CHAPTER ciii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Brentford Gas, Chichester Gas, Ely Gas, Grays Thurrock Gas, Ilford Gas, Kirkham Gas, Northfleet and Greenhithe Gas, Pinner Gas, Staines and Egham Gas, Stone Gas, and Waltham Abbey and Cheshunt Gas; and to amend the Gas and Water Works Facilities Act, 1870, in so far as relates to the district of the Brentford Gas Company. [18th July 1881.] A.D. 1881.

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

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

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

And whereas by section fifteen of the Gas and Water Works Facilities Act, 1870, it is provided that the said Act shall not apply to any place within the metropolis, as the same is defined in the Metropolis Management Act, 1855: 18 & 19 Vict. c. 120.

And whereas the gasworks of the Brentford Gas Company are outside the metropolis, as defined in the Metropolis Management Act, 1855, but a small portion of the district of that company is situate within the metropolis, and it is expedient that the Gas and Water Works Facilities Act, 1870, should for the purposes of the

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Brentford Gas Order hereby confirmed, be construed in the manner herein-after provided:

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

Short title.

1. This Act may be cited as the Gas Orders Confirmation Act, 1881.

Confirmation of Orders in schedule.

2. The several Orders set out in the schedule to this Act annexed 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.

Construction of 33 & 34 Vict. c. 70.

3. The Gas and Water Works Facilities Act, 1870, shall be construed as though all places within the limits of the Brentford Gas Act, 1868, were, for the purposes of the Brentford Gas Order hereby confirmed, excepted from the provisions of section fifteen of the Gas and Water Works Facilities Act, 1870.

The SCHEDULE of ORDERS.

1. BRENTFORD GAS.—Order empowering the Brentford Gas Company to raise Additional Capital, to purchase Additional Lands, and to construct Additional Gasworks.
2. CHICHESTER GAS.—Order empowering the City of Chichester Gas Company to raise Additional Capital.
3. ELY GAS.—Order empowering the City of Ely Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the parishes of Holy Trinity, hamlet of Stuntney St. Mary, hamlet of Chettisham, and parish of the College, Ely.
4. GRAYS THURROCK GAS.—Order empowering the Grays Thurrock Gas and Coke Company to maintain and continue Gasworks, to construct new Gasworks, and to make and supply Gas in the parishes of Grays Thurrock, West Thurrock, Little Thurrock, and Stifford, all in the county of Essex.
5. ILFORD GAS.—Order empowering the Ilford Gaslight and Coke Company to raise Additional Capital.
6. KIRKHAM GAS.—Order empowering the Kirkham Gas Company (Limited) to maintain and continue Gasworks, to construct Additional Gasworks, and to make and supply Gas in the townships of Kirkham, Medlar-with-Wesham, Westby-with-Plumpton, Ribby-with-Wrea, Freckleton and Treales, Roseacre and Wharles, in the parish of Kirkham, all in the county of Lancaster.
7. NORTHFLEET AND GREENHITHE GAS.—Order authorising the analgamation of the Gas Undertakings respectively authorised by the Northfleet Gas Order, 1879, and the Greenhithe Gas Order, 1878, and authorising the Northfleet and Greenhithe Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in part of the parish of Northfleet and the entire parish of Swanscombe, in the county of Kent.
8. PINNER GAS.—Order conferring powers for the maintenance and continuance of Gasworks, and for the manufacture and supply of Gas in part of the parish of Pinner, and in the several parishes or places of Ruislip, Harefield, and Ickenham, all in the county of Middlesex.
9. STAINES AND EGHAM GAS.—Order empowering the Staines and Egham District Gas and Coke Company (Limited) to construct and maintain additional Gasworks, and to raise Additional Capital for such purposes.
10. STONE GAS.—Order empowering the Stone Gaslight and Coke Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the township of Stone and the adjoining townships or places of Darlaston, Meaford, Oulton, Walton, Aston, Stoke-by-Stone, and Little Aston, all in the parish of Stone and county of Stafford.
11. WALTHAM ABBEY AND CHESHUNT GAS.—Order empowering the Waltham Abbey and Cheshunt Gas and Coke Company to raise Additional Capital and to maintain Gasworks.

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BRENTFORD GAS.

Order empowering the Brentford Gas Company to raise Additional Capital, to purchase Additional Lands, and to construct Additional Gasworks.

Short title.

1. This Order may be cited as "The Brentford Gas Order, 1881."

Construction of Order.

2. The Brentford Gas Act, 1858, the Brentford Gas Act, 1868, and the Brentford Gas Order, 1876, (in this Order respectively referred to as "the Act of 1858," "the Act of 1868," and "the Order of 1876,") 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: Provided always, that sections thirty to thirty-four (both inclusive) of the Gasworks Clauses Act, 1847, shall not continue to be incorporated with or to form part of the said Acts or Order.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares.

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

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

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

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

Undertakers.

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

Additional Capital.

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1858 and the Act of 1868 they may from time to time—

(1.) Raise any further sums not exceeding in the whole seven hundred and fifty thousand pounds by the issue of new ordinary shares or

stock, but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any share or stock issued under the authority of this Order vest in the person or corporation accepting the same, unless and until the full nominal amount of such share or stock, together with any premium obtained upon the sale thereof (as herein-after provided) has been paid in respect thereof; provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of seven hundred and fifty thousand pounds; and

(2.) Borrow on mortgage from time to time in respect of the additional capital of seven hundred and fifty thousand pounds by this Order authorised to be raised by ordinary shares or stock, any sums not exceeding in the whole one hundred and eighty-seven thousand five hundred pounds, and the Undertakers may, as each sum of one hundred and eighty-seven thousand five hundred pounds of such additional capital has been fully paid up, borrow on mortgage in respect of each such sum of one hundred and eighty-seven thousand five hundred pounds any sum or sums not exceeding in the whole forty-six thousand eight hundred and seventy-five pounds; but in no case shall any part of the said respective sums of forty-six thousand eight hundred and seventy-five pounds be borrowed until so much of the said additional capital in respect of which such borrowing powers are sought to be exercised has been fully 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 so much of the said additional capital in respect of which such borrowing powers are sought to be exercised has been fully paid up; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

New capital to be offered by auction or tender.

7. The Undertakers shall, when any shares or stock created under the powers of this Order are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not, offer the same for sale by public auction or by tender, in such manner, at such times, and subject to such conditions of sale as the Undertakers may from time to time determine; provided that at any such sale no single lot shall comprise

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

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

8. It shall be one of the conditions of any sale of shares or stock under this Order that the whole nominal amount of any such share or stock, together with any premium given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers at such time or times after such sale as the Undertakers shall determine, but not exceeding six months.

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

9. The intention to sell any shares or stock by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of 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.

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

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

Application of premium arising on sale of capital.

11. 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.

Power to create debenture stock.

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

the interest of all mortgages granted by the Undertakers under the authority of this Order, and shall have priority over all principal moneys secured by such mortgages.

Priority of existing mortgages.

13. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1858 or the Act of 1868 shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividends on capital.

14. Section twelve of the Act of 1868, regulating the dividends on ordinary capital of the Undertakers, shall be repealed, and, except as is by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividend on their ordinary capital authorised by the Act of 1858 and the Act of 1868 and on the additional capital authorised by this Order than the standard rates of dividend herein-after mentioned; namely, ten pounds in respect of every one hundred pounds actually paid up of ordinary capital authorised by the Act of 1858 and the Act of 1868, and seven pounds in respect of every one hundred pounds actually paid up of the additional capital authorised by this Order; and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order, are in this Order referred to as "the prescribed rates."

