CHAPTER lv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Dovor Gas, Grays Gas, Middlewich Gas, Rickmansworth Gas, and Shelley and Shepley Gas. [16th July 1885.]

A.D. 1885.

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

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

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act, and set out in the schedule to this Act 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 (No. 1) Act, 1885.

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.

A.D. 1885.

Powers of undertakers to purchase houses belonging to labouring class.

3. The Undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, without the consent of the Local Government Board, 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, after the passing of this Act, have been, or on the fifteenth day of December last were, occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Definition of labouring class.

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 of such persons who may be residing with them.

SCHEDULE OF ORDERS.

Dovor Gas.—Order empowering the Dovor Gaslight Company to purchase additional land and to construct additional works.

Grays Gas.—Order empowering the Grays Gas Company (Limited) to extend their limits of supply to the parishes of Chadwell St. Mary, West Tilbury, and East Tilbury, in the County of Essex, and to increase their capital.

Middlewich Gas.—Order empowering the Middlewich Gaslight and Coke Company (Limited) to maintain and continue gasworks and to make and supply gas in the townships of Middlewich, Kinderton-cum-Hulme, Sproston, Newton, Sutton, Croxton, and Ravenscroft, in the parish of Middlewich and the township of Stanthorne, in the parish of Davenham, all in the County of Chester.

Rickmansworth Gas.—Order empowering the Rickmansworth Gaslight and Coke Company (Limited) to maintain and continue their gasworks at Rickmansworth, in the County of Hertford, and to make and supply gas in the parish of Rickmansworth, in the said county.

Shelley and Shepley Gas.—Order empowering the Shelley and Shepley Gaslight Company (Limited) to maintain and continue gasworks and to make and supply gas in the township of Shepley and certain parts of the townships of Shelley, Cumberworth, and Denby, all in the West Riding of the County of York.

DOVOR GAS.

A.D. 1885.

Dovor.

Order empowering the Dovor Gaslight Company to purchase additional land and to construct additional works.

Short title.

1. This Order may be cited as the Dovor Gas Order, 1885.

Interpretation.

2. In this Order—

The expression "the Act of 1860" means the Dovor Gasworks Act, 1860;

The expression "the Act of 1864" means the Dovor Gas (Amendment) Act, 1864;

The expression "the Acts of 1860 and 1864" means the Act of 1860 and the Act of 1864;

And 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, and by the Gasworks Clauses Act, 1871, meanings are assigned, have in this Order the same respective meanings.

Undertakers.

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

Incorporation and application of Acts.

4. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the Undertaking) are incorporated with and form part of this Order, except where the same are expressly varied by this Order.

The provisions of the Gasworks Clauses Act, 1871 (except where the same are expressly varied by this Order), shall apply to the existing Undertaking of the Undertakers as if the same had been authorised by an Act passed since the passing of that Act, and shall be held to control and supersede such of the provisions of the Acts of 1860 and 1864 as are inconsistent with the said Act of 1871.

The term "Special Act" in the said Acts shall, for the purposes of this Order, be construed to mean this Order.

Purchase of Lands, &c.

Power to purchase lands.

5. The Undertakers may, for the purpose of their Gas Undertaking authorised by the Acts of 1860 and 1864 and this Order, purchase, take on lease, and hold (by agreement, but not otherwise) such of the lands shown on the map deposited at the office of the Board of Trade for the purposes of this Order (in this Order referred to as "the deposited map") and therein marked "A" and "B" and described in Part I. of the schedule to this Order annexed, as may be required for the purposes of the said undertaking.

The Undertakers may, for the purposes of their Gas Undertaking authorised by the Acts of 1860 and 1864 and this Order, purchase, take on lease, and hold (by agreement, but not otherwise), in addition to the lands described in the schedule to this Order annexed, any lands and hereditaments not exceeding in the whole three acres which the Undertakers may from time to time require for the purposes of the said Undertaking.

A.D. 1885.

Dover.

Provided always that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products except the lands now in the occupation of the Undertakers and described in Part II. of the schedule to this Order annexed.

