CHAPTER xcix.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Huntingdon and Godmanchester Gas, Llandrindod Water Gas, Studley Gas, and Wellingborough Gas. [25th July 1890.]

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

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

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

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

Short title.

1. This Act may be cited as the Gas Orders Confirmation (No. 2) Act, 1890.

Confirmation of Orders in schedule.

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

Special provision as to houses of labouring class.

3. The undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, without the consent of the Local Government Board, purchase or acquire in any city,

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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.

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.

Huntingdon and Godmanchester Gas.—Order empowering the Huntingdon and Godmanchester Gas and Coke Company Limited to maintain and continue gasworks and to make and supply gas in the boroughs of Huntingdon and Godmanchester both in the county of Huntingdon.

Llandrindod Water Gas.—Order authorising the construction and maintenance of water gasworks and the supply of water gas within the parishes and places of Llandrindod Llandrindod-Wells Cefnllys and Trefonen all in the county of Radnor.

Studley Gas.—Order empowering the Studley Gas Coal and Coke Company (Limited) to maintain and continue gasworks and to manufacture and supply gas within the parishes of Studley and Sambourne in the county of Warwick.

Wellingborough Gas.—Order empowering the Wellingborough Gaslight Company (Limited) to extend their limits of supply.

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Huntingdon and Godmanchester Gas.

Order empowering the Huntingdon and Godmanchester Gas and Coke Company Limited to maintain and continue Gasworks and to make and supply Gas in the Boroughs of Huntingdon and Godmanchester both in the County of Huntingdon.

Short title. 1. This Order may be cited as the Huntingdon and Godmanchester Gas Order 1890.

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

Incorporation of Acts. 3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) of the Gasworks Clauses Act 1847 (except sections thirty to thirty-four both inclusive) and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order except where the same are expressly varied by this Order and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains pipes and works of the Undertakers laid down or constructed before the commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order Provided that for the purpose of such incorporation section thirty-five of the said Gasworks Clauses Act 1847 shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rate as defined by this Order together with any sum which under the provisions of this Order might lawfully be carried to the insurance fund.

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

Limits of Order. 5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the boroughs of Huntingdon and Godmanchester both in the county of Huntingdon.

Undertakers.

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

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Capital.

Capital.

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

Limits of dividend on capital.

8. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividend on the share capital than the standard rate of ten pounds in respect of every one hundred pounds actually paid up of such capital.

Limit of borrowing powers.

9. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole three 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 commencement of this Order and secured as aforesaid.

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

10. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rate 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 limit and so from time to time as often as such reduction happens Provided that when and so often as the said fund reaches the said limit of one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may from time to time be had to the insurance fund to meet any such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of the paid-up capital as aforesaid.

Application of excess of profits over prescribed rate.

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

Power to create a reserve fund and application thereof.

12. When in any year the prescribed rate exceeds the standard rate by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits applicable to the payment of such increase the Undertakers may in such year set apart such sum as they think fit by way of reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the commencement of this Order may be invested in Government or other securities and the dividends and interest arising from

such securities may also be invested in the same or 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 rate and save as by this Order specially provided no sum shall in any year be carried by the Undertakers to any reserve fund.

Purchase of Lands.

Power to purchase lands by agreement. Gas not to be manufactured except on lands scheduled.

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

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

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

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

Power to make gas meters &c.

15. The Undertakers may at the works or elsewhere manufacture purchase or hire and supply sell or let on hire 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 for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to take licences for patents.

16. The Undertakers may subject to the provisions of this Order (but only for the purposes of the undertaking within the limits of supply and not so as to acquire any exclusive right therein) contract for take and use any leave licence

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

For protection of the Great Northern and Great Eastern Railway Companies.

17. Any mains pipes or other works which under the authority of this Order the Undertakers may lay down or execute under or over any railway or land of the Great Northern Railway Company or of the Great Eastern Railway Company or of the Great Northern and Great Eastern Joint Committee respectively shall be so laid down and executed and subsequently maintained and repaired under the direction and superintendence and to the reasonable satisfaction of the engineers for the time being of the said companies or engineers for the time being of the said committee respectively and in accordance with plans and sections previously submitted to and approved by him or them respectively but in all things at the expense of the Undertakers and so as to cause no injury to any railway bridges works lands or property of the said companies or committee or interruption to the passage or conduct of traffic over any such railway.

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

Fixing maximumprice of gas with sliding scale as to dividend.