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on borrowed moneys.

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

Borrowed money not to be converted into capital.

17. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or debenture stock, or any part thereof, by the creation of shares or stock instead of by borrowing, or to convert into capital the amount borrowed under the provisions of this Order.

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

18. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accidents, strikes, or other circumstances which, in the opinion of a justice, due care and management could not have prevented; and

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if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said sum reaches one twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend; provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

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

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

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

Appointment of a receiver.

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

Application of money.

22. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1858, the Act of 1868, the Order of 1876, and this Order.

Accounts.

Board of Trade to appoint an auditor.

23. There shall be an auditor of the accounts of the Undertakers, being a competent and impartial person, from time to time appointed by and removable by the Board of Trade, which auditor is in this Order referred to as "the auditor."

Auditor to ascertain amount of capital.

24. The auditor shall, with all practicable speed after the passing of the Act confirming this Order, investigate the accounts of the Undertakers, and ascertain and certify the amount of their capital, distinguishing share from loan capital, and shall from time to time, as new capital shall be expended, in like manner ascertain and certify such new capital.

Auditor may prescribe form of accounts.

25. The auditor shall from time to time prescribe the form of accounts to be kept by the Undertakers.

Auditor to audit and certify the accounts half yearly.

26. The auditor shall, during every half year, as and when he thinks fit, inspect the accounts of the Undertakers and audit the same, and if he finds the same correct he shall certify the same, but if he finds the accounts incorrect in principle or in detail he shall require the Undertakers to correct the same in such manner as he thinks right, and he may, if he thinks fit, grant a conditional certificate so as to authorise the payment of a dividend subject to correction if need be, and except in the case of a conditional certificate a dividend shall not in any case be declared until the accounts are certified by the auditor. The accounts, as and when certified, shall be forthwith laid before both Houses of Parliament if Parliament be then sitting, and if Parliament be not then sitting, within seven days after the commencement of the then next session of Parliament.

Undertakers to give facilities to auditor.

27. The Undertakers shall give the auditor, his clerks and assistants access to their books and documents, and shall, when required, furnish to him and them all vouchers and information requisite for the purposes of the audit, and shall afford to him and them all facilities for the proper execution of his and their duty.

Arbitration between auditor and the Undertakers.

28. If the Undertakers or any local authority having jurisdiction within the limits of supply think themselves aggrieved by any act, determination, or omission of the auditor, the matter in difference shall be referred to the determination of an arbitrator to be agreed on between them and the auditor, or in default of agreement to be appointed, on the application of any of the parties, by the Lord Chief Justice of England, and the reference shall be subject and according to the provisions of the Common Law Procedure Act, 1854, and the cost of the arbitration shall be in the discretion of the arbitrator, whose decision with respect to all such matters shall be final and conclusive, and subject to this provision the directions and determinations of the auditor shall be final and conclusive.

Remuneration and expenses of auditor.

29. The remuneration of any auditor appointed or to be appointed under the provisions of this Order shall be such as the Board of Trade from time to time direct, and such remuneration and all expenses properly incurred by the said auditor in or about the execution of his duties shall be paid by the Undertakers, on demand, to such fund or account and in such manner as the Board of Trade from time to time direct, and shall be a debt due from the Undertakers to the Crown, and shall be recoverable accordingly with costs.

Lands.

Power to purchase lands.

30. The Undertakers may, by agreement, purchase or take on lease and use such of the lands shown on the map deposited for the purposes of this Order (in this Order referred to as "the deposited map"), and described in the Schedule

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to this Order annexed, as may be required for the purposes of their gas undertaking authorised by the Act of 1858, the Act of 1868, the Order of 1876, and this Order, and in addition to those lands may from time to time purchase, by agreement, and subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of their said undertaking, such lands as they may require: Provided that they shall not at any time hold for such purposes more than twelve acres in addition to the lands which they are authorised to hold for the manufacture and storing of gas, and the products resulting therefrom, by the Act of 1868, the Order of 1876, and this Order.

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

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

31. The Undertakers on the lands shown on the deposited map and described in the Schedule to this Order annexed, when they have acquired the same, may construct and maintain and from time to time alter and enlarge retorts, gasholders, receivers, purifiers, meters, apparatus, and works for the manufacture and storage of gas and of coke and of other residual products obtained in the manufacture of gas, and matters producible therefrom, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of the district to be supplied with gas, as defined by section five of the Act of 1868, which limits are in this Order referred to as "the limits of supply," and may manufacture, sell, supply, and deal in coal-tar, peat, coke, pitch, lime, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Sale of gas in bulk.

32. The Undertakers may supply gas in bulk for resale and distribution to any local authority, gas company, or person authorised to supply gas in any adjoining parish or district beyond the limits of supply: Provided always, that nothing herein contained shall authorise the Undertakers to lay down or place any pipes, or to break up any road or street, or execute any work within any district beyond the limits of supply, without the consent of the local and road authorities of such district.

Differences with railway and other companies.

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

Price of Gas.

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

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

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

Provided always, that the standard rate of dividend payable by the Undertakers in respect of the preference shares at any time created and issued by the Undertakers shall not be increased or diminished so long as any such preference continues.

Miscellaneous.

Local authorities may provide testing places and appoint examiners.

36. Any local authority having jurisdiction within the limits of supply may, at their own expense, provide a testing place, with the apparatus prescribed by the Gasworks Clauses, Act, 1871, and appoint a competent and impartial person to be a gas examiner to test the gas supplied by the Undertakers at the times and in the manner provided by the said Act.

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece of land immediately adjoining the existing works of the Undertakers at Southall, being bounded on the west partly by the existing works of the Undertakers at Southall and partly by the towing-path of the Paddington branch of the Grand Junction Canal, on the north by an arable field belonging to or reputed to belong to the trustees of Dudley Albert Hambrough and in the occupation of Albert Priest, on the east partly by the said last-mentioned field and partly by a field belonging to or reputed to belong to the Southall Brick Company and lately occupied by them as a brick-field, and on the south by the Great Western Railway, all in the parish of Norwood, in the county of Middlesex.

CHICHESTER GAS.

Chichester.

Order empowering the City of Chichester Gas Company to raise additional Capital.

Short title.

1. This Order may be cited as "The Chichester Gas Order, 1881."

Construction of Order.

2. The Chichester Gas Act, 1868, (in this Order referred to as "the Act of 1868,") 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.

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Chichester.

Incorporation of Acts.

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

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

and Part I. (relating to cancellation and surrender of shares), and Part II. (relating to additional capital), and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863, the Companies Clauses Act, 1869, and the Gasworks Clauses Act, 1871, (except in so far as the last-mentioned Act may be inconsistent with the Act of 1868,) are (except where expressly varied by this Order) incorporated with and form part of this Order.

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

Undertakers.

4. The City of Chichester Gas Company incorporated by the Act of 1868 shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional capital.

5. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1868, they may from time to time—

(1.) Raise any further sums not exceeding in the whole ten thousand pounds by the issue of new ordinary or preference shares, but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share vest in the person or corporation accepting the same, unless and until the full nominal amount of such share, together with any premium obtained upon the sale thereof, has been paid in respect thereof; provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of ten thousand pounds; and

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

to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of such capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

New shares to be offered by auction or tender.

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

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

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

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

9. The intention to sell any shares by auction or by tender under the provisions of this Order shall be communicated by the Undertakers in writing to the town clerk of the city of Chichester, 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.

A.D. 1881.

Chichester.

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

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

Application of premium arising on shares.

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

Power to create debenture stock.

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

Priority of existing mortgages.