Construction and maintenance of Gasworks; manufacture and sale of Gas, Coke, and other Residual Products.

Undertakers may construct and maintain works.

6. The Undertakers on the lands shown on the deposited map and described in Part I. of the schedule to this Order annexed, when they have acquired and while they are possessed of the same may construct and maintain, and from time to time alter, remove, and enlarge works for the storage and distribution of gas and of coke, and other residual products obtained in the manufacture of gas, and matters producible therefrom, and they may in and upon such lands and the works so to be erected thereon store gas and the various residual products obtained in the manufacture of gas, and they may on the lands described in Part II. of the schedule to this Order annexed, so long as they are possessed of the same, maintain, construct, and erect, and from time to time alter, remove, and enlarge retorts, 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 thereform, and they may, subject to the provisions of this Order, make and store gas and supply and sell the same within the limits of supply, and may manufacture and store coke, coal-tar, pitch, asphaltum, and ammoniacal liquor, oil, and 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.

Quality of Gas.

Quality of gas.

7. 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.

Pressure of Gas.

Pressure of gas.

8. 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.

9. 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 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 vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

10. 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 to which it is proved that such insufficiency, defect, or excess was caused by an unavoidable cause or accident.

Undertakers to pay interest on deposit.

11. 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.

12. 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.

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

SCHEDULE.

Part I.

Lands to be purchased.

A piece of land marked "A" on the deposited plan in the parish of Buckland, in the town and borough of Dovor, in the county of Kent, containing two acres and four perches or thereabouts, and bounded on the north-west by a road called Union Road, on the north-east partly by cottages called Delhi Cottages, partly by the rear of cottages which front to Edgar Road and partly by Edgar Road, on the south-east by Prospect Place, and on the south-west by the land next hereinafter described. And also a piece of land marked "B" on the said plan in the parish of Buckland, in the town and borough of Dovor aforesaid, containing four acres two roods and four perches or thereabouts, and bounded on the north-west by the said road called Union Road, on the north-east partly by the land herein-before described, partly by Prospect Place, and partly by land belonging or reputed to belong to Robert Hesketh Jones, on the south-east by land belonging or reputed to belong to Edward Ferrand Astley, and on the south-west by other land belonging or reputed to belong to the said Robert Hesketh Jones.

A.D. 1885.

Dovor.

PART II.

LANDS IN THE OCCUPATION OF THE UNDERTAKERS.

1. A piece of land containing four acres or thereabouts in the parish of Buckland, in the town and borough of Dovor aforesaid, bounded on the north-east by the London, Chatham, and Dover Railway, on the south-east by the said road called Union Road, on the south-west partly by Primrose Road and partly by land belonging or reputed to belong to the Undertakers, and on the north-west by Saint Radigund's Road.

2. A piece of land in the parish of St. James the Apostle in Dovor aforesaid, containing one rood or thereabouts, bounded on the south-west by Trevanion Street, on the north-west by a messuage and land belonging or reputed to belong to Henry Crundall, and on the north-east and south-east by land belonging or reputed to belong to Her Majesty's Principal Secretary of State for War.

3. A piece of land in the said parish of St. James the Apostle in Dovor aforesaid, containing three roods or thereabouts, bounded on the south-east by Saint James Street, on the south-west by Walker's Lane, on the north-west by Dolphin Lane, and on the north-east by Fector's Place.

Grays.

GRAYS GAS.

Order empowering the Grays Gas Company (Limited) to extend their limits of supply to the Parishes of Chadwell St. Mary, West Tilbury, and East Tilbury, in the County of Essex, and to increase their capital.

Short title.

1. This Order may be cited as the Grays Gas Order, 1885.

Construction of Order.

2. The Grays Thurrock Gas Order, 1881 (in this Order referred to as "the Order of 1881"), 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.

Undertakers.

3. The Grays Gas Company (Limited) (formerly known and in the Order of 1881 referred to as "the Grays Thurrock Gas and Coke Company," but subsequently to the date of the passing of the Act confirming the Order of 1881 duly registered in the office for the registration of joint stock companies as a company with liability limited by shares 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."

