and have effect but only within the district within which the Undertakers are bound to afford and do in fact afford or are prepared on demand to afford a constant supply The said provisions are as follows: —

(i) The Undertakers may make regulations for the purpose of preventing the waste or misuse or contamination of water and may by such regulations prescribe the size nature materials workmanship and strength of the pipes cocks ferrules valves soil-pans waterclosets baths cisterns and other apparatus or receptacles whatsoever to be used and forbid any arrangements and the use of the several things before mentioned or any or either of them which may lead to such waste or misuse or contamination :

(ii) No such regulation shall be of any force or effect unless and until the same shall have been submitted to and confirmed by the Local Government Board which Board is hereby empowered to confirm the same :

(iii) No such regulation shall be confirmed until after the expiration of thirty days after notice in writing of the intention to submit the same for confirmation together with a copy of the proposed

regulation shall have been given by or on behalf of the Undertakers to the local authorities within the limits of supply who may within the said period of thirty days make such representation with reference thereto to the Local Government Board as such local authorities shall think expedient :

(iv) All such regulations in force for the time being shall be published by a copy thereof being kept at the office of the Undertakers All persons may at all reasonable times inspect such copy without payment and the Undertakers shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding twopence for each copy :

(v) A printed copy of any such regulations as aforesaid dated and purporting to be made as aforesaid and to have been confirmed by the Local Government Board shall be evidence until the contrary is proved in all legal proceedings of the due making confirmation publication and existence of such regulations without other or further proof :

(vi) In case of failure of any such person to observe such regulations as are for the time being in force the Undertakers may (notwithstanding any contract or otherwise) if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe valve cock cistern bath soil-pan watercloset or other apparatus or receptacle belonging to or used by any person supplied by them and not being in accordance with such regulations and the expense of every such repair replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied and may be recovered by them as water rates are recoverable :

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

Water supplied by agreement in bulk.

33. The Undertakers may by agreement supply any local authority company or person with the consent of the local authority of and of any company or person supplying water under parliamentary authority in the district within which such supply is to be afforded without the limits of supply with water in bulk for such remuneration and upon such terms and conditions as may be agreed upon between the Undertakers and such local authority company or person but notwithstanding any such agreement no such local authority company or person shall be entitled to a supply under

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such agreement whenever and so long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes within the limits of supply 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 in this section contained shall in any way prejudice or affect the duration validity or effect of any agreement entered into between the Undertakers and the Milton Rural District Council prior to the commencement of this Order Provided also that nothing herein contained shall be construed as conferring upon the Undertakers any power in relation to laying down or placing any pipe or conduit or breaking up any road or street or executing any work beyond the limits of supply without the consent in writing of the local authority and road authority of such district or as empowering the Undertakers to supply water in any district beyond the limits of supply within the meaning of section 52 of the Public Health Act 1875 or any similar provision.

Power for Undertakers to supply materials &c.

34. The Undertakers may furnish to any person supplied or about to be supplied or any part of whose property or premises is supplied or about to be supplied by them with water and may renew repair or alter but shall not manufacture any pipes cisterns valves ferrules cocks fittings meters baths soil-pans waterclosets apparatus and receptacles and fittings in connection with such supply and may provide all materials and do all work necessary or proper in that behalf and the reasonable charges of the Undertakers in providing such materials and executing such work shall be paid by the person requiring the same.

Undertakers to keep meters &c. in repair.

35. 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 person in proper order for correctly registering the supply of water and in default of their so doing such person 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 &c. to be evidence.

36. 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 rate is charged and sought to be recovered by the Undertakers Provided that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties the costs of the proceedings before them shall be paid and the decision of such justices shall be final and binding on all parties.

Penalty for connecting or disconnecting meter without notice to Undertakers,

37. Before any person connects or disconnects any meter through which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Undertakers of his intention to do so and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Rainham.

As to recovery of charges for supply of water.

38. All charges for the supply of water due to the Undertakers under any agreement for the supply of water may be recovered in all respects as water rates are recoverable and the Undertakers shall have in respect to such charges all such and the like powers and remedies as they for the time being have with respect to water rates.

When several houses supplied by one pipe each to pay.

39. 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 waterworks of the Undertakers by a distinct pipe Provided 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.

40. 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 of such tenements unless such tenant or occupier be in respect of the tenement so occupied by him rated under this Order for a supply of water.

Injuring meters.

41. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water 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 sustained by them And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Undertakers the Undertakers may also enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for ensuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Undertakers by the offender and may be recovered by them as water rates are recoverable 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 instrument 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

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Rainham.

user as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

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

42. 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 taken or 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.

43. In case any person supplied with water by the Undertakers leaves 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.

Notice of discontinuance.

44. A notice to the Undertakers from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing and be left at the principal office for the time being of the Undertakers.

Liability to water rent &c. not to disqualify justices &c.

45. A justice or a judge of any county court or quarter sessions shall not (except as in this Order expressly provided) be disqualified from acting in the execution of this Order by reason of his being liable to the payment of any water rent meter rent rate or charge under this Order or by reason of his being a shareholder in the undertaking.

Contents of summons..

46. 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 sums.

Costs of distress.

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

Penalties not cumulative.

48. Penalties imposed for one and the same offence by several Acts of Parliament shall not be cumulative and for this purpose this Order and any Act incorporated wholly or in part with this Order shall be deemed several Acts.

Costs of Order.

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

SEVENOAKS WATER.

A.D. 1904.

Order empowering the Sevenoaks Waterworks Company to acquire and hold additional land.

Sevenoaks.

Short title.

1. This Order may be cited as the Sevenoaks Water Order 1904.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed.

Construction of Order.

3. The Sevenoaks Waterworks Act 1878 (in this Order referred to as "the Act of 1878") the Sevenoaks Water Order 1892 the Sevenoaks Water Order 1900 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.

4. So far as the same relate to the powers conferred by this Order 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 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.

Undertakers.

5. The Sevenoaks Waterworks Company shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Additional Land.

Power to acquire additional land by agreement.