13. All mortgages and debenture stock granted and issued by the Undertakers under the authority of the Act of 1868 shall have priority over all mortgages and debenture stock granted and issued under the authority of this Order.

Limits of dividend on additional capital.

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

Dividends on different classes of shares to be paid rateably.

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

Limit of interest on borrowed moneys.

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

Appointment of a receiver.

17. The mortgagees of the Undertakers under this Order may enforce payment of arrears of interest or principal, or principal and interest, due on

their mortgages by the appointment of a receiver; and in order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one tenth part of the total amount for the time being owing by the Undertakers on mortgage under the authority of this Order. A.D. 1881. *Chichester.*

Application of money.

18. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1868.

Costs of Order.

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

ELY GAS.

Ely.

Order empowering the City of Ely Gas Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the parishes of Holy Trinity, hamlet of Stuntney St. Mary, hamlet of Chettisham, and parish of the College, Ely.

Short title.

1. This Order may be cited as "The Ely Gas Order, 1881."

Incorporation of Acts.

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

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Holy Trinity, hamlet of Stuntney St. Mary, hamlet of Chettisham, and parish of the College, Ely.

Undertakers.

Undertakers.

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

A.D. 1881.

Ely.

Capital.

Capital.

6. The share capital of the Undertakers shall for the purposes of their gas undertaking authorised by this Order consist of the original share capital, amounting to twelve thousand pounds, of which ten thousand five hundred pounds has been called up, and one thousand five hundred pounds remains to be called up, and of additional share capital to be issued, subject to the provisions of this Order, not exceeding twelve thousand pounds; and the original and additional share capital of the Undertakers shall not for such purposes exceed twenty-four thousand pounds 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.

New shares to be offered by auction or tender.

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

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

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

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

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

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

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

this Order with respect to the sale of shares forming part of the said additional capital.

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

12. The Undertakers shall not in any year make out of their profits any larger dividends on the said original capital than ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital.

Dividends on different classe of shares to be paid rateably

13. In case in any half year the next revenues of the Undertakers applicable to dividends are insufficient to pay the full authorised rates on each class of ordinary shares in the capital of the Undertakers a rateable deduction shall be made in the dividend of each class.

Limit of borrowing powers.

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

Lands.

Power to purchase lands.

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

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

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

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

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Ely.

obtained in the manufacture of gas, and matter producible therefrom, and may sell and dispose of the same at the works and elsewhere.

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Maximum price of gas.

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

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

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

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

Land now occupied by the Undertakers situate wholly in the parish of Holy Trinity, in the city of Ely, in the Isle of Ely, in the county of Cambridge, and consisting of two separate pieces intersected by and lying on the north and south sides of a public highway or street known as Little Back Lane.

The piece being on the north side of Little Back Lane being bounded on the south by that lane, on the west partly by a public highway or street called Potters Lane and partly by a public-house and yard belonging to or reputed to belong to Henry Hall, on the north by the road leading to the Ely Station of the Great Eastern Railway, and on the east by houses and yards belonging to or reputed to belong to Thomas Appleyard.

The piece on the south side of Little Back Lane being bounded on the north by that lane, on the east by the waterworks of the Ely Local Board of Health, on the south by an orchard belonging to or reputed to belong to James Button, and on the west by Potters Lane aforesaid.

A.D. 1881.

Grays Thurrock.

GRAYS THURROCK GAS.

Order empowering the Grays Thurrock Gas and Coke Company to maintain and continue Gasworks, to construct new Gasworks, and to make and supply Gas in the parishes of Grays Thurrock, West Thurrock, Little Thurrock, and Stifford, all in the county of Essex.

Short title.

1. This Order may be cited as "The Grays Thurrock Gas Order, 1881."

Incorporation of Acts.

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

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Grays Thurrock, West Thurrock, Little Thurrock, and Stifford, all in the county of Essex.

Undertakers.

Undertakers.

5. The Grays Thurrock Gas and Coke Company, established by deed of settlement, dated the eleventh day of February one thousand eight hundred and fifty-three, and duly registered in the office for the registration of joint-stock companies in pursuance of the Acts for the regulation of joint-stock companies, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

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

Limit of borrowing powers.

7. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their gas undertaking authorised by this Order shall not at any time exceed in the whole two thousand five hundred pounds, and no higher rate of

interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order and secured as aforesaid.

Power to purchase lands.

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

Maintenance and Continuance of Gasworks and Construction of Additional Gasworks, Manufacture and Sale of Gas, &c.

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

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

Differences with railway and other companies.

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

Power to take licenses for patents.

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

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Grays Thurrock.

utilization of any products obtainable in or arising from such manufacture or production, or from the materials used therein.

Quality of Gas.

Quality of gas.

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

Price of Gas.

Maximum price of gas.

13. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed six shillings per one thousand cubic feet for gas supplied in places situate within a circle having for its centre the gasworks of the Undertakers and for its radius one mile; and six shillings and sixpence per one thousand cubic feet for gas supplied in places situate beyond that circle, and so in proportion for any less quantity supplied, provided nevertheless, that every fraction of one hundred feet may be charged as one hundred feet: And provided also that at any time after the expiration of two years from the date of the passing of the Act confirming this Order the Board of Trade may, if they think fit, upon application made as herein-after mentioned by order alter the maximum price to be charged by the Undertakers as aforesaid for gas supplied to consumers within or beyond the said circle, and from and after the date of such order the price to be charged by the Undertakers for gas supplied to consumers within or beyond the said circle shall not exceed the maximum price fixed by the Board of Trade by such order.

An application to the Board of Trade for an alteration of the maximum price to be charged by the Undertakers for gas may be made by the Undertakers with respect to gas supplied either within or beyond the said circle and with respect to gas supplied within the said circle by any local authority having jurisdiction, or by twenty inhabitant ratepayers within the said circle, and with respect to gas supplied beyond the said circle by any local authority having jurisdiction, or by twenty inhabitant ratepayers beyond the said circle and within the limits of supply.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

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

Miscellaneous.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

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

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

Gas Lands.

PART I.

A piece of land now occupied by the Undertakers, situate on the south side of the high road leading from Tilbury Fort to Purfleet, in the town and parish of Grays Thurrock, in the county of Essex, and containing by admeasurement from east to west, on the south side one hundred and twenty-six feet five inches, and on the north side one hundred and eleven feet, and from north to south, on the east side one hundred and ninety-one feet six inches, and on the west side one hundred and seventy-five feet six inches, or thereabouts.

PART II.

A piece of land situate in the parish of Grays Thurrock on the west side of, and adjoining the said piece of land described in Part I. of this Schedule, and measuring on the north side sixty-seven feet, on the south side one hundred and sixty-three feet, on the east side one hundred and fifty-seven feet, and on the west side one hundred and sixty-one feet, or thereabouts.

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Ilford.

ILFORD GAS.

Order empowering the Ilford Gas Light and Coke Company to raise additional Capital.

Short title.

1. This Order may be cited as "The Ilford Gas Order, 1881."

Construction of Order.

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

Undertakers.

3. The Ilford Gas Light and Coke Company, established by deed of settlement dated the twenty-fourth day of July one thousand eight hundred and thirty-nine, and duly registered in the office for the registration of joint-stock companies in pursuance of the Acts for the regulation of joint-stock companies, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Further additional capital.

4. Notwithstanding anything contained in the Order of 1873, the capital of the Undertakers may, for the purposes of the undertaking authorised by the Order of 1873, consist of the original and additional capital of seven thousand five hundred pounds authorised by the Order of 1873, and of further additional capital in this Order referred to as "further additional capital," not exceeding twelve thousand five hundred pounds, to be issued subject to the provisions of this Order, and the original and additional and further additional capital of the Undertakers shall not for such purposes exceed twenty 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.

