CHAPTER cxliv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Bromyard Gas, Llanfairfechan and Aber Gas, Otley Gas, and Swindon Gas. A.D. 1893.

[27th July 1893.]

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:

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, 1893.

Confirmation of Orders in schedule.

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

Special provisions as to houses of labouring class.

3. The Undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which, on the fifteenth day of December

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last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

SCHEDULE OF ORDERS.

Bromyard Gas.—Order empowering the Bromyard Gas Light and Power Company, Limited, to maintain and continue gasworks and to manufacture and supply gas within the town and parish of Bromyard and the townships or parishes of Linton and Winslow all in the county of Hereford.

Llanfairfechan and Aber Gas.—Order authorising the maintenance and continuance of gasworks and the manufacture and supply of gas in the parishes of Llanfairfechan and Aber both in the county of Carnarvon.

Otley Gas.—Order empowering the Otley Gas Company to purchase additional lands and to supply gas in bulk.

Swindon Gas.—Order empowering the Swindon Gas and Coke Company, Limited, to maintain and continue gasworks and to manufacture and supply gas in part of the parish of Swindon in the county of Wilts.

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Bromyard.

Order empowering the Bromyard Gas Light and Power Company Limited to maintain and continue Gasworks and to manufacture and supply Gas within the town and parish of Bromyard and the townships or parishes of Linton and Winslow all in the county of Hereford.

Short title.

1. This Order may be cited as the Bromyard Gas Order 1893.

Commencement of Order.

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

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) 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 commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order.

Interpretation.

4. The several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings and in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall include the gasworks and works connected therewith by this Order authorised to be maintained and continued.

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 the town and parish of Bromyard and the townships or parishes of Linton and Winslow all in the county of Hereford.

Undertakers.

Undertakers.

6. The Bromyard Gas Light and Power Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Capital.

Capital.

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

Limits of dividend on capital.

8. The Undertakers shall not in any year declare or make out of their profits any larger dividends on the said capital than ten pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as

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Limit of borrowing powers.

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

9. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

Purchase of Land.

Power to purchase additional lands by agreement.

10. The Undertakers may for the purposes of the undertaking from time to time purchase or take on lease (by agreement but not otherwise) and hold in addition to the lands described in the schedule to this Order annexed any lands which they may require Provided that they shall not create or permit a nuisance on any such lands and that they shall not at any time hold for such purposes more than three acres of land in the whole in addition to the lands described in the said schedule and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in the said schedule.

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

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

11. The Undertakers may 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 maintain and continue and from time to time alter and enlarge renew or discontinue their existing gasworks and works connected therewith and may construct erect make 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 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 and store gas on such lands and supply and sell the same within the limits of supply and may on the same lands manufacture and store coal-tar coke pitch asphaltum and ammoniacal liquor oil and all such other residual products as aforesaid and may sell and dispose of the same at the works and elsewhere and they may also construct and maintain and from time to time alter enlarge renew or discontinue houses offices buildings and other works connected with the undertaking.

Power to make gas meters &c.

12. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters fittings gas stoves and cooking and other apparatus and may also manufacture purchase hire sell let deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to take licences for patents.

13. 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 licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of any product obtainable in or arising from such manufacture or production or from the materials used therein.

For protection of Great Western Railway Company.

14. (1.) Any mains or pipes which the Undertakers may lay down in or along any road crossing either over under or on the level of the railway of the Great Western Railway Company (hereinafter referred to as the Great Western Company) shall so far as they may affect such railway and except in case of emergency be laid down by the Undertakers at such times as may be reasonably required by and under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the Great Western Company and in accordance with plans and sections (when necessary in the opinion of such engineer) previously submitted to and reasonably approved of by him in writing and any of such mains or pipes from time to time renewed or repaired by the Undertakers shall be renewed and repaired in the same manner and under the like conditions Provided that if the said engineer does not express his approval or disapproval of the said plans and sections within ten days after the same shall have been submitted to him he shall be deemed to have approved thereof.

(2.) The said mains or pipes shall be so laid down maintained repaired and used by the Undertakers as not to cause any damage or injury to or to impede the free and uninterrupted use of the said railway and works.

(3.) The Undertakers shall at all times keep the Great Western Company indemnified against all damages losses expenses or injuries which they or the traffic on the said railway may sustain or incur by reason or in consequence of the laying down maintaining and using such mains and pipes as aforesaid.