6. The Undertakers may for the purposes of their undertaking take and hold (by agreement but not otherwise) in addition to the lands which they are by the Act of 1878 authorised to hold any lands and hereditaments not exceeding in the whole ten acres which the Undertakers may require for the purposes of their works and undertaking or any easement right or privilege therein thereunder or thereover not being an easement right or privilege of water in which persons other than the grantors have an interest Provided that they shall not create or permit a nuisance on any such lands or authorise or permit the erection of any building other than buildings connected with or necessary for their undertaking.

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

7. 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 right or privilege of water in which persons other than the grantors have an interest) in over or affecting any such lands required for the purposes

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Sevenoaks.

of the undertaking of the Undertakers 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.

Costs of Order.

Costs of Order.

8. 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.

SOUTHWOLD WATER.

Southwold.

Order empowering the Southwold Waterworks Company Limited to construct additional works to extend their limits of supply to raise additional capital and for other purposes.

Preliminary.

Short title.

1. This Order may be cited as the Southwold Water Order 1904.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."

Construction of Order.

3. The Southwold Water Order 1886 (in this Order referred to as "the Order of 1886") as amended by this Order 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.

4. 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 of 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 and the said provisions of the Waterworks Clauses Acts shall apply to the works named in the twelfth section of this Order.

Interpretation.

5. The several words and expressions to which by any Act wholly or partly 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.

Undertakers.

Undertakers.

6. The Southwold Waterworks Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Extension of Limits of Supply.

Southwold.

Extension of limits of supply.

7. The Undertakers shall have and may exercise subject to the provisions of this Order within the following new limits namely the parishes of Reydon and Easton Bavents both in the rural district of Blything in the county of Suffolk all the like powers privileges and authorities for and in relation to the supply of water and shall be subject to all the like duties liabilities and obligations in respect thereof as they now have and are subject to within the limits of supply as defined by the Order of 1886 and from and after the commencement of this Order the limits of the Order of 1886 shall be deemed to include the said new limits.

Purchase of Lands.

Power to acquire lands.

8. The Undertakers may by agreement purchase take on lease acquire hold and use such of the lands shown on the plans deposited in respect of this Order as they may require for the purposes of the undertaking and for the protection of their water supply from pollution and they may by agreement purchase or take on lease hold and use any other lands and any easements rights or privileges (not being easements rights or privileges to take water in which persons other than the grantors have an interest) in over or affecting any lands which they may require for such purposes Provided always that they shall not create or permit a nuisance on any lands acquired by them under this Order and that they shall not at any time hold for such purposes more than twenty acres of land under the authority of this Order Provided also that no building shall be erected on such lands while in the possession of the Undertakers except such as are required for the purposes of the undertaking.

Persons under disability may grant easements &c. 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 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 waterworks.

10. The Undertakers may on the land shown on the plans deposited for the purposes of this Order when the same has been acquired by them and so long as they are possessed of the said land or so long as they may be entitled to do so under agreement make and maintain in the lines and according to the levels shown on the plans and sections deposited as aforesaid the works hereinafter described and other works and conveniences connected therewith and may enlarge renew and improve the same The works authorised by this Order will be wholly situate within the county of Suffolk and are as follows :—

(1) A pumping station and tube wells with engines pumps tanks and other works wholly situate in the parish of Reydon in the said

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Southwold.

county in and upon the field numbered 274 on the Ordnance map (scale $\frac{1}{2500}$ 1884 edition) of that parish :

(2) A conduit or line or lines of pipes wholly situate in the said parish of Reydon commencing at the pumping station above described and proceeding in a northerly direction to and into the Halesworth Road and thence along that road in an easterly direction to a junction with the existing water main of the Undertakers from Quay Lane pumping station :

Together with all necessary cuts channels catchwaters aqueducts pipes standpipes culverts tunnels drains sluices bywashes weirs gauges sumps wells tube wells filters filter beds water towers tanks banks walls approaches pumps engines machinery works and appliances and (subject to the consent of any road authority and person affected) telegraphs and telephones as may be necessary or convenient in connection with the before-mentioned works or any or either of them :

Provided always that from and after the date on which the Undertakers commence to supply water from the works by this section authorised they shall cease to supply water from the old well on Southwold Common known as "the Common Well" for domestic purposes Provided also that any telegraphs and telephones made and maintained under the provisions of this Order shall not be used for the purpose of transmitting telegrams in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Acts 1863 to 1899.

Limits of deviation.

11. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of deviation shown on the plans deposited as aforesaid but in no case beyond the width of any road shown on the plans deposited as aforesaid and they may deviate vertically from the levels shown on the sections deposited as aforesaid to any extent not exceeding three feet upwards or seven feet downwards Provided always that the Undertakers may deviate vertically to any extent in constructing any tube wells bored and driven in connection with the pumping station described in the immediately preceding section.

Confirming construction of completed works.

12. The construction by the Undertakers upon land belonging to them of the works hereinafter described is hereby confirmed and authorised.

The said works are—

(A) A pumping station and tube wells in the parish of Reydon in the said county situate on a piece of land lying on the east side of Quay Lane and on the north side of Halesworth Road at the junction of those roads and containing two acres or thereabouts :

(B) A conduit or line of pipes commencing in the said parish of Reydon at the pumping station last above described and proceeding thence in a southerly direction to the Halesworth Road and thence along that road in an easterly and southerly

direction to and terminating by a junction with the existing water main of the Undertakers situate at or near the junction of High Street with Victoria Street in the borough and parish of Southwold. A.D. 1904. *Southwold.*

The Undertakers may hold the said piece of land for the purposes of their undertaking and may maintain and use the said pumping station and conduit or line of pipes.

13. All the works hereinbefore referred to shall for all purposes form part of the undertaking of the Undertakers. Works to form part of undertaking of Undertakers.

14. 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 provisions and restrictions of this Order the Undertakers may alter enlarge deepen and extend their pumping station tanks wells tube wells conduits main pipes connections filters filter beds and other works in such way and manner as may be requisite or advisable for supplying water within their limits of supply. Period for completion of works.

15. If any difference arise 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 as to the mode of laying down repairing altering or enlarging their main pipes or other works in over or upon such land or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party. As to pipes crossing works of a railway or other company.

Capital.