New shares to be offered by auction or tender.

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

Purchase money of shares sold by

6. It shall be one of the conditions of any sale of shares under this Order that the whole nominal amount of each share, together with any premium

given by any purchaser at such sale in respect thereof, shall be paid to the Undertakers within three months after such sale.

auction to be paid within three months.

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

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

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

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

9. 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.

Application of premium arising on issue of shares.

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

Limits of dividend on *further additional* capital.

11. In case in any year the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the capital and in the additional capital and in the further additional capital of the Undertakers, such capital, additional capital, and further additional capital shall rank *pari passu* in respect of such dividend up to seven per centum.

Application of dividends when insufficient for full payments.

12. The amount of all moneys borrowed by the Undertakers and secured by mortgage of their gas undertaking authorised by the Order of 1873 shall not at any time exceed in the whole five thousand pounds, and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the passing of the Act confirming this Order and secured as aforesaid.

Limit of borrowing powers.

Ilford.

Application of money.

13. All moneys raised by the issue of further additional capital shall be applied to the purposes of the undertaking authorised by the Order of 1873.

Costs of Order.

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

Kirkham.

KIRKHAM GAS.

Order empowering the Kirkham Gas Company (Limited) to maintain and continue Gasworks, to construct additional Gasworks, and to make and supply Gas in the townships of Kirkham, Medlar-with-Wesham, Westby-with-Plumpton, Ribby-with-Wrea, Freckleton and Treales, Roseacre and Wharles, in the parish of Kirkham, all in the county of Lancaster.

Short title.

1. This Order may be cited as "The Kirkham Gas Order, 1881."

Incorporation of Acts.

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

Interpretation.

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

Limits of Order.

4 The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the townships of Kirkham, Medlar-with-Wesham, Westby-with-Plumpton, Ribby-with-Wrea, Freckleton and Treales, Roseacre and Wharles, in the parish of Kirkham, all in the county of Lancaster.

Undertakers.

Undertakers.

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

Capital.

6. The share capital of the Undertakers shall, for the purposes of their gas undertaking, consist of the original share capital amounting to ten thousand pounds and of additional share capital not exceeding ten thousand pounds;

and the original and additional share capital of the Undertakers shall not for such purposes exceed twenty thousand pounds, unless the Undertakers 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.

Limits of dividend on capital.

7. The Undertakers shall not in any year make out of their profits any larger dividends on the said original and additional capital than ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital.

Limit of borrowing powers.

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

Power to purchase lands.

9. In addition to the lands shown on the map deposited for the purpose of this Order (in this Order referred to as "the deposited map") and described in Part I. and Part II. of the Schedule to this Order annexed, the Undertakers may from time to time by agreement purchase, and subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require, provided that they shall not at any time hold for such purposes more than two acres in addition to the lands described in the Schedule to this Order annexed.

Maintenance and Continuance of Gasworks and Construction of Additional Gasworks, Manufacture and Sale of Gas, &c.

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

10. The Undertakers on the lands shown on the deposited map, and described in Part I. of the Schedule to this Order annexed, while they are possessed of the same, may maintain and continue, and from time to time alter and enlarge, their existing gasworks and works connected therewith; and they may on the lands shown on the deposited map, and described in Part II. of the said Schedule, while they are possessed of the same, construct and maintain, and from time to time alter and enlarge, additional retorts, gas holders, receivers, purifiers, meters, apparatus, and works for the manufacture and storing of gas, and of coke and other residual products obtained in the manufacture of gas and matter producible therefrom; and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and may manufacture coal-tar, coke, pitch, asphaltum, and ammoniacal liquor, oil, and all other residual products obtained in the manufacture of gas and matter producible therefrom, and may sell and dispose of the same at the works and elsewhere; and may also manufacture, purchase, or hire and supply gas meters, fittings, gas stoves, and cooking and other apparatus, and may also manufacture, purchase, let, or deal in and contract for doing work in connexion with fittings,

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tubes, meters, pipes, apparatus, stoves, ranges, and apparatus for heating, and also engines and machines for the production of motive power for domestic, agricultural, manufacturing, and other purposes by means of gas, and all articles and things in any way connected with gasworks, or with the supply of gas, and may take charges and remunerations in respect thereof.

Pipes, &c. crossing Preston and Wyre Railway to be laid down under inspection of engineer of Lancashire and Yorkshire and London and North-western Railway Companies.

11. The following provisions for the protection of the Lancashire and Yorkshire and London and North-western Railway Companies shall, unless otherwise agreed between those companies and the Undertakers, be observed and have effect:

1. Any mains, pipes, culverts, or other works which the Undertakers may lay down or execute under, over, or across, or which may affect the Preston and Wyre Railway of the Lancashire and Yorkshire and London and North-western Railway Companies, or any stations, sidings, or works connected therewith, and also any mains, pipes, culverts, or other works already laid down or executed under, over, or across, or so as to affect that railway, and which shall be hereafter removed by the Undertakers if and when relaid or re-executed by them in the same or any other position, shall be laid down and executed and subsequently maintained and repaired by and at the expense of the Undertakers, under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the said railway companies, and in accordance with plans and sections previously submitted to and approved of by him:
2. The works of the Undertakers shall be constructed and maintained so that the traffic upon and at the said railway stations, sidings, and other works of the railway companies connected therewith, shall not be in anywise impeded or interfered with:
3. If by reason of the construction or maintenance of the works, acts, or operations of the Undertakers the said railway stations, sidings, or any other works of the railway companies shall be damaged or injured, or their traffic impeded, the Undertakers shall compensate the said companies for any loss or expense occasioned thereby.

Differences with railway and other companies.

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

Power to take licenses for patents.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Fixing maximum price of gas.

15. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed five shillings and sixpence per one thousand cubic feet, and so in proportion for any less quantity supplied: Provided nevertheless, that every fraction of one hundred feet may be charged as one hundred feet: Provided always, that at any time after the expiration of two years from the date of the passing of the Act confirming this Order, the Board of Trade may, if they think fit, upon the application of any local authority having jurisdiction, or of twenty inhabitant ratepayers within the limits of supply, by order alter the maximum price to be charged by the Undertakers as aforesaid, and from and after the date of such order the price to be charged by the Undertakers as aforesaid shall not exceed the maximum price fixed by the Board of Trade by such order.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

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

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Kirkham.

Undertakers to pay interest on deposit.

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

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

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

GAS LANDS.

PART I.

Certain land now belonging to or reputed to belong to and occupied by the Undertakers, containing 1,380 square yards or thereabouts, situate in the township of Kirkham in the parish of Kirkham, and bounded as follows, on the north partly by land belonging to or reputed to belong to the trustees of Kirkham Girls School, and partly by land belonging to or reputed to belong to the trustees of the late Richard Lund, deceased, on the west partly by land belonging to or reputed to belong to Thomas Royles, partly by other land belonging to or reputed to belong to the Undertakers, and partly by land belonging to or reputed to belong to John Ward, on the south by land belonging to or reputed to belong to John Ward, and on the east by a public street called Orders Lane.

PART II.

Certain land now belonging to or reputed to belong to and occupied by the Undertakers, containing 2,133 square yards or thereabouts, situate in the township of Kirkham in the parish of Kirkham, and bounded as follows, on the north by land belonging to or reputed to belong to the said Thomas Royles, on the west and south by land belonging to or reputed to belong to John Ward, and on the east by other land belonging to or reputed to belong to the Undertakers.