(4) The Undertakers shall acquire only such an easement across over or under any of the railways works or property of the Great Western Company or any lands belonging to that Company as may be necessary for constructing or maintaining any of the works of the Undertakers and shall pay to the Great Western Company such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled in manner provided by the Lands Clauses Consolidation Act 1845 for settling cases of disputed compensation with respect to the purchase and taking of lands otherwise than by agreement and the easements so to be taken shall be deemed to be lands so far as regards the proceedings for the acquisition thereof Provided that no such payment shall be required where the pipes are laid in or under a public road or footpath.

(5) All matters in difference under this section shall be determined by an arbitrator to be agreed upon by the parties in difference or failing agreement by an arbitrator nominated on the application of either party by the Board of Trade the costs of the arbitration to be in the discretion of the arbitrator.

Differences with railway and other companies.

15. If any difference arise between the Undertakers and any railway canal or other company other than the Great Western Railway Company whose lands or works the Undertakers have power to cross under the authority of this Order as to the mode of laying down repairing altering or enlarging their mains pipes or

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other works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

Quality of Gas.

Quality of gas.

16. The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce a light equal in intensity to the light produced by 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.

17. The price to be charged by the Undertakers for gas supplied by them shall not exceed five shillings and tenpence per thousand cubic feet and so in proportion for any less quantity supplied.

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 gas.

19. The Undertakers shall within six months after the commencement of 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 may from time to time 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 (not being the immediate approach to any railway or canal bridge or railway station) vested in or under the control of any local or road authority.

Miscellaneous.

Exemption from penalty in certain cases

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 which it is proved that such insufficiency defect or excess was produced 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 any 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.

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

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

SCHEDULE.

Gas Lands.

Part I.

Site of existing Works.

A piece or parcel of land situate in Sherford Street in the town and parish of Bromyard in the county of Hereford containing by admeasurement three hundred and thirty-four square yards or thereabouts bounded on or towards the east by the main road leading from Bromyard aforesaid to Worcester on the north by property belonging or reputed to belong to Abraham Amiss and on the south and west by property belonging or reputed to belong to Charles Williams.

Part II.

Site of the proposed New Works.

A piece or parcel of land known as Little Forburies containing by admeasurement one acre three roods and thirty-three poles or thereabouts situate in the town and parish of Bromyard aforesaid and bounded on the north-west by the main road leading from Bromyard aforesaid towards Pensax on the north-east by the River Froome or Froomey and on the south and south-west by lands belonging or reputed to belong to the Great Western Railway Company.

LLANFAIRFECHAN AND ABER.

Order authorising the maintenance and continuance of Gasworks and the manufacture and supply of Gas in the parishes of Llanfairfechan and Aber both in the county of Carnarvon. *Llanfairfechan and Aber.*

1. This Order may be cited as the Llanfairfechan and Aber Gas Order 1893. Short title.

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

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 and of the Gasworks Clauses Act 1871 are hereby incorporated Incorporation of Acts.

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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 commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order.

Interpretation.

4. In this Order the expression "the prescribed rates" means the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings and in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall include the gasworks and works connected therewith by this Order authorised to be maintained and continued.

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 the parishes of Llanfairfechan and Aber both in the county of Carnarvon.

Undertakers.

Undertakers.

6. Henry Platt of Gorddinog in the parish of Aber in the County of Carnarvon a colonel in Her Majesty's army his executors administrators or assigns shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" Provided that if the undertaking is at any time assigned to any other body company or person such body company or person shall from the date of such assignment be the Undertakers for the purposes of this Order in lieu of the person or persons above mentioned but no such assignment shall have any validity or effect until after the approval of the Board of Trade to such assignment has been signified in writing signed by a secretary or an assistant secretary of the said Board Provided that nothing in this Order contained shall prevent the Undertakers borrowing money on the security of mortgages of the undertaking not exceeding the amount by this Order prescribed or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage.

Capital.

Capital.

7. The capital of the Undertakers shall not for the purposes of the undertaking exceed nine thousand six hundred and fifty-seven pounds consisting of the original capital of five thousand six hundred and fifty-seven pounds already expended upon the undertaking and of additional capital not exceeding four thousand pounds unless any increase thereto be hereafter authorised for such purposes by provisional order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

Limits of dividend on capital.

8. The Undertakers shall not in any year make out of their profits any larger dividend 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 of such original capital and six pounds in respect of every one hundred pounds of such additional capital as is actually paid up Provided

that if and so long as the undertaking is carried on by an individual or individuals as Undertakers and not by a duly constituted company in the construction of this section the expression "actually paid up" shall be deemed to mean actually expended on or actually being used for the purposes of the undertaking.