Extension of limits of supply.

4. The Undertakers shall have and may exercise within the parishes of Chadwell St. Mary, West Tilbury, and East Tilbury, all in the county of Essex, all and the like powers, privileges, and authorities for and in relation to the supply of gas, and be subject to all and the like duties, liabilities, and obligations in respect thereof as they now have and enjoy and are subject to within the limits of the Order of 1881; and the expression "limits of supply" in the Order

of 1881 shall, from and after the passing of the Act confirming this Order, be deemed to comprise and include (in addition to the parishes therein specified) the parishes herein-before mentioned.

Additional Capital.

Amendment of section 6 of Order of 1881 as to capital.

5. Notwithstanding the provisions of section 6 of the Order of 1881 the share capital of the Undertakers for the purposes of the gas undertaking authorised by the Order of 1881 and this Order may consist of original capital amounting to ten thousand pounds (inclusive of the existing shares of the Undertakers), and of additional capital in shares to be issued subject to the provisions of this Order not exceeding thirty thousand pounds, and the original and additional share capital of the Undertakers shall not for such purposes exceed forty 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.

6. 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 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.

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

7. Where the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any share offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share.

Purchase-money of share 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 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.

A.D. 1885.

Grays.

Shares not sold by auction or 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 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 dividend.

Limit 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 their said original capital and additional capital than the prescribed rates of dividend herein-after mentioned, namely, ten pounds in respect of every one hundred pounds actually paid up of such original capital, and seven pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital.

Dividends on different classes of shares to be paid proportionately.

13. In case in any half year the net revenues of the Undertakers applicable to dividends are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares in the capital of the Undertakers a proportionate 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 the Order of 1881 and this Order shall not at any time exceed in the whole ten 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.

Sale of gas in bulk.

15. The Undertakers may supply gas in bulk for re-sale or 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 in this section contained shall authorise the Undertakers to lay down or place any pipes, or to break up any road or street, or execute any works within any district beyond the limits of supply without the consent of the local and road authorities of such district.

Power for Board of Trade to alter maximum price of gas.

16. Notwithstanding anything contained in the Order of 1881, at any time after the expiration of three years from the date of the passing of the Act confirming 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 maximum price of six shillings per one thousand cubic feet for gas supplied in places situate within a circle having for its centre the gasworks of the Under-

takers, and for its radius one mile, and six shillings and sixpence per one thousand cubic feet for gas supplied in places beyond that circle, either by substituting any other sums for the said sums of six shillings and six shillings and sixpence respectively, or by fixing a standard price or standard prices instead of the said maximum prices, with sliding scale as to dividend, and as from the date specified in such order (herein-after 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 or standard prices with sliding scale as to dividend then as from the specified date the provisions set forth in the schedule 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.

Costs of Order.

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

SCHEDULE referred to in the foregoing Order.

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 and as from the specified date, be read and construed subject to the modifications following :—

Price of gas with sliding scale as to dividend.

(i.) Notwithstanding anything contained in the Order of 1881, the standard price or standard prices to be charged by the Undertakers for gas supplied by them shall be the price or prices prescribed by such order of the Board of Trade as aforesaid 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 or standard prices, subject to a reduction or increase in the rates of dividend prescribed by the foregoing Order, and herein-after referred to as "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 or standard prices (as the case may be) in any one year the standard rates of dividend shall for such year be reduced or increased by five shillings in the one hundred pounds per annum, and the standard rates of dividend or the standard rates of dividend as so reduced or increased shall be and are herein-after referred to as "the prescribed rates:"

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.

If profits exceed the amount

(ii.) If the clear profits of the undertaking authorised by the Order of 1881 and the foregoing Order in any year amount to a larger sum than is sufficient

A.D. 1885.

Grays.

limited excess may be invested and form an insurance fund.

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

Application of excess of profits over prescribed rates.

(iii.) If the clear profits of the undertaking authorised by the Order of 1881 and the foregoing 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.

(iv.) Where in any year the amount of the standard rates of dividend is by reason of a diminution of the standard price or standard prices (as the case may be) 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 specified date 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 schedule otherwise provided no sum shall in any year be carried by the Undertakers to any reserve fund.