NORTHFLEET AND GREENHITHE GAS.

Northfleet and Greenhithe Gas.

Order authorising the amalgamation of the Gas Undertakings respectively authorised by the Northfleet Gas Order, 1879, *and the Greenhithe Gas Order*, 1878, *and authorising the Northfleet and Greenhithe Gas Company, Limited, to maintain and continue Gasworks, and to make and supply Gas in part of the parish of Northfleet and the entire parish of Swanscombe, in the county of Kent.*

Short title.

1. This Order may be cited as "The Northfleet and Greenhithe Gas Order, 1881."

Commencement of Order.

2. This Order shall come into operation on the first day of July one thousand eight hundred and eighty-one, and all the provisions thereof shall take effect on and from that date, 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) of the Gasworks Clauses Act, 1847, (except sections thirty to thirty-four, both inclusive,) and of the Gasworks Clauses Act, 1871, except where the same are expressly varied by this Order, are hereby incorporated with and form part of this Order.

Interpretation.

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

In this Order—

The expression "the Northfleet Undertakers" shall mean the Undertakers as defined by the Northfleet Gas Order, 1879.

The expression "the Greenhithe Undertakers" shall mean the Undertakers as defined by the Greenhithe Gas Order, 1878.

The expression "the Northfleet undertaking" shall mean the gasworks and works connected therewith of the Northfleet Undertakers authorised by the Northfleet Gas Order, 1879, and all property, real and personal, and all rights, powers, authorities, and privileges of such Undertakers under the said Order.

The expression "the Greenhithe undertaking" shall mean the gasworks and works connected therewith of the Greenhithe Undertakers authorised by the Greenhithe Gas Order, 1878, and all property, real and personal, and all rights, powers, authorities, and privileges of such Undertakers under the said Order or otherwise.

Limits of Order.

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

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Northfleet and Greenhithe Gas.

the parish of Northfleet, except so much of the district of St. Mark's, Rosherville, within the parish of Northfleet, as is situate north of an imaginary line dividing the turnpike road leading from Dartford to Strood into two equal parts, and the entire parish of Swanscombe, all in the county of Kent.

Undertakers.

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

Amalgamation of the two Undertakings.

Northfleet undertaking and Greenhithe undertaking amalgamated, and Northfleet Gas Order, 1879, and Greenhithe Gas Order, 1878, repealed.

7. From and after the commencement of this Order, the Northfleet undertaking and the Greenhithe undertaking shall be and the same are hereby amalgamated and vested in the Undertakers, and the same shall thenceforth form one undertaking, subject to the provisions of this Order, and thereafter the Northfleet Gas Order, 1879, and the Greenhithe Gas Order, 1878, shall, as to any prospective operation thereof, be wholly repealed; but nothing in this Order shall release or discharge any company or person from any liability or obligation in respect of any breach of the provisions of the said Orders incurred before the commencement of this Order.

Undertakers to satisfy liabilities.

8. The Undertakers from and after the commencement of this Order shall (except as is by this Order otherwise expressly provided) be in all respects subject to, and shall carry out, fulfil, and discharge, all contracts, obligations, and liabilities to which the Northfleet Undertakers in respect of the Northfleet undertaking, and the Greenhithe Undertakers in respect of the Greenhithe undertaking, were immediately before the commencement of this Order liable or subject.

Undertakers to receive and pay all debts.

9. All persons who immediately before the commencement of this Order owed any money to the Northfleet Undertakers in respect of the Northfleet undertaking, or to the Greenhithe Undertakers in respect of the Greenhithe undertaking, shall pay the same, with all interest (if any) due or accruing thereon, to the Undertakers; and all persons to whom any money was at that date owing by the Northfleet Undertakers in respect of the Northfleet undertaking, or by the Greenhithe Undertakers in respect of the Greenhithe undertaking, shall be paid, with all interest (if any) due or accruing thereon, by the Undertakers.

Undertakers to collect and recover all gas rents.

10. All gas rents, debts, and sums of money which immediately before the commencement of this Order were due or accruing to the Northfleet Undertakers in respect of the Northfleet Undertaking or to the Greenhithe Undertakers in respect of the Greenhithe undertaking, shall be payable to and may be collected and recovered by the Undertakers in like manner as if the said gas rents, debts, or sums of money had become payable for the like matters supplied or done by the Undertakers under the powers of this Order.

Capital of the Undertakers.

Capital.

11. The share capital of the Undertakers shall for the purposes of their gas undertaking authorised by this Order consist of fourteen thousand pounds, in this Order referred to as "the original capital," and of additional share

capital to be issued subject to the provisions of this Order not exceeding sixteen thousand pounds; and the original and additional share capital of the Undertakers shall not for such purposes exceed thirty 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.

New shares to be offered by auction or tender.

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

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

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

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

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

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

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

Application of premium arising on issue of shares.

16. 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

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Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on capital.

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

Dividends on different classes to be paid rateably.

18. In case in any year the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed maximum rates of dividend on each class of ordinary shares, a rateable deduction shall be made in the dividend of each class.

Limit of borrowing powers.

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

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

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

Application of excess of profits over prescribed rates.

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

carried to the credit of the divisible profits of such undertaking for the next following year.

Northfleet and Greenhithe Gas.

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

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

Purchase of Lands.

Power to purchase additional lands.

23. The Undertakers may from time to time, by agreement, purchase or take on lease, and, subject to the provisions of section five of the Gasworks Clauses Act, 1871, may hold, for any of the purposes of this Order, such lands as they may require: Provided that the Undertakers shall not at any time hold for such purposes more than six acres in addition to the lands described in the Schedule to this Order annexed.

Maintenance and Continuance of Gasworks, Construction of additional Gasworks, Manufacture and Sale of Gas, &c.

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

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

Differences with railway and other companies

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

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Northfleet and Greenhithe Gas.

Quality of Gas.

Quality of gas.

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

Price of Gas.

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

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

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

Provided always, that the standard rate of dividend payable by the Undertakers in respect of any preference shares or preference stock at any time created and issued by the Undertakers shall not be increased or diminished so long as any such preference continues.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

Miscellaneous.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

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

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

Conservators of River Thames, saving rights of.

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

Costs of Order.

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

SCHEDULE.

Gas Lands at Northfleet.

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

Gas Lands at Greenhithe.

A piece of land now occupied by the Undertakers situate at Greenhithe, in the parish of Stone, in the county of Kent, containing by admeasurement half an acre or thereabouts, and bounded on the south by land upon which stands the Stone and Swanscombe National Schools, and upon the north-west and east by a field called Guttering Field, belonging or reputed to belong to the trustees of Doctor Plume's Charity, and in the occupation of Thomas Russell.

A.D. 1881.

Pinner.

PINNER GAS.

Order conferring powers for the maintenance and continuance of Gasworks, and for the manufacture and supply of Gas, in part of the parish of Pinner, and in the several parishes or places of Ruislip, Harefield, and Ickenham, all in the county of Middlesex.

Short title.

1. This Order may be cited as "The Pinner Gas Order, 1881."

Incorporation of Acts.

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

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parish of Pinner, except so much thereof as lies south-west of the London and North-Western Railway, and is bounded on the south and east by the parish of Harrow and on the north and west by the road leading from Harrow to Hatch End, and the several parishes or places of Ruislip, Harefield, and Ickenham, all in the county of Middlesex:

Provided always, that if at any time after the period of five years from the passing of the Act confirming this Order it is represented in writing to the Board of Trade by any local authority having jurisdiction in either of the said parishes of Harefield or Ickenham, or by twenty inhabitant householders of either of such parishes, that the Promoters are not supplying gas in any part of such parish, and if such local authority or twenty inhabitant householders shall satisfy the Board of Trade that such local authority or a company or other undertakers, are prepared to undertake the supply of such parish with gas, and to apply for an Act of Parliament or Provisional Order for such purpose, the Board of Trade may, if they think fit, by an order, amend the limits of supply and exclude therefrom the whole or any part of such parish as to them may seem proper.