Limit of borrowing powers.

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

Purchase of Lands.

Power to purchase lands by agreement.

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

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.

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

Power to deal in gas meters gas stoves &c.

12. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters fittings gas stoves and cooking and other apparatus and may also manufacture purchase hire sell let deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

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Power to take licences for patents.

13. 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 licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of any product obtainable in or arising from such manufacture or production or from the materials used therein.

Power to contract for sale of gas in bulk.

14. The Undertakers may from time to time enter into and carry into effect and alter or rescind contracts and agreements with respect to the supply of gas in bulk beyond the limits of supply to any urban or rural sanitary authority or any company authorised to supply gas at such price and upon such terms and conditions as may from time to time be agreed on Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or the breaking up of any road or street or the execution of any work beyond the limits of supply in any district without the consent of the local and road authorities of such district.

Limitation of power to break up streets.

15. Notwithstanding anything contained in this Order or in any Act incorporated with this Order the Undertakers shall not open break up nor interfere with any streets roads paths passages and places within the parish of Llanfairfechan nor remove divert or alter either temporarily or otherwise any works under the said streets and places during the months of June July August and September in any year except for the purpose of repairing leakages and in other cases of emergency without the consent of the local board of Llanfairfechan aforesaid being first had and obtained.

For the protection of the London and North Western Railway Company.

16. The following provisions for the protection of the London and North Western Railway Company shall be in force and have effect and be binding on the Undertakers:—

In laying down and executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the said company or the bridges approaches viaducts stations or other works or any level crossings of or repairable or used by the said company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the said company and only according to plans and sections submitted to and in such manner as shall previously be reasonably approved of by him and in all things by and at the expense of the Undertakers who also shall restore and make good the roads over any such bridges level crossings and approaches which the said company is 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 such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of the traffic over such railways or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or

failure of any such mains pipes or works under or near to any such bridge or level crossing the Undertakers shall make compensation in respect thereof to the said company the amount of such compensation together with full costs to be recoverable from the Undertakers by all and the same means as any simple contract debt is recoverable.

Differences with road authorities or railway or other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Price of gas.

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

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.

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Testing of Gas.

Testing of gas.

21. The Undertakers shall within six months after the commencement of 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 may from time to time 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 (not being the immediate approach to any railway or canal bridge or railway station) vested in or under the control of any local or road authority.

Miscellaneous.

Exemption from penalties in certain cases.

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 which it is proved that such insufficiency defect or excess was produced by an unavoidable cause or accident.

Undertakers to pay interest on deposits.

23. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of any 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.

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 purpose of such incorporation the expression "the Company" in the said section shall be construed to mean the Undertakers.

Costs of Order.

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

SCHEDULE A.

Gas Lands.

Lands belonging or reputed to belong to and occupied by the Undertakers containing by admeasurement two thousand one hundred and ten square yards or thereabouts situate at Madryn in the parish of Aber in the county of Carnarvon bounded on all sides by lands belonging or reputed to belong to the said Undertakers and shown on the map deposited for the purposes of this Order.

SCHEDULE B.

Llanfairfechan and Aber.

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

Sections 30 to 34 of Gasworks Clauses Act 1847 to cease to be incorporated.

(i.) 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 foregoing Order and in construing the said Act for the purposes of the foregoing Order section thirty-five of the said Act shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rates as defined by the foregoing order together with any sum which under the provisions of this schedule might lawfully be carried to the insurance fund.

Price of gas with sliding scale as to dividend.

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

Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividends which the Undertakers may make out of their profits as follows :—

In respect of any year during which the price so charged by the Undertakers shall have been one penny or more above the standard price such dividends shall in respect of each penny by which the price so charged has exceeded the standard price be reduced below the standard rates of dividend by five shillings on every hundred pounds of paid up capital and so in proportion for any fraction of one hundred pounds.

And in respect of any year during which the price so charged by the Undertakers shall have been one penny or more below the standard price such dividends may in respect of each penny by which the standard price has exceeded the price so charged be increased above the standard rates of dividend by five shillings on every hundred pounds of paid up capital and so in proportion for any fraction of one hundred pounds.

Provided that nothing in this schedule contained shall affect the rate of dividend payable in respect of any preference shares at any time created and issued by any company to whom the undertaking may be hereafter assigned.