Saving of existing contracts.

(v.) 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.

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

(vi.) From and after the specified date sections thirty to thirty-four (both inclusive) of the Gasworks Clauses Act, 1847, shall cease to be incorporated with the Order of 1881 and the foregoing Order.

MIDDLEWICH GAS.

A.D. 1885.

Middlewich.

Order empowering the Middlewich Gaslight and Coke Company (Limited) to maintain and continue gasworks, and to make and supply gas in the townships of Middlewich, Kinderton-cum-Hulme, Sproston, Newton, Sutton, Croxton, and Ravenscroft, in the parish of Middlewich, and the township of Stanthorne, in the parish of Davenham, all in the county of Chester.

Short title.

1. This Order may be cited as the Middlewich Gas Order, 1885.

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 (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 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 Middlewich, Kinderton-cum-Hulme, Sproston, Newton, Sutton, Croxton, and Ravenscroft, in the parish of Middlewich, and the township of Stanthorne, in the parish of Davenham, all in the county of Chester.

Undertakers.

Undertakers.

5. The Middlewich 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.

Capital.

6. The share capital of the Undertakers shall not, for the purposes of the undertaking authorised by this Order, exceed ten thousand pounds, consisting of the original share capital amounting to four thousand pounds, and of additional capital in shares to be issued subject to the provisions of this Order, not exceeding six thousand pounds, unless the Undertakers are hereafter authorised

A.D. 1885.

Middlewich.

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 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.

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

8. Where the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any share offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share by any person not being a proprietor, then and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share.

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

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

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

10. The intention to sell any shares by auction or 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.

11. 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 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 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.

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

Undertakers, or in paying off money borrowed or owing on mortgage by the Undertakers, and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limits of dividend on capital.

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

Dividends on different classes of shares to be paid proportionally.

14. 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 in the capital of the Undertakers a proportionate deduction shall be made in the dividend of each class.

Limit of borrowing powers.

15. 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 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.

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

16. 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 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 circumstance, which in the opinion of a justice due care and management could not have prevented, and if such fund be at any time reduced it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided that when and so often as the said fund reaches one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend: Provided also, that resort may from time to time be had to the insurance fund to meet any extraordinary claim, 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 as aforesaid.

Application of excess of profits over prescribed rates.

17. 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, 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.

A.D. 1885.

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

18. 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 other 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 land by agreement.

19. The Undertakers may, for the purposes of the undertaking authorised by this Order, from time to time (by agreement, but not otherwise) purchase or take on lease, and hold in addition to the lands described in the schedule to this Order annexed, any lands and hereditaments not exceeding in the whole three acres, which the Undertakers may from time to time require for the purposes of their works and undertaking, but no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Order annexed.

Gas not to be manufactured except on lands scheduled.

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.

20. 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 their existing gasworks and works connected therewith, 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, and may also deal in and sell lime at the works and elsewhere.

Power to make gas meters, &c.

21. The Undertakers may manufacture, purchase, or hire and supply gas meters, fittings, gas stoves, and cooking and other apparatus, and may also manufacture, purchase, hire, sell, let, or deal in, and contract for doing work in connexion with fittings, 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, use, or consumption of gas, and may take charges and remuneration in respect thereof.

A.D. 1885.

Middlewich.

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

22. The following provisions for the protection of the London and North-western Railway Company shall have full force and effect and be binding upon the Undertakers:

In laying down, 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 railway company, or the bridges, approaches, viaducts, stations, or other works, or any level crossings of such railway company, the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the said railway company, and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved by him, and in all things by and at the expense of the Undertakers, who shall also restore and make good the roads over any such bridges, level crossings, and approaches which the said railway 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 traffic over such railways or at any stations thereon; and if any such injury or interruption shall arise from, or be in any way owing to, any of the acts, matters, operations, and things aforesaid, or the bursting, leakage, or failure of any such mains, pipes, or works, the Undertakers shall make compensation in respect thereof to the railway 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.