Every such order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade, and the Board of Trade shall cause a copy of the same to be published, once at least in each of two successive weeks in some one and the same

local newspaper circulating within the limits of supply, and once in the London Gazette; and the Undertakers shall pay to the Board of Trade all costs incurred by them in and about the publication of the copies of such order in manner aforesaid, and from and after the publication of the copy of such order in the London Gazette all the powers by this Order conferred upon the Undertakers and exercisable within such parish or such part of such parish as shall by such order be excluded from the limits of supply shall absolutely cease and determine, and this Order shall be construed accordingly, and as though such parish or such part of such parish had not been by this Order included within the limits of supply.

Undertakers.

The Undertakers.

5. Charles Clement Walker and William Thomas Walker, the owners or reputed owners of the gasworks situate at Pinner in the county of Middlesex, and the survivor of them, and the executors or administrators of such survivor, their or his assigns, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Capital.

6. The capital of the Undertakers shall for the purposes of the gas undertaking authorised by this Order consist of the original capital of eight thousand pounds already expended upon the gasworks forming part of such undertaking by the Undertakers, and of additional capital not exceeding four thousand eight hundred pounds, and the original and additional capital of the Undertakers shall not for the purposes of the said undertaking exceed twelve thousand eight hundred 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.

Limits of profits on capital.

7. The Undertakers shall not in any year make any larger profits on the said original capital than ten pounds in respect of every one hundred pounds of such original capital actually expended upon the gas undertaking authorised by this Order, and seven pounds in respect of every one hundred pounds of such additional capital actually expended upon the said undertaking.

Limit of borrowing powers.

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

Power to purchase additional lands.

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

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Pinner.

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

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

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

Differences with railway and other companies.

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

Protection of the London and North-western Railway Company.

12. The following provisions for the protection of the London and North-western Railway Company (in this section referred to as the "Company"), shall have full effect, namely:—

In laying down or in effecting the repairs or renewals of any mains or pipes, or in executing any other works which the Undertakers are authorised to do under this Order, upon, across, over, under, or in any way affecting any railway, lands, or property now or hereafter belonging to or worked or occupied by the Company, or the bridges, approaches, stations, or other works of any such railway, the same shall be done under the superintendence and to the reasonable satisfaction of their principal engineer, and only according to such plans as shall be previously reasonably approved by him, and in all things by and at the expense of the Undertakers, who also shall make good and repair the roads over any such bridges and approaches which the Company are or may be liable to maintain, and which may be disturbed or interfered with by or owing to any operations of the Undertakers; and all such works, matters, and things shall be constructed, executed, and done so as not to cause any injury to any such railway bridges, stations, works, lands, or property, or interruption to the passage or conduct of traffic over any such railway, or at any station thereon; and if any such interruption or injury shall arise, the Undertakers shall make compensation to the Company in respect thereof, the amount of such compensation, together with full costs, to be recoverable by the Company from the Undertakers by all and the same means as any simple contract debt is recoverable.

Quality of Gas.

Quality of gas.

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

Price of Gas.

Maximum price of gas.

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

Provided always, that at any time after the expiration of five years from the passing of the Act confirming this Order, the Board of Trade may, if they think fit, upon the application of the Undertakers or of any local authority having jurisdiction or twenty inhabitant ratepayers within the limits of supply, by order, alter the maximum price to be charged by the Undertakers as aforesaid, and from and after the date of such order the price to be charged by the Undertakers for gas supplied to consumers shall not exceed the maximum price fixed by the Board of Trade by such order.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

A.D. 1881.

Miscellaneous.

Pinner.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece or parcel of land belonging or reputed to belong to the Undertakers, and now occupied by the existing gasworks situate in the parish of Pinner in the county of Middlesex on the northerly side of a certain road called or known as the Bridle Road, leading from Pinner to Eastcot, and bounded on the northerly and easterly sides by land belonging or reputed to belong to Charles Temple, and occupied by Charles Room, on the southerly side by the said Bridle Road, and on the westerly side by a cottage and garden belonging or reputed to belong to John Sired and occupied by James Honner.

Staines and Egham.

STAINES AND EGHAM GAS.

Order empowering the Staines and Egham District Gas and Coke Company, Limited, to construct and maintain additional Gas Works, and to raise additional Capital for such purposes.

Short title.

1. This Order may be cited as "The Staines and Egham Gas Order, 1881."

Construction of Order.

2. The Staines and Egham Gas Order, 1871, (in this Order referred to as "the Order of 1871,") and this Order shall be construed together, except so

far as such construction would be inconsistent with or repugnant to the provisions of this Order; provided that from and after the passing of the Act confirming this Order sections thirty to thirty-four (both inclusive) of the Gasworks Clauses Act, 1847, shall not continue to be incorporated with or to form part of the Order of 1871.

Incorporation of Gasworks Clauses Act, 1871.

3. The provisions of the Gasworks Clauses Act, 1871, except sections twelve to thirty-four (both inclusive), and except sections thirty-six to forty-six (both inclusive), are hereby incorporated with this Order, except where the same are expressly varied by this Order; and wherever any of the provisions of this Order, or of the said provisions of the Gasworks Clauses Act 1871, are inconsistent with the provisions of the Order of 1871, the provisions of this Order and the said provisions of the Gasworks Clauses Act, 1871, shall be read and construed and have effect as controlling or superseding the inconsistent provisions in the Order of 1871.

Interpretation.

4. The several words, terms, and expressions to which by the Gasworks Clauses Act, 1871, meanings are assigned, have in this Order the same respective meanings.

Undertakers.

Undertakers.

5. The Staines and Egham District Gas and Coke Company, Limited, referred to as "the Undertakers" in the Order of 1871, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional share capital.

6. Notwithstanding anything contained in the Order of 1871, the share capital of the Undertakers may, for the purposes of their gas undertaking authorised by the Order of 1871, and by this Order, consist of the share capital of sixteen thousand pounds, authorised by the Order of 1871, which shall be deemed to be original share capital, and of additional share capital to be issued subject to the provisions of this Order, not exceeding fourteen thousand pounds; and the original and additional share capital of the Undertakers shall not for such purposes exceed thirty 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.

New shares to be offered by auction or tender.

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

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

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

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

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

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

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

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

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

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

Dividends on different classes to be paid rateably.

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

rates of dividend on each class of ordinary shares, a rateable deduction shall be made in the dividend of each class.

Limit of borrowing powers.

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

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

15. If the clear profits of the undertaking authorised by the Order of 1871 and by this Order in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which in the opinion of a justice due care and management could not have prevented; and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said sum reaches one twentieth part of the paid-up capital, the interest thereon shall be carried to the credit of the fund available for dividend; provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim or demand as aforesaid, although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over prescribed rates.

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

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

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

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Staines and Egham.

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

Application of money.

18. The additional capital by this Order authorised shall be applied in the first instance in the repayment of any moneys expended by the Undertakers beyond the amount of the capital authorised by the Order of 1871, in the construction or maintenance of any of the works by the Order of 1871 or this Order authorised to be constructed or maintained, and then to the purposes of the Undertaking authorised by the Order of 1871 and this Order.

Construction of additional Gasworks; Manufacture and Sale of Gas, Coke, and residual Products.