16. The limitation prescribed by the Order of 1886 with respect to the amount of the share capital of the Undertakers for the purposes of the undertaking shall not prevent the Undertakers from raising for such purposes by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively further capital not exceeding sixteen thousand pounds (hereinafter referred to as "the new capital") including any premiums obtained on the sale of any shares or stock under the provisions of this Order Provided that the capital of the Undertakers for the said purposes shall not exceed in the whole the sum of twenty-four thousand pounds unless any increase thereto be hereafter authorised by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament. Additional capital.

17. The Undertakers shall when any shares or stock forming part of the new capital are issued and before offering the same to the holder of any other share 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 tender in such manner at such times and subject to such conditions of sale as the Undertakers may by special resolution determine Provided that at any such sale no single lot shall New shares or stock to be offered by auction or tender.

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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 value 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 except that if the bidding or offer by tender of any holder of shares or stock be the same in amount as the bidding or offer by tender made by any other person the bidding or offer of such holder shall be accepted in preference.

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

18. It shall be one of the conditions of any sale of shares or stock under the provisions of this Order that the full price thereof including any premium given by any purchaser at such sale in respect thereof shall be paid to the Undertakers within three months after such sale.

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

19. The intention to sell any shares or stock by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply 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 or stock not sold by auction or by tender to be offered to holders of ordinary shares or stock.

20. When any shares or stock have been offered for sale by auction or tender under the provisions of this Order and not sold the same may be disposed of by the directors of the Undertakers at a price not less than the reserved price put upon the same respectively for the purpose of sale by auction or tender or may be offered at such reserved price to the holders of the ordinary shares or ordinary stock of the Undertakers in such manner as may be prescribed by a special resolution passed by the Undertakers Provided that any shares or stock not so disposed of or so offered and not accepted within the time prescribed by such resolution shall again be offered for sale by public auction or 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 new capital and the reserve put upon such shares or stock may upon such second or any subsequent offer for sale by auction or tender if the directors of the Undertakers think fit be less than the nominal value thereof and any shares or stock not then sold may be disposed of by the directors or offered to the holders of ordinary shares or ordinary stock at not less than the last-mentioned reserved price and so on until the whole of such shares or stock is sold.

Application of premium arising on sale of shares or stock.

21. 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 dividend.

Limits of dividend on new capital.

22. The Undertakers shall not in any year declare or make out of their profits any larger dividends on the new capital than seven pounds in respect of every one hundred pounds actually paid up of so much of the new capital as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of so much of the new capital as may be issued as preference capital.

Dividends on different classes of shares or stock to be paid rateably.

23. In case in any year or in any half year (if the Undertakers declare a dividend half yearly) the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed rate on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Limit of borrowing powers.

24. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares or stock under the provisions of this Order and 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 after the commencement of this Order and secured as aforesaid.

Application of moneys.

25. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Order of 1886 and this Order to which capital is properly applicable.

Costs of Order.

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

WETHERBY DISTRICT WATER.

Wetherby.

Order empowering the Wetherby District Water Company to reduce the authorised share and loan capital and to empower them to raise further money by means of preference shares and for other purposes.

Short title.

1. This Order may be cited as the Wetherby District Water Order 1904.

Commencement of Order.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."

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Wetherby.

Construction of Order.

3. The Wetherby District Water Act 1899 and the Wetherby District Water Act 1900 (in this Order referred to as "the Acts of 1899 and 1900") and this Order shall be construed together with this Order except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Interpretation.

4. The several words terms and expressions to which by any Act 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.

Incorporation of Acts.

5. The Companies Clauses Consolidation Acts 1845 to 1889 with respect to the following matters (that is to say):—

The distribution of the capital of the company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for 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 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) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and the Companies Clauses Act 1869 are (except where expressly varied by this Order) incorporated with and form part of this Order.

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

Undertakers.

6. The Wetherby District Water Company shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Reduction of ordinary capital and borrowing powers.

7. The amount of share capital which the Undertakers were authorised to raise under the powers of the Acts of 1899 and 1900 is hereby reduced to the sum of sixty thousand pounds and the amount which the Undertakers were authorised to borrow under the powers of the Acts of 1899 and 1900 in respect of that capital is hereby reduced to the sum of twenty thousand pounds and the Acts of 1899 and 1900 are hereby amended and shall be read and construed accordingly.

Power to raise additional capital.

8. The Undertakers (in addition to their original capital as by this Order reduced) may raise by the creation and issue of preference shares or

stock any capital not exceeding in the whole twenty-five thousand pounds hereinafter referred to as "the additional capital" Provided that the dividend on any such preference shares or stock shall not exceed the rate of five pounds per centum per annum and that the capital of the Undertakers shall not exceed the sum of eighty-five thousand pounds unless an increase thereto be sanctioned thereafter by Act of Parliament or by Provisional Order under the Gas and Water Works Facilities Act 1870.

Shares not to be issued until one fifth paid.

9. The Undertakers shall not issue any share created under the authority of this Order of less nominal value than five 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 of the amount of such share be paid in respect thereof.

As to votes &c. in respect of shares or stock.

10. The Undertakers may attach to any such shares or stock such conditions as to voting qualifications or otherwise as they think fit to declare before issuing the same but except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of such shares or stock.

Further borrowing powers.

11. The Undertakers may in respect of the additional capital of twenty-five thousand pounds which they are by this Order authorised to raise borrow on mortgage of the undertaking any sum not exceeding in the whole eight thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital 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 have been issued and accepted and that one half of such capital 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 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 so far as the said additional capital is raised by shares that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Undertakers and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

12. All mortgages granted by the Undertakers in pursuance of the powers of the Acts of 1899 and 1900 and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of those Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Order.

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Wetherby.

Application of money.

13. Any sums which the Undertakers may raise by shares stock or borrowing under the powers of this Order shall be applied by them to purposes of the undertaking to which capital is properly applicable.

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

14. If a person requiring a supply of water from the Undertakers has previously quitted premises at which water was supplied to him by them without paying to them all water rent or other moneys due from him to the Undertakers they may refuse to furnish to him a supply of water until he pay the same.

Several sums in one summons.

15. Any summons or warrant issued for any of the purposes of the undertaking may contain in the body thereof or in the schedule thereto several sums.

Recovery of charges for supply of water.