For the protection of the Shropshire Union Railways and Canal Company.

23. The following provisions for the protection of the Shropshire Union Railways and Canal Company (herein-after designated "the Shropshire Union Company") shall have full force and effect, and be binding upon the Undertakers:

Notwithstanding anything in this Order or in the Acts incorporated herewith, the Undertakers shall not, without the previous consent in writing of the Shropshire Union Company, lay or maintain any mains, pipes, or other works across, over, under, or along the Middlewich Branch of the Shropshire Union Canal, or the towing-path thereof, or other property of the Shropshire Union Company, otherwise than by means of the existing public bridges across the same or of any new public bridges hereafter constructed by the Shropshire Union Company, and in such manner that such mains, pipes, and works shall be laid inside the parapets of such bridges, and that no injury or interference with the permanent structure, brickwork, or timbers of any such bridge, and no interruption of the traffic on the canal or towing-path shall be occasioned; and the Shropshire Union Company may at any time hereafter, upon giving to the Undertakers three months notice in writing of their intention so to do, remove, alter, or renew any bridge across, over, or along which any mains, pipes, or works may be laid in the same manner as they might have done if this Order had not been made and confirmed, and such mains, pipes, and works had not been so laid, without making compensation to the Undertakers for any expense or loss occasioned to them thereby; and in the event

A.D. 1885.

Middlewich.

of any such alteration or renewal the Undertakers shall, at their own expense, alter the position of their mains, pipes, or works, and relay the same upon the altered or renewed bridge in the same manner and subject to the same restrictions as in the case of the original bridge: Provided always, that all works of the Undertakers in relation to the laying down, maintaining, altering, or relaying of any mains, pipes, or other works across, over, or along any such bridges as aforesaid shall be executed under the supervision and to the satisfaction of the engineer of the Shropshire Union Company and according to plans approved by him.

If by reason of the construction, repair, or re-construction of any of the works by this Order, or by any Act incorporated herewith authorised to be executed by the Undertakers, or by reason of any want of repair or due or proper maintenance thereof any interruption shall at any time be occasioned to any of the traffic passing to, from, or along the canal of the Shropshire Union Company, the Undertakers shall make compensation in respect thereof to the Shropshire Union 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 railway and other companies.

24. If any difference arise between the Undertakers and any railway, canal, or other company, other than the London and North-western Railway Company or the Shropshire Union Railways and Canal 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.

25. The Undertakers may, subject to the provisions of this Order (but only for the purposes of their gas undertaking authorised by this Order 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 utilisation of any products obtainable in or arising from such manufacture or production, or from the materials used therein.

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 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 and eightpence per one thousand cubic feet, and so in proportion for any less quantity supplied: Provided that the Undertakers

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

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year, the standard rates 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, not being the immediate approach to any railway or canal bridge or railway station, 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 produced by 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

A.D. 1885.

Middlewich.

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

Saving of existing contracts.

33. 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.

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.

All that piece of land containing one thousand two hundred and eighty square yards or thereabouts belonging or reputed to belong to and in the occupation of the Undertakers, and used by them as the site of their gasworks, situate, lying, and being in the township of Kinderton-cum-Hulme by Middlewich, in the county of Chester, formerly part of a field called the Mill Field, and bounded on the west by the River Croco; and on the north, east, and south by other parts of the said field called the Mill Field, belonging or reputed to belong to the Reverend Canon France-Hayhurst.

Rickmansworth.

RICKMANSWORTH GAS.

Order empowering the Rickmansworth Gaslight and Coke Company (Limited) to maintain and continue their Gasworks at Rickmansworth in the County of Hertford, and to make and supply Gas in the Parish of Rickmansworth in the said County.

Short title.

1. This Order may be cited as the Rickmansworth Gas Order, 1885.

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 (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 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 Rickmansworth, in the county of Hertford.

Undertakers.

Undertakers.

5. The Rickmansworth Gaslight and Coke Company (Limited) established by deed of settlement, dated the twenty-eighth day of July one thousand eight hundred and fifty-two, and duly registered as a company limited by shares 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.

Capital.