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

(iii.) If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess beyond the sum necessary for that purpose may from time to time to the extent of one per centum per annum upon such capital of the Undertakers as is actually paid up be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth part of such capital as aforesaid which fund shall form an insurance

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fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Undertakers from accident strike or other circumstance which in the opinion of two justices due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction happens Provided that when and so often as the said fund reaches the said limit of one-twentieth part of such capital as aforesaid the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may from time to time be had to the insurance fund to meet any such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of such capital as aforesaid.

Application of further excess of profits over prescribed rates.

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

Power to create a reserve fund and application thereof.

(v.) When in any year the prescribed rates exceed the standard rates by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the profits which the Undertakers may make in excess of the standard rates they may in such year set apart such sums as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the specified date in relation to the undertaking may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of 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 by this schedule specially provided no sum shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund.

Saving of existing contracts.

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

OTLEY.

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Order empowering the Otley Gas Company to purchase additional lands and to supply Gas in bulk.

Otley.

1. This Order may be cited as the Otley Gas Order 1893. Short title.

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

3. The Otley Gas Order 1889 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. Construction of Order.

4. Notwithstanding anything in the Otley Gas Order 1889 the Undertakers may for the purposes of the undertaking from time to time purchase or take on lease by agreement but not otherwise and hold in addition to the lands described in the schedule to the said Order annexed any lands which they may require Provided that they shall not create or permit a nuisance on any such lands and that they shall not at any time hold for such purposes more than three acres of land in the whole in addition to the lands described in the said schedule and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in the said schedule. Power to purchase additional lands.

5. The Undertakers may from time to time enter into and carry into effect and alter or rescind contracts and agreements with respect to the supply of gas in bulk beyond the limits of supply to any urban or rural sanitary authority or any company authorised to supply gas at such price and upon such terms and conditions as may from time to time be agreed upon Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or the breaking up of any road or street or the execution of any work beyond the limits of supply in any district without the consent of the local and road authorities of such district. Supply of gas in bulk.

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

SWINDON.

Order empowering the Swindon Gas and Coke Company Limited to maintain and continue Gasworks and to manufacture and supply Gas in part of the parish of Swindon in the county of Wilts.

Swindon.

1. This Order may be cited as the Swindon Gas Order 1893. Short title.

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

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Swindon.
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 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 commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order Provided that for the purpose of such incorporation section thirty-five of the said Gasworks Clauses Act 1847 shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rates as defined by this Order together with any sum which under the provisions of this Order might lawfully be carried to the insurance fund.

Interpretation.

4. In this Order the expression "the prescribed rates" means the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings and in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall include the gasworks and works connected therewith by this Order authorised to be maintained and continued.

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 as follows (that is to say):—

(1.) The whole of the district of the Old Swindon local board in the parish of Swindon in the county of Wilts except the parts hereinafter described (that is to say)—

(A) Such part of the said district as lies within a line commencing at the junction of Kingshill Road with Clifton Street drawn thence in a southerly direction to a point one hundred and fifty feet or thereabouts south of Kingshill Road and at right angles thereto drawn thence in a westerly direction at a distance of one hundred and fifty feet or thereabouts from and parallel to the Kingshill Road and to the Wootton Bassett Road to a point on the east bank of the Wilts and Berks Canal one hundred and fifty feet or thereabouts south of the Wootton Bassett Road drawn thence along the eastern side of the said canal to the point where the said canal crosses the boundary line of the district of the Old Swindon local board thence in a westerly and northerly direction along the boundary of the district of the Old Swindon local board to the Wootton Bassett Road and drawn thence in an easterly direction along the north side of Wootton Bassett Road and Kingshill Road to the starting point in Kingshill Road; and

(B) Such part of the said district as lies within a line commencing at a point on the boundary between the districts of the Old Swindon local board and the Swindon New Town local board on the western side of Cricklade Road

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one hundred and eleven feet or thereabouts north of the north-western corner of the lands belonging or reputed to belong to the Wilts County Ground Company drawn thence in an easterly direction to a point one hundred and fifty feet or thereabouts east of Cricklade Road and at right angles thereto thence in a northerly direction at a distance of one hundred and fifty feet or thereabouts from and parallel to the Cricklade Road to the southern boundary of lands belonging or reputed to belong to the Great Western Railway Company drawn thence in an easterly direction along the southern boundary of the said lands to a point on the boundary between the districts of the said Old Swindon local board and Swindon New Town local board where it is crossed by the Great Western Railway drawn thence along that boundary in a westerly direction to the western side of Cricklade Road and thence in a southerly direction along the western side of Cricklade Road to the starting point on the boundary between the districts of the aforesaid local boards.