16. All charges due to the Undertakers under any agreement for the supply of water by measure or for other than domestic purposes may be recovered in all respects as water rates are recoverable and the Undertakers shall have in respect of such charges all such and the like powers and remedies as they for the time being have with respect to water rates.

Warrant of distress to include costs.

17. Any justice who issues a warrant of distress in pursuance of the provisions of the Acts of 1899 and 1900 or 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 such justice and shall be included in the warrant of distress for the recovery of such money.

Costs of Order.

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

MELDRETH AND MELBOURN DISTRICT GAS AND WATER.

Meldreth and Melbourn.

Order empowering the Meldreth and Melbourn District Gas and Water Company Limited to construct and maintain Gasworks and Waterworks and to make and supply Gas and to supply Water within the parishes of Meldreth Melbourn and Shepreth in the county of Cambridge.

Order to consist of four Parts.

1. This Order shall consist of four Parts:—

Part I.—Preliminary relating both to the Gas Undertaking and to the Water Undertaking.

Part II.—Relating to the Gas Undertaking.

Part III.—Relating to the Water Undertaking.

Part IV.—General Provisions relating both to the Gas Undertaking and to the Water Undertaking.

Part I.

Preliminary relating both to the Gas Undertaking and to the Water Undertaking.

Short title.

2. This Order may be cited as the Meldreth and Melbourn District Gas and Water Order 1904.

Commencement of Order.

3. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."

Incorporation of Lands Clauses Acts.

4. 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) are hereby incorporated with this Order except where the same are expressly varied by this Order.

Interpretation.

5. The several words terms and expressions to which by any Act in whole or in part incorporated with this Order or with any Part of this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order or in such Part of this Order the same respective meanings.

In this Order—

The expressions "deposited map" "deposited plans" and "deposited sections" used in relation to the gas undertaking or the water undertaking by this Order authorised shall mean respectively the map plans and sections relating to such undertakings deposited for the purposes of this Order.

Limits of Order.

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 parishes of Meldreth Melbourn and Shepreth in the county of Cambridge.

Undertakers.

7. The Meldreth and Melbourn District Gas and Water Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Part II.

Relating to the Gas Undertaking.

Incorporation of Gasworks Clauses Acts.

8. The provisions of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with this Part of this Order except where the same are expressly varied by this 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 commencement of 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.

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Interpretation.

9. In this Order the expression "the prescribed rates" means the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of this Order and in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall include the gasworks and works connected therewith by this Order authorised to be maintained continued and constructed.

Capital.

Gas capital.

10. The share capital of the Undertakers shall not for the purposes of the gas undertaking authorised by this Part of this Order (in this Part of this Order referred to as "gas capital") exceed eight thousand pounds unless the Undertakers are hereafter authorised to raise for such purposes additional share capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Limits of dividend on gas capital.

11. Except as by this Order expressly provided the Undertakers shall not in any year make out of their profits in respect of the gas undertaking authorised by this Part of this Order any larger dividends on the gas capital than the standard rates of dividends hereinafter mentioned namely ten pounds in respect of every one hundred pounds actually paid up of so much of the gas capital as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of so much of the gas capital as may be issued as preference capital.

Limit of borrowing powers in respect of gas undertaking.

12. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the gas undertaking authorised by this Part of this Order shall not at any time exceed in the whole two thousand six hundred and sixty-six 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 commencement of this Order and secured as aforesaid.

Acquisition of Land for Gas Purposes.

Power to acquire lands.

13. The Undertakers may for the purposes of the gas undertaking authorised by this Part of this Order (by agreement but not otherwise) purchase or take on lease and hold such of the lands shown on the deposited map and described in the Schedule A to this Order annexed as they may require for the purposes of the said undertaking.

Additional lands.

14. The Undertakers may for the purposes of the gas undertaking authorised by this Part of this Order (by agreement but not otherwise) purchase or take on lease and hold in addition to the lands shown on the deposited map and described in the Schedule A to this Order annexed any lands and hereditaments not exceeding in the whole three acres which the Undertakers may from time to time require for purposes of such undertaking Provided that the Undertakers shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in the Schedule A to this Order annexed.

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

Construction and maintenance of gasworks and sale of gas and residual products.

15. The Undertakers on the lands shown on the deposited map and described in the Schedule A to this Order annexed when they have acquired and while they are possessed of the same may construct and maintain alter enlarge extend renew or discontinue retorts gasholders receivers purifiers meters apparatus and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom and they may subject to the provisions of this Part of this Order make and store gas and supply and sell the same within the limits of supply and may manufacture and store coke coal-tar pitch asphaltum ammoniacal liquor oil and all other residual products obtained in the manufacture of gas and matters producible therefrom and may convert utilise sell and dispose of the same at the gasworks and elsewhere and they may also subject to the provisions of this Order construct and maintain alter extend enlarge and renew or discontinue houses offices buildings and other works connected with the undertaking.

Power to supply gas fittings Fittings not to be subject to distress.

16.—(1) The Undertakers may make sell let for hire and otherwise deal in fix repair and remove but shall not manufacture engines stoves ranges pipes fittings and other apparatus appliances and things (in this section called "fittings") for lighting for motive power for the warming and ventilating of houses and buildings for the cooking of food and for all other purposes for which gas can or may be used and may provide all materials and do all work necessary or proper in that behalf and with respect thereto may demand and take such remuneration in money or such rents and charges for and make such terms and conditions as may be agreed upon between the Undertakers and the persons to or for whom the same are sold let fixed repaired or removed and such remuneration rents and charges shall be recoverable in the same manner as rents or sums due to the Undertakers for gas.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

Anti-fluctuators for gas engines.

17. Every consumer of gas supplied by the Undertakers who uses a gas engine shall if required to do so by the Undertakers use an anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and if any consumer shall make default in complying with the provisions of this section the Undertakers may cease to supply him with gas The Undertakers shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at

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the expense of the Undertakers if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

Power to take licences for patents.

18. The Undertakers may subject to the provisions of this Part of this Order (but only for the purposes of the gas undertaking within the limits of supply and not so as to acquire any exclusive right therein) contract for take and use any leave licence 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 or distribution of gas or the conversion manufacture or utilisation of any products obtainable in or arising from such manufacture or from materials used therein.

Undertakers may contract with local authority and others for supply in bulk.