6. The share capital of the Undertakers shall not for the purposes of the undertaking authorised by this Order exceed fifteen thousand seven hundred and thirty-three pounds, consisting of the original share capital amounting to ten thousand seven hundred and thirty-three pounds, and of additional capital in shares to be issued subject to the provisions of this Order not exceeding five thousand pounds unless the Undertakers are hereafter authorised to raise further additional share capital by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.

New shares to be offered by auction or tender.

7. The Undertakers shall, when any shares forming part of the said additional capital are to be issued, and before offering the same to the holder of any other shares or stock of the Undertakers, offer the same for sale by public auction or tender in such manner and 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.

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

8. Where the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any share offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share by any person not being a proprietor, then, and in every such case, such proprietor shall be declared to be the purchaser of and entitled to such share.

A.D. 1885.

Rickmansworth.

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

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

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

10. The intention to sell any shares by auction or 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.

11. 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 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 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.

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

Limits of dividend on capital.

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

Dividends on different classes of shares to be paid proportionately.

14. In case in any half-year the net revenues of the Undertakers applicable to dividends are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividend of each class.

Limit of borrowing powers.

15. 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 three thousand nine hundred and thirty-three pounds, and except with the sanction of the Board of Trade no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers in respect

of any moneys borrowed by them 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.

16. 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 part 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, strike, or other circumstance which in the opinion of a justice due care and management could not have prevented, and if such fund be at any time reduced, it may thereafter be again made up to the said sum, and so from time to time as often as such reduction happens: Provided, that when and so often as the said fund reaches one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend. Provided also, that resort may be had from time to time to the insurance fund to meet any 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 as aforesaid.

Application of excess of profits over prescribed rates.

17. 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, 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 dividend in excess of the standard rates of dividend and application thereof.

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

Purchase of Lands, &c.

Power to purchase land by agreement.

19. The Undertakers may, for the purposes of the undertaking authorised by this Order, from time to time (by agreement but not otherwise) purchase or take on lease and hold, in addition to the lands described in the schedule to this Order annexed, any lands and hereditaments not exceeding in the whole one acre which the Undertakers may from time to time require for the purposes of such under-

A.D. 1885. *Rickmansworth.*

taking, but no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products, except 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.

20. 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, 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, 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 store the same 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, extend, enlarge, and renew or discontinue houses, offices, buildings, and other works connected with the gas undertaking by this Order authorised.

For protection of London and North-western Railway Company.

21. The following provisions for the protection of the London and North-western Railway Company (in this section referred to as "the Railway Company") shall be in force and have effect:—In laying down or 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 Railway Company, or the bridges, approaches, viaducts, stations, or other works, or any level crossings over the railways of the Railway Company, the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the Railway Company, and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved 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 Railway 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 such railways, bridges, level crossings, approaches, viaducts, stations, works, lands, or property, or interruption to the passage or conduct of 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, matter, and things aforesaid, or the bursting, leakage, or failure of any such mains, pipes, or works, the Undertakers shall make compensation in respect thereof to the said Railway 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.

For protection of Grand Junction Canal.

22. Notwithstanding anything in this Order or in the Acts incorporated herewith, the Undertakers shall not without the previous consent in writing of

the Company of Proprietors of the Grand Junction Canal (in this section referred to as "the Canal Company") lay or maintain any mains, pipes, or other works across, over, under, or along the Grand Junction Canal, or the towing-path thereof, or other property of the Canal Company otherwise than by means of public bridges across the same, and in such manner that the mains, pipes, and works shall be laid inside the parapets of such bridges, and that no injury or interference with the permanent structure, brickwork, or timbers of any such bridge, and no interruption of the traffic on the canal or towing-path shall be occasioned, and the Canal Company may at any time after the passing of the Act confirming this Order, upon giving to the Undertakers three months notice in writing of their intention so to do, remove, alter, or renew any bridge across, over, or along which any mains, pipes, or works may be laid in the same manner as they might have done if this Order had not been made and confirmed, and such mains, pipes, and works had not been so laid without making compensation to the Undertakers for any expense or loss occasioned to them thereby, and in the event of any such alteration or renewal the Undertakers shall at their own expense alter the position of their mains, pipes, or works, and relay the same upon the altered or renewed bridge in the same manner and subject to the same restrictions as in the case of the original bridge: Provided always, that all works of the Undertakers in relation to the laying down, maintaining, altering, or relaying of any mains, pipes, or other works across, over, or along any such bridges as aforesaid shall be executed under the supervision and to the satisfaction of the engineer of the Canal Company, and according to plans approved by him.