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

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

Price of Gas.

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

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

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

Provided always, that the standard rate of dividend payable by the Undertakers in respect of any preference Shares at any time created or issued shall not be increased or diminished so long as any such preference continues.

Miscellaneous.

For protection of London and South-Western Railway Company.

21. For the protection of the London and South-Western Railway Company (in this Order called the "South-Western Company"), the several provisions following shall have full effect:

(*a.*) In laying or repairing any mains, pipes, or conduits, or executing any other works authorised by this Order under, over, or in any way affecting any railway or works of the South-Western Company, the same shall be done under the superintendence and to the reasonable satisfaction of the chief resident engineer of the South-Western Company, and according to

such plans, sections, and specifications and at such times as shall previously be submitted to and approved in writing by him, and shall be executed at the expense in all things of the Undertakers, and so as not to cause any injury or damage to any railway, works, or property of the South-Western Company, and if any such injury or damage or any interruption of the South-Western Company's traffic shall arise the Undertakers shall forthwith make full compensation to the South-Western Company in respect thereof:

(*b.*) All mains, pipes, conduits, and other works of the Undertakers under, over, or in any way affecting any railway, land, or other property of the South-Western Company shall be at all times maintained in good repair by the Undertakers, and in default of their being so maintained the South-Western Company may from time to time, by notice in writing signed by their chief resident engineer, and delivered at the principal office for the time being of the Undertakers, require the Undertakers to forthwith put into good repair any such main, pipe, conduit, or other work as aforesaid as shall be in want of repair; and if the Undertakers shall for forty-eight hours after the receipt of such notice refuse or neglect to proceed with the repair of the same, the South-Western Company, if and whenever they think fit, may, without any further notice to the Undertakers, repair the same, and all expenses incurred by them in or about such repair shall on demand be repaid to them by the Undertakers, and if any difference arises between the Undertakers and the South-Western Company as to the amount of such expenses the same shall be settled by an engineer to be appointed by the Board of Trade at the request of either party: Provided always, that in case of accidents happening or danger being apprehended to the railway, land, or other property of the South-Western Company by reason of any such main, pipe, conduit, or other work as aforesaid being in want of repairs the South-Western Company may, without giving such notice as aforesaid, make such repairs as are necessary, and the expense of the same shall be repaid as herein-before provided:

(*c.*) Except as is by this Order expressly provided, this Order or anything herein contained shall not take away, lessen, or prejudicially affect any of the estates, rights, interests, powers, and privileges of the South-Western Company.

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece or parcel of land in the occupation of the Undertakers, containing one acre and three roods, more or less, situate in the parish of Egham, in the

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Staines and Egham.

county of Surrey, and having a frontage on part of the north to the towing path of the River Thames of one hundred and fifty-nine feet, and on the remaining part of the north to the works of the Undertakers of one hundred feet or thereabouts, and on the south to the high road leading from Staines to Egham of two hundred and sixty-three feet or thereabouts, and abutting on the west to land recently sold by John Anthony Engall to William Weller, and on the east to the works of and land occupied by the Undertakers.

Stone Gas.

STONE GAS.

Order empowering the Stone Gaslight and Coke Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the township of Stone and the adjoining townships or places of Darlaston, Meaford, Oulton, Walton, Aston, Stoke by Stone, and Little Aston, all in the parish of Stone and county of Stafford.

Short title.

1. This Order may be cited as "The Stone Gas Order, 1881."

Incorporation of Acts.

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

Interpretation.

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

Limits of Order.

4. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the township of Stone and the adjoining townships or places of Darlaston, Meaford, Oulton, Walton, Aston, Stoke by Stone, and Little Aston, all in the parish of Stone, in the county of Stafford.

Undertakers.

Undertakers.

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

Capital.

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

New shares to be offered by auction or tender.

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

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

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

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

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

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

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

Application of premium arising on issue of shares.

11. Any sum of money which may arise from the issue of any shares under the provisions of this Order by way of premium, after deducting therefrom the

expenses of and incident to such issue, shall not be considered as profits of the Undertakers, but shall be expended in extending or improving the works of the Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividends.

Limits of dividend on capital.

12. The Undertakers shall not in any year make out of their profits any larger dividends on the said original and additional capital than ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital.

Limit of borrowing powers.

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

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

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

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

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Stone Gas.

Fixing maximum price of gas.

17. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed four shillings and sixpence per one thousand cubic feet within the township of Stone and the district of the local board for the district of Stone, and five shillings and sixpence per thousand cubic feet outside such township and district, and so in proportion for any less quantity supplied, provided that every fraction of one hundred feet may be charged as one hundred feet: Provided always, that at any time after the expiration of five years from the date of the passing of the Act confirming this Order the Board of Trade may, if they think fit, upon application made as herein-after mentioned, by order alter the maximum price to be charged by the Undertakers as aforesaid for gas supplied to consumers within or outside the said township and district, and from and after the date of such order the price to be charged by the Undertakers for gas supplied to consumers within or outside the said township and district shall not exceed the maximum price fixed by the Board of Trade by such order.

An application to the Board of Trade for an alteration of the maximum price to be charged by the Undertakers for gas may be made by the Undertakers with respect to gas supplied either within or outside the said township and district, and with respect to gas supplied within the said township and district by any local authority having jurisdiction or by twenty inhabitant ratepayers within the said township and district, and with respect to gas supplied outside the said township and district by any local authority having jurisdiction or by twenty inhabitant ratepayers outside the said township and district and within the limits of supply.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

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Miscellaneous.

Stone Gas.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

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

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

Saving of existing contracts.

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

Costs of Order.

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

SCHEDULE.

Gas Lands.

All that piece of land with the buildings, gasworks, and other erections thereon, containing four thousand five hundred and sixty-two square yards or thereabouts, situate in the parish of Stone, in the county of Stafford, and bounded on the north-east in part by Crown Street and in other part by cottages and premises belonging or reputed to belong to John Blakeman, and in the respective occupations of Edward Wether, Charles Stephens, and George Thornley, and on the south-west by the Trent and Mersey Canal, on the north-west by land and premises belonging or reputed to belong to Messrs. Glover and Company, and in the occupation of Samuel Morley, and on the south-east in part by Stafford Street and in other part by land and premises belonging or reputed to belong to John Parker, and in the occupation of James Simpson.

WALTHAM ABBEY AND CHESHUNT GAS.

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Waltham Abbey and Cheshunt.

Order empowering the Waltham Abbey and Cheshunt Gas and Coke Company to raise additional capital and to maintain gasworks.

Short title.

1. This Order may be cited as "The Waltham Abbey and Cheshunt Gas Order, 1881."

Construction of Order.

2. The Waltham Abbey and Cheshunt Gas Act, 1869 (in this Order referred to as "the Act of 1869"), 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, provided that the Act of 1869 as to any prospective operation thereof shall be construed as though sections thirty to thirty-four (both inclusive) of the Gasworks Clauses Act, 1847, had not been incorporated therewith.

Incorporation of Acts.

3. The provisions of the Gasworks Clauses Act, 1871, are hereby incorporated with this Order except where the same are expressly varied by this Order, and wherever any of the provisions of this Order or of the Gasworks Clauses Act, 1871, are inconsistent with the provisions of the Act of 1869, the provisions of this Order and of the Gasworks Clauses Act, 1871, shall be read and construed and have effect as controlling or superseding the inconsistent provisions in the Act of 1869.

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

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

and Part I. (relating to cancellation and surrender of shares), and Part II. (relating to additional capital), and Part III. (relating to debenture stock) of the Companies Clauses Act, 1863, the Companies Clauses Act, 1869, 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, 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.