19. The Undertakers may enter into and carry into effect contracts with any local authority company or persons beyond the Undertakers' limits of supply (but only with the consent in writing of any local authority of and of any company or person supplying gas under parliamentary powers within the district within which the supply is to be given) for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding seven years as shall be agreed upon.

Period of error in defective meters.

20. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Undertakers shall be paid by or to the Undertakers to or by the consumer as the case may be and shall he recoverable in the like manner as gas rents are recoverable by the Undertakers.

Gas consumers to give notice to Undertakers before removing.

21.—(1) Twenty-four hours' notice in writing shall be given to the Undertakers by every gas consumer before he shall quit any premises supplied with gas by meter by the Undertakers and in default of such notice the consumer so quitting shall be liable to pay to the Undertakers the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Undertakers to supply gas to such premises whichever shall first occur.

(2) Notice of the effect of this enactment shall be contained in or endorsed on every demand note for gas rent.

Notice of discontinuance.

22. A notice to the Undertakers from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office for the time being of the Undertakers.

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

23. If a person requiring a supply of gas from the Undertakers for any premises occupies or has occupied other premises at which gas was supplied to him by the Undertakers and has not paid all gas or meter rent or other

moneys due from him to the Undertakers they may refuse to furnish to him a supply of gas until he pays the same.

As to construction and placing of pipes &c. between mains and meters.

24. In order to enable the Undertakers to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect :—

(1) The Undertakers may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer between the Undertakers' mains and the meter and (so far as the same are intended to be covered over) on the consumer's premises :

(2) The Undertakers may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time :

(3) The specification shall be published once in each of two newspapers circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Undertakers :

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Undertakers' main but within the outside wall of the building :

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Undertakers and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Undertakers Any officer of the Undertakers duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Undertakers' specification or if the meter is not placed as required by this section the Undertakers may refuse to supply gas to the premises until the provisions of this section have been complied with :

(6) Any person to whom the Undertakers refuse a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Undertakers' specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

Notice of reinstatement of streets &c. opened under Gasworks Clauses Act 1847.

25. The Undertakers in addition to the notices required by the Gasworks Clauses Act 1847 shall immediately after reinstating the soil or pavement of any street or bridge opened or broken up by them under the provisions of the Gasworks Clauses Act 1847 give to the persons under whose control or management the same may be or to their clerk surveyor or other officer notice in writing of such reinstatement.

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Quality of Gas.

Quality of gas.

26. The quality of the 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 not less than 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.

27. The price to be charged by the Undertakers for gas supplied by them shall not exceed five shillings per thousand cubic feet and so in proportion for any less quantity supplied Provided that at any time after the expiration of three years from the commencement of this Order the Board of Trade may if they think fit by order in writing signed by a secretary or an assistant secretary of the said Board alter the said maximum price either by substituting any other sum for the said sum of a shilling or by fixing a standard price with sliding scale as to profits and as from the date specified in such order (hereinafter referred to as "the specified date") the price to be charged by the Undertakers for gas supplied by them shall be in accordance with such order Provided further that in case such order shall prescribe a standard price with sliding scale as to profits then as from the specified date the provisions set forth in Schedule C to this Order annexed shall be in force and have effect and this Order shall be read and construed accordingly A copy of any such order made by the Board of Trade shall be published in the London Gazette and a copy of the said Gazette containing such order shall be conclusive evidence of the due making and validity of the same and of the contents thereof.

Charges for hire of prepayment meters.

28. The Undertakers shall not charge for the hire of any prepayment meter and fittings to be used therewith any sum other than a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged shall not exceed one shilling per thousand cubic feet supplied in manner aforesaid such sum to include the hire of one meter and the fittings used therewith The said charge shall include the providing letting fixing repairing and maintenance of the meter and fittings and the cost of collection inspection and any other costs incurred by the Undertakers in connection with such meter and fittings.

Pressure of Gas.

Pressure of gas.

29. 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 gas.

30. The Undertakers shall within six months after the commencement of this Order cause to be provided at their works a testing place with appa-

ratus 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 Provided that any other description of burner may be used which may for the time being be approved for the purpose by the Board of Trade and any gas examiner appointed under the Gasworks Clauses Act 1871 for the purposes of this Part of this Order may 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 not being the immediate approach to any railway or canal bridge or railway station vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

31. 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 produced by unavoidable cause or accident.

Separate accounts to be kept in respect of gas undertaking.

32. The Undertakers shall keep separate annual accounts in respect of their gas undertaking authorised by this Part of this Order showing the amount of their paid-up capital in relation to such undertaking and such accounts shall in all respects be in accordance with the provisions of the Gasworks Clauses Act 1871.

Undertakers to pay interest on deposit.

33. 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.

Part III.

Relating to the Water Undertaking.

Incorporation of Waterworks Clauses Acts.

34. The provisions of the Waterworks Clauses Acts 1847 and 1863 are hereby incorporated with this Part of this Order except where the same are expressly varied by this Part of this Order.

Interpretation.

35. The expression "superior court" or "court of competent jurisdiction" in any Act wholly or partially incorporated with this Part of 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.

Where Undertakers not furnishing

36. If at any time after the expiration of five years from the commencement of this Order the Undertakers are not furnishing within the

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limits defined by this Order a sufficient supply of water in accordance with the provisions of this Part of this Order in any part of the district of any local authority included within the limits of supply the local authority of such district may provide a supply in the whole or any part of their district within the limits of supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Undertakers as if in either case there were no company authorised by this Order to supply water therein.

Sufficient supply local authority or company may supply.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Capital.

Capital.

37. The share capital of the Undertakers shall not for the purposes of their water undertaking authorised by this Part of this Order exceed eight thousand pounds unless the Undertakers are hereafter authorised to raise for such purposes additional share capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Limit of borrowing powers.

38. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their water undertaking authorised by this Part of this Order shall not at any time exceed in the whole two thousand six hundred and sixty-six 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 commencement of this Order and secured as aforesaid.

Acquisition of Lands for Water Purposes.

Power to acquire lands.