Differences with railway and other companies.

23. If any difference arise between the Undertakers and any railway, canal, or other company other than the London and North-western Railway Company and the Grand Junction Canal 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 make gas-meters, &c.

24. The Undertakers may 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, 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, use, or consumption of gas, and may take charges and remuneration in respect thereof.

Power to take licenses for patents.

25. The Undertakers may, subject to the provisions of this Order (but only for the purposes of their gas undertaking authorised by this Order 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

A.D. 1885.

Rickmansworth.

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

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 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 sevenpence per one thousand cubic feet, and so in proportion for any less quantity supplied: Provided that the Undertakers may increase or diminish such standard price subject to a reduction or increase in the standard rates of dividend, to be calculated as follows:

For every penny or part of a penny charged in excess or in diminution of such standard price in any one year the standard rates 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: Provided that any other description of burner may be used which shall 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 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 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.

Incorporation of section 140 of 8 Vict. c. 16.

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.

Saving of existing contracts, &c.

33. 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.

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.

Freehold land now belonging or reputed to belong to and in the occupation of the Undertakers, containing by admeasurement two roods and thirty perches or thereabouts, situate in the parish of Rickmansworth, in the county of Hertford, at or near the town wharf close to the town of Rickmansworth, bounded on the north and east by land belonging or reputed to belong to the trustees of James Grover, deceased, and on the south and west by land belonging or reputed to belong to the trustees of William Capel, deceased.

SHELLEY AND SHEPLEY GAS.

Shelley and Shepley.

Order empowering the Shelley and Shepley Gaslight Company (Limited) to maintain and continue Gasworks, and to make and supply Gas in the Township of Shepley and certain parts of the Townships of Shelley, Cumberworth, and Denby, all in the West Riding of the County of York.

Short title.

1. This Order may be cited as the Shelley and Shepley Gas Order, 1885.

Incorporation of Acts.

2. The provisions of the Lands Clauses Consolidation 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

A.D. 1885.

Shelley and Shepley.

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, meainings 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 Shepley and so much of the townships of Shelley, Cumberworth, and Denby, in the West Riding of the county of York as is edged pink on the maps respectively deposited at the offices of the Board of Trade and of the clerk of the peace for the West Riding of the county of York in respect of the application for this Order (in this Order referred to as "the deposited maps").

Undertakers.

Undertakers.

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

Capital.

Capital.

6. The share capital of the Undertakers shall not, for the purposes of the undertaking authorised by this Order, exceed six thousand pounds, consisting of the original share capital amounting to four thousand pounds (inclusive of the existing shares of the Undertakers) and of additional capital in shares to be issued subject to the provisions of this Order, not exceeding two 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 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, provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Shelley and Shepley.

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

8. Where the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any share offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share by any person not being a proprietor then, and in every such case such proprietor shall be declared to be the purchaser of and entitled to such share.

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

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

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

10. The intention to sell any shares by auction or 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.

11. 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 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 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.

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

Limit of dividend on capital.

13. 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, and such dividends are in this Order referred to as "the prescribed rates."

Dividends on different classes of shares to be paid proportionately.

14. In case in any year the net revenues of the Undertakers applicable to dividends are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares in the capital of the Undertakers a proportionate deduction shall be made in the dividend of each class.

A.D. 1885.

Shelley and Shepley.

Limit of borrowing powers.

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

As to reserve fund.

16. The amount of the reserve fund of the Company at the date of the passing of the Act confirming this Order shall be the prescribed sum to which the reserve fund of the Company within the meaning of the Gasworks Clauses Act, 1847, may amount.