(2.) Such parts of the district of the Swindon New Town local board in the said parish of Swindon as are hereinafter described (that is to say)—

(A.) Such part of the said district as lies within a line commencing at a point at or near the northern end of Belle Vue Street in the district of the Old Swindon local board drawn thence along the western and northern boundaries of the lands belonging or reputed to belong to the undertakers described in thec shedule to this Order annexed at a distance of one hundred and fifty feet or thereabouts from and parallel to the said boundaries of such lands to a point one hundred and fifty feet or thereabouts westward from the highway called Cricklade Road thence drawn northwards at a distance of one hundred and fifty feet or thereabouts from and parallel to the said Cricklade Road to the south side of the dwelling-house and pleasure grounds known as "Fairholme" belonging or reputed to belong to the Wilts and Berks Canal Company drawn thence eastward to and southward along the western side of Cricklade Road to the south-east corner of the undertakers' works and thence westward to the starting point at or near the northern end of Belle Vue Street; and

(B.) Such part of the said district as lies within a line commencing at the junction of the towpath with the west side of the bridge carrying the Cricklade Road over the Wilts and Berks Canal drawn thence along the northern boundary of the said towpath to a point one hundred and fifty feet or thereabouts west of the Cricklade Road thence in a northerly direction at a distance of one hundred and fifty feet or thereabouts from and parallel to the Cricklade Road to a proposed new street leading from and out of Haydon Street to the Cricklade Road drawn thence in an easterly direction to the Cricklade Road and thence in a southerly direction along the western side of the Cricklade Road to the starting point on the aforesaid towpath.

Undertakers.

Undertakers.

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

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Swindon.

Capital.

Capital.

7. The share capital of the Undertakers for the purposes of the undertaking shall not exceed sixteen thousand pounds consisting of the sum of ten thousand five hundred pounds already raised or authorised to be raised by the Undertakers (in this Order referred to as "the original capital") and of additional capital (in this Order referred to as "the additional capital") to be issued subject to the provisions of this Order not exceeding five thousand five hundred pounds including any premiums which may be obtained on the sale of any shares under the provisions of this Order unless the Undertakers are hereinafter authorised to raise for such purposes further additional 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.

8. The Undertakers shall when any shares forming part of the additional capital are to be issued and before offering the same to the holder of any other share or stock of the Undertakers offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers may 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 reserve price put upon such shares shall not be less than the nominal amount thereof and notice of the amount of such reserve 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.

When proprietor tenders same amount as any other person proprietor to be declared the purchaser.

9. When the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any such lot of shares so offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for the same lot by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and to be entitled to such lot.

Purchase money of shares to be paid within three months.

10. It shall be one of the conditions of any sale of shares under the provisions of 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.

Notice to be given as to sale of shares.

11. The intention to sell any shares by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the secretary of the committee of the London stock exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

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

12. When any shares have been offered for sale by auction or tender under the provisions of this Order and not sold the same shall be offered at the reserve 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 that any share so offered and not accepted within the time prescribed by such resolution shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital.

Application of premium arising on issue of shares.

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

Limits of dividend on capital.

14. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividends on the original and additional capital than the standard rates of dividend hereinafter mentioned (namely) ten pounds in respect of every one hundred pounds actually paid up of such original capital and seven pounds in respect of every one hundred pounds actually paid up of so much 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 so much of such additional capital as may be issued as preference capital.

Dividends on different classes of ordinary shares to be paid proportionately.

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

Limit of borrowing powers.

16. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares under the provisions of this Order and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

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

17. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess beyond the sum necessary for that purpose may 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 part of the paid-up capital of the Undertakers which fund shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Undertakers from accident strike or other circumstances which in the opinion of two justices due care and management could not have prevented and if such fund be at any time

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Swindon.

reduced it may thereafter be again made up to the said limit and so from time to time as often as such reduction happens Provided that when and so often as the said fund reaches the said limit of one-twentieth part of 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 such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of the paid-up capital as aforesaid.

Application of further excess of profits over prescribed rates.

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

Power to create a reserve fund and application thereof.