39. The Undertakers may by agreement purchase take on lease acquire and use such of the lands shown on the deposited plans and described in the Schedule B to this Order annexed as they may require for the purposes of the water undertaking authorised by this Part of this Order and they may by agreement purchase or take on lease and use any other lands and any easements rights or privileges (not being an easement right or privilege of water in which persons other than the grantors have an interest) in over or affecting any lands which they may require for such purposes Provided that they shall not at any time hold for such purposes more than three acres of land in the whole and that they shall not create or permit a nuisance on any lands held by them.

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

40. 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 to supply water.

41. Subject to the provisions of this Order the Undertakers may on the lands shown on the deposited plans when they have acquired and while they are possessed of the same 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 necessary approaches embankments roads filtering beds wells dams sluices culverts mains pipes engines and all works and conveniences connected therewith and they may subject to the provisions of this Part of this Order supply and sell water within the limits of supply.

The works authorised by this Part of this Order are as follows:—

(A) A well and pumping station with pumping engines engine and boiler houses tanks and other works buildings and conveniences to be situate on the land shown on the deposited plans and described in Schedule B annexed to this Order:

(B) A covered high service reservoir to be situate in and upon the lands shown on the said deposited plans and described in Schedule B aforesaid:

(C) A pumping or rising main to be situate in the parish of Melbourn and county of Cambridge commencing at the intended pumping station (Work A) hereinbefore described and running thence in a north-westerly direction along and under the occupation road leading from Munsey's Farm to Heath Farm into the said reservoir (Work B):

(D) A conduit or line of pipes (No. 1) commencing at the said reservoir (Work B) thence running into the said occupation road and in a north-westerly direction along the said road then past Munsey's Farm and along the road to Melbourn until it joins the high road from Royston to Cambridge along such road as far as Melbourn Church thence in a north-westerly direction along the road to Meldreth crossing the River Mel at the parish boundary thence to the Great Northern Railway over the bridge crossing such railway and then crossing under the tramway in connection therewith thence along the road into Meldreth past Meldreth Church crossing the said River Mel at or near the Vicarage then along the Shepreth Road into Shepreth Village passing over a tributary of the River Cam at the boundary of the parishes of Shepreth and Meldreth and crossing the Great Northern Railway at the level crossing over such road then turning in a southerly direction past the Plough Inn and Shepreth Schools and the turning to Moor End into the said Royston and Cambridge Road thence along such road in a south-westerly direction crossing such tributary at the boundary

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of the parish of Shepreth until it meets the same conduit near the church in the village of Melbourn:

(E) A conduit or line of pipes (No. 2) commencing near the said reservoir at the point where conduit (No. 1) enters the said occupation road thence passing in a south-easterly direction along the said road past the well and pumping station (Work A) crossing field numbered 262 on the said Ordnance map along the south-west boundary of such field to the road leading from Royston to Newmarket along such road in a north-easterly direction as far as the turning to Melbourn known as Carlton Hill then along Carlton Hill in a north-westerly direction into Melbourn Village until it meets conduit (No. 1).

Limits of deviation.

42. In constructing the works authorised by this Part of this Order the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans but in no case beyond the width of any road 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 Provided that no conduit or line of pipes shall be raised above the surface of the ground unless so shown on the deposited sections and then only to the extent so shown.

Period for completion of works.

43. The works authorised by this Part of 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 that subject to the restrictions and provisions of this Part of this Order the Undertakers may alter enlarge and extend their engines machinery tanks wells pipes and other works in such way and manner as may be requisite or advisable for supplying water subject to the provisions of this Order within the limits of supply.

Notice of reinstatement of streets &c. opened under Waterworks Clauses Act 1847.

44. The Undertakers in addition to the notices required by the Waterworks Clauses Act 1847 shall immediately after reinstating the soil or pavement of any street or bridge opened or broken up by them under the provisions of the Waterworks Clauses Act 1847 give to the persons under whose control or management the same may be or to their clerk surveyor or other officer notice in writing of such reinstatement.

Supply.

Limits of pressure.

45. The water supplied by the Undertakers shall be constantly laid on under pressure but need not at any time be delivered at a greater height than can be reached by gravitation from the service reservoir authorised by this Order.

Rates for supply for domestic purposes.

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

sufficient supply of water for such domestic purposes at rates not exceeding the rates per annum hereinafter specified (that is to say):—

Where the rateable value of the premises so supplied with water does not exceed five pounds the sum of eight shillings and sixpence:

Where such rateable value exceeds five pounds and does not exceed ten pounds at a rate per centum not exceeding nine pounds:

Where such rateable value exceeds ten pounds and does not exceed twenty pounds at a rate per centum not exceeding eight pounds ten shillings:

Where such rateable value exceeds twenty pounds and does not exceed forty pounds at a rate per centum not exceeding eight pounds:

Where such rateable value exceeds forty pounds and does not exceed sixty pounds at a rate per centum not exceeding seven pounds ten shillings:

Where such rateable value exceeds sixty pounds at a rate per centum not exceeding seven pounds:

And so in proportion for any shorter period in each case Provided that in the case of an inn or hotel (public or private) so supplied with water the rateable value of which exceeds fifteen pounds the Undertakers shall be entitled to demand and take in respect of such supply at a rate not exceeding the rate of seven pounds ten shillings per centum per annum upon such rateable value and so in proportion for any shorter period Provided also that the Undertakers shall not be compellable to furnish any such supply as aforesaid for any less sum than eight shillings and sixpence in any one year nor for a less period than twelve months and that where the water rate is chargeable on the rateable value of a part only of any premises entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole premises ascertained as aforesaid the apportionment in case of dispute to be ascertained by a court of summary jurisdiction and that the Undertakers shall not be entitled in any case to demand a higher water rate for any house or part of a house included in any division of the above scale of rates than they would be entitled to demand if such house or part of a house were of just sufficient rateable value to bring it within the next higher division of the said scale.

The rateable value shall for the purposes of this section be ascertained by the valuation list for the time being in force in the parish or district in which the premises in respect of which the water rate is made are situate and if there be no such valuation list then by the last rate for the relief of the poor in respect of such premises.

Rates for watercloset &c.