Purchase of Lands.

Power to purchase land by agreement.

17. The Undertakers may, for the purpcses of the undertaking authorised by this Order, from time to time (by agreement, but not otherwise) purchase or take on lease, and hold in addition to the lands described in the schedule to this Order annexed, any lands and hereditaments not exceeding in the whole three acres which the Undertakers may from time to time require for the purposes of their works and undertaking, but no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Order annexed.

Gas not to be manufactured except on lands scheduled.

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

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

18. The Undertakers on the lands shown on the deposited maps, 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, enlarge, improve, and when necessary repair or remove retorts, gasholders, receivers, purifiers, meters, buildings, apparatus, and works for the manufacture and storing of gas, and of coke, asphaltum, pitch, coal-tar, ammoniacal liquor, oil, 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, and supply and sell the same within the limits of supply, and may manufacture and store coal-tar, coke, pitch, asphaltum, 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 gasworks and elsewhere.

For protection of London and North-western and Lancashire and Yorkshire Railway Companies.

19. In laying down or executing or in effecting the repairs or renewals of any mains, pipes, or other works of the Undertakers, upon, across, over, under, or in any way affecting the railways, works, lands, or property now or hereafter belonging to or used by the London and North-western Railway Company and the Lancashire and Yorkshire Railway Company jointly (in this section referred to as "the Companies"), or either of them separately, or the bridges, approaches, viaducts, stations, or other works of the Companies, or either of them, the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer for the time being of the Companies or Company, as the case may be, and only according to such plans and in such manner as shall be pre-

viously submitted to and reasonably approved by such engineer, and by and at the expense in all things of the Undertakers, who also shall restore and make good the roads over any bridges and approaches which the Companies or either of them are or may be liable to maintain, and which may be disturbed or interfered with by or owing to any works or operations of the Undertakers; and all such works and operations, and all matters incidental thereto, shall be constructed, executed, and done so as not to cause any injury to such railways, bridges or approaches, viaducts, stations, works, lands, or property, or any interruption to the passage of or conduct of traffic over such railways, or at any station thereon; and if any such injury or interruption shall arise from or in any way be owing to any of the works, operations, or matters aforesaid, or the failure of any such mains, pipes, or works, the Undertakers shall make compensation to the Companies or Company in respect thereof, the amount of such compensation, together with full costs, to be recovered by the Companies or Company from the Undertakers by all and the same means as any simple contract debt of like amount is recoverable. In case of any difference arising between the Undertakers and such engineers as to any plans or the mode of executing any works, such difference shall be settled by an engineer to be appointed by the Board of Trade on the application of either party.

Power to make gas-meters, &c.

20. The Undertakers may 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, 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, use, or consumption of gas, and may take charges and remuneration in respect thereof.

Power to take licenses for patents.

21. The Undertakers may, subject to the provisions of this Order (but only for the purposes of their gas undertaking authorised by this Order 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 utilisation of any products obtainable in or arising from such manufacture or production or from the materials used therein.

Quality of Gas.

Quality of gas.

22. 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 fourteen sperm candles, and shall in all respects be in accordance with the provisions of the Gasworks Clauses Acts, 1871.

Price of Gas.

Price of gas.

23. The price to be charged by the Undertakers for gas supplied by them shall not exceed four shillings and fourpence per one thousand cubic feet, and so in proportion for any less quantity supplied.

A.D. 1885.

Shelley and Shepley.

Pressure of Gas.

Pressure of gas.

24. 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.

25. 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 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 vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

27. 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.

28. 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.

29. 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.

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

SCHEDULE.

Gas Lands.

Certain land in the township of Shelley, in the West Riding of the county of York (on which the Company's existing works are situate), containing one thousand five hundred and sixteen superficial square yards or thereabouts, and bounded on or towards the north by an occupation road, on or towards the south by the Shelley and Shepley Beck or Burncliffe Dyke, on or towards the east by property belonging or reputed to belong to Mr. William Ramsdem, and on or towards the west by the Huddersfield and Penistone Turnpike Road.

LONDON: Printed by Eyre and Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1885.