19. Where in any year the prescribed rates on the ordinary shares or stock in the original and additional capital exceed the standard rates by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of the excess of dividend over the standard rates the Undertakers may in such year set apart such sum as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the commencement of 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 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 by this Order specially provided no sum shall in any year be carried by the Undertakers to any reserve fund.

Purchase of Land.

Power to purchase additional land.

20. The Undertakers may for the purposes of the undertaking from time to time purchase or take on lease by agreement but not otherwise and hold in addition to the lands described in the schedule to this Order annexed any lands which they may require Provided that they shall not create or permit a nuisance on any such lands and that they shall not at any time hold for such purposes more than three acres of land in the whole in addition to the lands described in the said schedule and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in the said schedule.

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

Undertakers may maintain and continue gasworks on lands described

21. The Undertakers may 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 maintain and continue and from time to

time alter and enlarge renew or discontinue their existing gasworks and works connected therewith and may construct erect make and maintain and from time to time alter and enlarge retorts retort houses gasholders receivers purifiers meters apparatus and works for the manufacture and storage 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 and store gas on such lands and supply and sell the same within the limits of supply and may on the same lands manufacture and store coal-tar coke pitch asphaltum and ammoniacal liquor oil and all such other residual products as aforesaid and may sell and dispose of the same at the works and elsewhere and they may also construct and maintain and from time to time alter enlarge renew or discontinue houses offices buildings and other works connected with the undertaking.

in schedule and may make and sell gas &c.

Power to Undertakers to purchase and supply gas appliances and apparatus &c.

22. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters fittings gas stoves and cooking and other apparatus and may also manufacture purchase hire sell let deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to take licences for patents.

23. 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 licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of any products obtainable in or arising from such manufacture or production or from the materials used therein.

Power to contract for sale of gas in bulk.

24. The Undertakers may from time to time enter into and carry into effect and alter or rescind contracts and agreements with respect to the supply of gas in bulk beyond the limits of supply to any urban or rural sanitary authority or any company authorised to supply gas at such price and upon and under such terms and conditions as may from time to time be agreed on Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or the breaking up of any road or street or the execution of any work beyond the limits of supply in any district without the consent of the local and road authorities of such district.

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 as to the mode of laying down repairing altering or enlarging their mains pipes or other works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

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Quality of gas.

Quality of Gas.

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

Price of Gas.

Fixing price of gas with sliding scale as to dividend.

27. The standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter shall be four shillings and threepence per thousand cubic feet Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary shares or stock in the original and additional capital as follows:—

In respect of any year during which the price so charged by the Undertakers shall have been one penny or more above the standard price the dividend so payable by the Undertakers shall in respect of each penny by which the price so charged has exceeded the standard price be reduced below the standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds.

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

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 Gas.

Testing gas.

29. The Undertakers shall within six months after the commencement of 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 may from time to time 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 not being the immediate approach to any railway or canal bridge or railway station vested in or under the control of any local or road authority.

Miscellaneous.

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

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

Period of error in defective meters.

31. In the event of any meter used by a consumer of gas being tested in manner provided by the Act passed in the session of Parliament held in the twenty-second and twenty-third years of the reign of Her present Majesty intituled "An Act for Regulating Measures Used in Sales of Gas" and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have arisen only during the last completed quarter and the current quarter of the year in which the said meter shall be so tested unless the contrary shall be proved to the satisfaction of the inspector testing the said meter under the said Act:

The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Undertakers in pursuance of the certificate of the inspector shall be paid by or to the Undertakers to or by the consumer as the case may be and shall be recoverable in any court of competent jurisdiction for the recovery of debts of like amount.

Exemption from penalty in certain cases.

32. 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 which it is proved that such insufficiency defect or excess was produced by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

33. Where any money is deposited by any person by way of security with the Undertakers for the payment to them of any 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.

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

Costs of Order.

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

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SCHEDULE.

Gas Lands.

A piece of land belonging or reputed to belong to the Undertakers situate in the parish of Swindon in the county of Wilts containing by admeasurement one acre and fifteen perches or thereabouts upon which the works of the undertakers are erected bounded on or towards the west by lands belonging or reputed to belong to Francis Charles Butler William Hopkins and Annie Susanna Kirby respectively and by lands occupied as garden allotments belonging or reputed to belong to Thomas Turner on or towards the north by a brickyard stables sheds and private roadway belonging or reputed to belong to the said Thomas Turner on or towards the south-east by two cottages and gardens belonging or reputed to belong to Ambrose Lethbridge Goddard and by the highway called Cricklade Road.

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