47. The Undertakers may charge for and in respect of every watercloset beyond the first in respect of which no additional charge shall be made in any premises within the limits of supply an additional sum not exceeding five shillings per annum and for every bath an additional sum not exceeding ten shillings per annum Provided that for baths containing as usually filled for use a greater quantity of water than fifty gallons the Undertakers may

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charge an additional sum in excess of the said sum of ten shillings increased in proportion to the size of such bath but 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 and such additional sums are to be paid quarterly in advance and to be recoverable in all respects with and as the water rate.

Undertakers may make regulations for preventing waste misuse or contamination of water.

48. Subject to the provisions of this Part of this Order the Undertakers may make and enforce such reasonable regulations as they may find expedient and as may be approved by the Local Government Board for preventing the waste misuse or contamination of water and among other things may prescribe the size nature and strength of the pipes cocks cisterns and other apparatus proper and suitable for the purposes of supply Provided that such regulations shall apply only within the district in which the Undertakers are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

Publication of regulations.

49. All such regulations in force for the time being shall be published by a copy thereof being kept at the office of the Undertakers which copy shall be open to the inspection of all persons at all reasonable times without payment and the Undertakers shall also furnish a printed copy of all such regulations to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

Evidence of regulations.

50. A printed copy of any such regulations purporting to have been made by the Undertakers and to have been approved by the Local Government Board shall be primâ facie evidence in all legal proceedings of the due making confirmation publication and existence of such regulations without further or other proof.

Power for Undertakers to repair or alter pipes &c. where regulations not complied with.

51. In case of failure of any person to observe any of such regulations as are for the time being in force the Undertakers may if they think fit after forty-eight hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any pipe cock cistern or other apparatus fittings or appliances belonging to or used by such person for the purposes of supply and not being in accordance with the requirements of such regulations and the expense of every such repair replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied and may be recovered by them summarily.

Undertakers to supply water to road and sewer authorities.

52. The Undertakers shall when required supply the road authority 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 and sixpence 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.

Water supplied by agreement.

53. The Undertakers may by agreement supply any local authority company or person without the limits of supply with water in bulk or otherwise for such remuneration and upon such terms and conditions as may

be agreed upon between the Undertakers and such local authority company or person but notwithstanding any such agreement no such local authority company 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 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 not less than 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 to execute any work in any district beyond the limits of supply without the consent in writing of the local authority and the road authority of such district or to supply or continue to supply water within the limits of supply of any local authority company or person now or hereafter empowered by Act of Parliament or by Provisional Order confirmed by Act of Parliament to supply water without the consent in writing of such local authority company or person first had and obtained and provided that no water shall be supplied by the Undertakers beyond the limits of supply except with the consent of the county council of Cambridge.

Supply of water by measure.

54. The Undertakers may if they think fit enter into agreements for the supply of water by measure to any body or person within the limits of supply and may charge a rent for each meter or other instrument for measuring water provided by them at a rate per annum not exceeding fifteen per centum of the price of such meter or instrument 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 &c. in repair.

55. The Undertakers shall at all times at the expense of the consumer keep all meters or other instruments for measuring water let by them for hire to any person in proper order for correctly registering the supply of water and in default of their so doing such person 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 &c. to be evidence.

56. 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 rate is charged and sought to be recovered by the Undertakers Provided that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties.

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

57. Section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Part of this Order have effect as if the words "with the consent in "writing of the owner or reputed owner of any such house or of the agent of "such owner" were omitted therefrom Provided that any rent paid by an

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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.

58. 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 waterworks of the Undertakers by a distinct pipe Provided 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.

59. 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 of such tenements unless the tenant or occupier be in respect of the tenement so occupied by him rated under this Part of this Order for a supply of water.

Supply where water rate insufficient for expense of providing pipes.

60. Where any local authority within the area of supply is of opinion that a supply of water for domestic purposes is necessary in any street or road within their district and the Undertakers are unable at a profit and are not bound to afford such supply in the absence of the guarantee of one tenth of the expense of providing and laying down pipes for the purposes thereof required under section 35 of the Waterworks Clauses Act 1847 such local authority may require the Undertakers to afford and thereupon the Undertakers shall afford such supply of water when and so soon as the local authority shall with the consent of the Local Government Board have given the Undertakers or entered into with them a guarantee or contract under their common seal securing to the Undertakers the payment to them of such a sum as (together with the rates payable to the Undertakers for water supplied or to be supplied to such street or road or any part thereof from or by means of the mains or pipes required to be provided and laid down) will amount to ten per centum in each year for such period as may be agreed between the Undertakers and the local authority upon the cost of providing and laying such mains or pipes.

Penalties.

Injuring meters &c.

61. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Undertakers or commits any breach of any authorised regulations against waste misuse or contamination of the water supplied by 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 instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same 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 instrument 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 pipes meters instruments or fittings.

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

62. 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 taken or used contrary to the provisions of this Part of this Order shall for every such offence be liable to a penalty not exceeding five pounds.

Miscellaneous.

Incoming tenant not liable to pay arrears.

63. In case any person supplied with water 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.

Separate accounts to be kept in respect of water undertaking.

64. The Undertakers shall keep separate annual accounts with respect to their water undertaking authorised by this Part of this Order showing the amount of their paid-up capital in relation to such undertaking and such accounts shall in all respects be in accordance with the provisions of the Waterworks Clauses Act 1847.

Several sums in one summons.

65. Any summons or warrant issued for any of the purposes of this Part of this Order may contain in the body thereof or in the schedule thereto several sums.

Notice of discontinuance.

66. A notice to the Undertakers from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing and left at the principal office for the time being of the Undertakers.

Warrant of distress to include costs.

67. Any justice who issues a warrant of distress in pursuance of the provisions of this Part of this Order may order that the costs of the proceeding for the recovery of the money to be levied shall be paid by the

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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.

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

PART IV.

GENERAL PROVISIONS RELATING BOTH TO THE GAS UNDERTAKING AND TO THE WATER UNDERTAKING.

For protection of Great Northern Railway Company.