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Waltham Abbey and Cheshunt.

4. In this Order the expression "the limits of supply" shall mean the limits of the Act of 1869 as defined by section four of the said Act.

Limits of supply.

Undertakers.

5. The Waltham Abbey and Cheshunt Gas and Coke Company, incorporated by the Act of 1869, shall be the Undertakers for the purposes of this Order, and are in this Order referred to as "the Undertakers."

Additional capital.

6. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1869 (in this Order referred to as "the original capital"), they may from time to time—

1. Raise any further sums not exceeding in the whole twenty-five thousand pounds (in this Order referred to as "the additional capital") by the issue of new ordinary or preference shares; but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds, nor shall any such share vest in the person or corporation accepting the same unless and until the full nominal amount of such share, together with any premium obtained upon the sale thereof, has been paid in respect thereof: Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce, including any premiums which may be obtained on the sale thereof, the sum of twenty-five thousand pounds; and
2. Borrow on mortgage from time to time, in respect of the additional capital, any sums not exceeding in the whole six thousand two hundred and fifty pounds; and the Undertakers may, as each sum of six thousand two hundred and fifty pounds of the additional capital has been issued and accepted, and the amount of each sum has been paid up, borrow on mortgage, in respect of each sum of six thousand two hundred and fifty pounds, any sum or sums not exceeding in the whole one thousand five hundred and sixty-two pounds and ten shillings; but in no case shall any part of the said respective sums of one thousand five hundred and sixty-two pounds and ten shillings be borrowed until the Undertakers have proved to the Justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that the whole of the additional capital in respect of which such borrowing powers are sought to be exercised has been issued, accepted, and paid up, and that such capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns; and upon production to such Justice of the books of the Undertakers, and of such other evidence as he may think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Votes of proprietors.

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

and be subject to the same obligations and liabilities, as the proprietors of the shares or stock forming part of the original capital.

New shares to be offered by auction or tender.

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

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

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

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

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

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

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

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

Application of premium arising on shares.

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

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the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Power to create debenture stock.

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

Priority of existing mortgages.

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

Limits of dividend on capital.

15. Except as is by this Order expressly provided, the Undertakers shall not in any year make out of their profits any larger dividend on the original capital and on the additional capital than the standard rates of dividend herein-after mentioned, namely, the rates of dividend prescribed by the Act of 1869 in respect of the original capital, and seven pounds in respect of every one hundred pounds actually paid up of the additional capital as is issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of the additional capital as is issued as preference capital; and such dividends, or such dividends as reduced or increased in accordance with the provisions of this Order are in this Order referred to as "the prescribed rates."

Limit of interest on borrowed moneys.

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

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

17. If the clear profits of the undertaking authorised by the Act of 1869 and this Order in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess beyond the sum necessary for that purpose may from time to time, to the extent of one per centum per annum upon the paid-up capital of the Undertakers, be invested in Government or other securities, and the dividends and interest arising from such securities shall also be invested in the same or like securities, in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Undertakers, which sum shall form an insurance fund to meet any extraordinary claim, demand, or charge which may at any time arise against or fall upon the Undertakers from accident, strikes, or other circumstances which, in the opinion of a Justice, due care and management could not have prevented; and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said sum reaches one-twentieth part of the paid-up capital the interest thereon

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

Application of excess of profits over prescribed rates.

18. If the clear profits of the undertaking authorised by the Act of 1869 and this Order in any year amount to a larger sum than is sufficient to pay the prescribed rates, the excess, or such portion of it as is not carried to the insurance fund, shall be carried to the credit of the divisible profits of such undertaking for the next following year.

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

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

Appointment of a receiver.

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

Borrowed money not to be converted into capital.

21. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or debenture stock or any part thereof by the creation of shares or stock instead of by borrowing, or to convert into capital the amount borrowed under the provisions of this Order.

Application of money

22. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1869 and this Order.

Maintenance of Gasworks, Lands, &c.

Undertakers may on lands described in schedule exercise powers conferred by Act of 1869.

23. Whereas by the Act of 1869 the Undertakers were authorised to maintain, alter, enlarge, renew, and improve the gasworks therein mentioned on the pieces of land specified in the First Schedule to the said Act, and it was by the said Act provided that it should not be lawful for the Undertakers to erect any works for the manufacture or storing of gas elsewhere than in or upon the pieces of land aforesaid or some part or parts thereof, and the Undertakers were by

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the said Act authorised to purchase by agreement additional lands not exceeding three acres for any purposes of their undertaking except the manufacture or storage of gas. And whereas the Undertakers have from time to time maintained, altered, enlarged, renewed, and improved the gasworks on the pieces of land specified in the first Schedule to the Act of 1869, and have also, notwithstanding the restrictions in that behalf in the said Act contained, erected works for the manufacture and storing of gas elsewhere than in or upon the pieces of land aforesaid, that is to say, upon the lands described in the Schedule to this Order annexed. And whereas the Undertakers desire that authority to maintain and continue the works for the storing of gas so erected by them in violation of the restrictions in that behalf in the Act of 1869 contained as aforesaid should be by this Order conferred upon them. And whereas the local authority having jurisdiction within the limits of supply have consented to the application for such authority by the Undertakers; therefore the Undertakers on the lands described in the Schedule to this Order annexed, while they are possessed of the same, may maintain and from time to time alter, enlarge, extend, discontinue, or renew all such works, machinery, and apparatus as are necessary for and incidental to the storing of gas, and may store gas thereon accordingly.

Differences with railway and other companies.

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

Supply of gas in bulk.

25. The Undertakers may supply gas in bulk for re-sale and distribution to any local authority, gas company, or person authorised to supply gas in any adjoining parish or district beyond the limits of supply: Provided always that nothing herein contained shall authorise the Undertakers to lay down or place any pipes, or to break up any road or street, or execute any work within any district beyond the limits of supply without the consent of the local and road authorities of such district.

Quality of Gas.

Illuminating power and purity.

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

Price of Gas.

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

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

For every penny or part of a penny charged in excess or in diminution of such standard price in any year, the standard rates of dividend shall for

such year be reduced or increased by five shillings in the one hundred pounds per annum:

Provided always, that the standard rate of dividend payable by the Undertakers in respect of any preference shares at any time created and issued by the Undertakers shall not be increased or diminished so long as any such preference continues.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

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

Miscellaneous.

Undertakers to pay interest on deposit.

30. 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 or fittings, 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.

Repeal of certain sections of Act of 1869.

31. Sections twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-three, thirty-four, and thirty-five, and sections forty-three to fifty-one (both inclusive) of the Act of 1869 shall be and the same are hereby as to any prospective operation thereof repealed.

Saving of existing liabilities and contracts.

32. Nothing in this Order contained shall relieve or discharge the Undertakers or any other Company or any person from any contract, obligation, liability, security, deposit, or penalty entered into, given, made, or incurred before the passing of the Act confirming this Order, or from any legal proceedings in relation thereto or for the recovery thereof, and every such contract, obligation, liability, security, deposit, and penalty shall be unaffected by this Order, and all

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such proceedings shall be had as though this Order had not been made and confirmed.

Costs of Order.

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

SCHEDULE.

Gas Lands.

A piece of land being wholly situate in the parish of Cheshunt, in the county of Hertford, bounded on the west by small building plots belonging or reputed to belong to Samuel Litchfield and others, on the north by building plots belonging or reputed to belong to J. E. Ford, on the east by the existing works of the Undertakers, and on the south by grass land belonging to or reputed to belong to Robert Douglas.

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