69. The following provisions for the protection of the Great Northern Railway Company (hereinafter called "the Great Northern Company") shall unless with the previous consent of the Great Northern Company in writing under their common seal apply and have effect:—

(1) All mains and pipes laid or proposed to be laid by the Undertakers under the powers of this Order over or under any bridge over or under any railway of the Great Northern Company shall be carried over or under the same in such a way as not to interfere with the structure of any such bridge and all other mains and pipes laid or proposed to be laid by the Undertakers under the powers of this Act which shall cross any railway of the Great Northern Company shall be carried under the same in a cast-iron pipe of sufficient dimensions to admit of such mains and pipes being relaid or repaired without interference with the railway the top of any such culvert in no case being nearer the top of the rails of the railway than four feet:

(2) In laying and maintaining any mains pipes or other works upon or across or under any work or property of the Great Northern Company the Undertakers shall execute and maintain their works under the direction and superintendence and to the reasonable satisfaction of the engineer of the Great Northern Company and in accordance with plans drawings and specifications previously submitted to and approved by him and shall pay and make good to the Great Northern Company all loss damages and expenses which the Great Northern Company shall sustain or be put to by or in consequence of the laying maintenance or user of the said mains and pipes or the bursting of the same:

(3) If at any time it is found necessary in order to enable the Great Northern Company to carry out any alterations or extensions of their railway or works that such mains or pipes should be strutted up or that their position should be altered the Undertakers shall on receiving notice in writing from the Great Northern Company so to do at their own cost strut up or alter the position of or deviate the same so far as may be necessary to enable the Great

Northern Company to carry out such alterations or extensions and the provisions of this section shall apply to the said mains pipes or culverts in their altered position :

(4) Any difference arising between the Undertakers and the Great Northern Company under this section shall be determined by an engineer to be appointed by the Board of Trade.

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

70. If any difference arise between the Undertakers and any tramway canal river or other company (except the Great Northern Company) whose land or works the Undertakers have power to cross under the authority of this Order or any part of this Order for the purpose of meeting the demands for gas or water within the limits of supply as to the mode of laying down repairing altering or enlarging their mains pipes or works or as to the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

Recovery of penalties.

71. All penalties costs and expenses under this Order may be recovered in manner provided by the Summary Jurisdiction Acts.

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

72. 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.

Costs of Order.

73. All the costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers and charged on the capital of the gas and water undertakings respectively in equal proportions.

SCHEDULES.

SCHEDULE A.

Gas Lands.

A piece of land in the parish of Meldreth in the county of Cambridge belonging or reputed to belong to Mrs. Mary Palmer but agreed to be sold to the Undertakers situate near the Meldreth and Melbourn Station of the Great Northern Railway on the south-west side of the road leading from Melbourn to Chiswick End being part of a field numbered 341 on the Ordnance map (25-inch second edition 1903) at a distance of 280 feet from the said road abutting south-east on the tramway leading from the said railway to the cement works north-east partly on the gardens of certain cottages numbered 340 on the said map partly on the portion of the said field numbered

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341 adjoining such gardens and partly on the piece of ground hereinafter described and containing as well in length as in breadth 150 feet And also all that piece of land adjoining the aforesaid piece of ground and to be used as an approach thereto being of the uniform width of 30 feet and fronting on the said road and containing in length 280 feet or thereabouts.

SCHEDULE B.

WATER LANDS.

Site for Well and Pumping Station.

A piece of land in the parish of Melbourn in the county of Cambridge belonging or reputed to belong to Mrs. Mary Palmer but agreed to be sold to the Undertakers being part of the field numbered 262 on the Ordnance map (25-inch second edition 1903) and situate on the north-east side of the occupation road leading from Munsey's Farm to Heath Farm where such road turns in a south-westerly direction to Heath Farm opposite the Bench mark 211·5 on the said map having a frontage on the said road of 50 feet and containing both in length and breadth 50 feet or thereabouts.

Site for Reservoir.

A piece of land in the parish of Melbourn in the county of Cambridge belonging or reputed to belong to the said Mary Palmer but agreed to be sold to the Undertakers situate on the south-west side of the said occupation road leading from Munsey's Farm to Heath Farm and at a distance of 880 feet from the said land to be used as a well and pumping station and having a frontage of 100 feet upon the said road being part of the field numbered 319 on the said map and containing both in length and breadth 100 feet or thereabouts.

SCHEDULE C.

The foregoing Order shall after the making by the Board of Trade of an order in pursuance of the provisions in that behalf therein contained prescribing a standard price for gas supplied by the Undertakers with sliding scale as to profits and as from the specified date be read and construed subject to the modifications following :—

(1) Sections 30 to 34 (both inclusive) of the Gasworks Clauses Act 1847 shall not continue to be incorporated with or to form part of the foregoing Order and in construing the said Act for the purposes of the foregoing Order section 35 of the said Act shall be read and construed as though the words

from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rates as defined by the foregoing Order together with any sum which under the provisions of this schedule might lawfully be carried to the insurance fund.

(2) Notwithstanding anything contained in the foregoing Order the standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter shall be the price prescribed by such order of the Board of Trade as aforesaid per thousand cubic feet:

Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary share capital as follows:—

In respect of any year during any part of which the price charged by the Undertakers shall have been one penny or part of a penny above the standard price the dividend payable by the Undertakers shall in respect of each penny or part of a penny by which the price shall have been increased be reduced below the standard rate of dividend by five shillings on every hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds:

And in respect of any year during the whole of which the price charged by the Undertakers shall have been one penny or more below the standard price the dividend payable by the Undertakers may in respect of each penny by which the standard price has been reduced be increased above the standard rate by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds.

(3) If the clear profits of the undertaking 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 to the extent of one per centum per annum upon such capital of the Undertakers as is actually paid up 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 part of such capital as aforesaid which fund 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 strike or other circumstance which in the opinion of a court of summary jurisdiction due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum as often as such reduction happens Provided that when and so often as the said fund reaches the said limit of one-twentieth part of such capital as aforesaid the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may be

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had to the insurance fund to meet any such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of such capital as aforesaid.

(4) If the clear profits of the undertaking 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 the undertaking for the following year.

(5) When in any year the prescribed rates exceed the standard rates by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the profits which the Undertakers may make in excess of the standard rates they may in such year set apart such sums as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the specified date in relation to the undertaking 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 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 dividends 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 by this schedule specially provided no sum shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund.

(6) Nothing in this schedule contained shall alter vary or affect any contract or agreement duly made or any liability incurred or notice given before the specified date with respect to the gasworks of or the supply of gas by the Undertakers.

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