20. The standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter of less than one hundred and seventy thousand cubic feet per annum shall be four shillings and sevenpence per thousand cubic feet Provided that the Undertakers may increase or reduce the price charged by them for gas to any such consumer above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary share capital or stock as follows:—

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

And in respect of any year during which the price so charged by the Undertakers shall have been one penny or more below the standard price the dividend payable by the Undertakers may in respect of each penny by which the standard price has exceeded the price so charged be increased above the standard rate by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds: Provided also that the maximum price chargeable by the Undertakers to any private consumer by meter of one hundred and seventy thousand or more cubic feet per annum shall be fivepence less than the price at the same time charged by the Undertakers to any private consumer by meter of less than one hundred and seventy thousand cubic feet per annum.

Pressure of Gas.

Pressure of gas.

21. 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.

22. The Undertakers shall within six months after the commencement of this Order cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act 1871 and the burner to be used for testing gas shall be a Sugg's London Argand No. 1 with a six-inch by one-and-three-quarters-inch glass chimney and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used Provided that any other description of burner may be used which may from time to time be approved for the purpose by the Board of Trade and any gas examiner appointed under the Gasworks Clauses Act 1871 for the purposes of this Order may from time to time subject to the terms of his appointment at such testing place or elsewhere as and when he thinks fit test the pressure at which the gas is supplied and for that purpose may open any street road passage or place not being the immediate approach to any railway or canal bridge or railway station vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

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

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

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

Costs of Order.

SCHEDULE.

Gas Lands.

Lands now belonging or reputed to belong to and occupied by the Undertakers containing by admeasurement 4,350 square yards or thereabouts situate in the parish of Saint Mary in the borough and county of Huntingdon bounded on the north and west by the Mill Common on the south by the brook running into the River Ouse and on the east by the road leading from the Portholme Meadow to Huntingdon aforesaid.

Llandrindod Water Gas.

LLANDRINDOD WATER GAS.

Order authorising the construction and maintenance of Water Gasworks and the supply of Water Gas within the Parishes and Places of Llandrindod Llandrindod-Wells Cefnllys and Trefonen all in the County of Radnor.

Short title.

1. This Order may be cited as the Llandrindod Water Gas Order 1890.

Commencement of Order.

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

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order except where the same are expressly varied by this Order.

Interpretation.

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

and in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall mean the water gasworks and works connected therewith by this Order authorised to be constructed and maintained.

Limits of Order.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes and places of Llandrindod Llandrindod-Wells Cefnllys and Trefonen all in the county of Radnor.

Undertakers.

Undertakers.

6. Richard Paul Agar Swettenham William Norman Swettenham and William Bubton and the survivors and survivor of them and the executors or administrators of such survivor their or his assigns shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" Provided that if the undertaking is at any time assigned to any other body company or person such body company or person shall from the date of such assignment be the Undertakers for the purposes of this Order in lieu of the person or persons above mentioned but no such assignment shall have any validity or effect until after the approval of the Board of Trade to such assignment has been signified in writing signed by a secretary or an assistant secretary of the said Board Provided that nothing in this Order contained shall prevent the Undertakers borrowing money on the security of mortgages of the said undertaking not exceeding the amount by this Order prescribed or shall make the consent or approval of the Board of Trade necessary to the validity or effect of any such mortgage.

Capital.

Capital.

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

Limits of dividend on capital.

8. The Undertakers shall not in any year make out of their profits any larger dividend on the said capital than ten pounds in respect of every one hundred pounds of such capital as is actually paid up Provided that if and so long as the undertaking is carried on by an individual or individuals as Undertakers and not by a duly constituted company in the construction of this section the expression "actually paid up" shall be deemed to mean actually expended on or actually being used for the purposes of the undertaking.

Limits of borrowing powers.

9. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one 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 commencement of this Order and secured as aforesaid.

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Lands.

Llandrindod Water Gas.

Power to purchase additional lands.

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

Construction of Works and Manufacture and Sale of Water Gas.

Undertakers may construct works on lands described in schedule and make and sell water gas &c.

11. The Undertakers on the lands shown on the deposited map and described in the schedule to this Order annexed while they are possessed of the same may construct and maintain and from time to time alter and enlarge renew and discontinue washers gas-holders engines boilers receivers purifiers generators scrubbers meters apparatus and works for the manufacture and storing of water gas and of residual products obtained in the manufacture of water gas and matter producible therefrom and they may subject to the provisions of this Order make and store water gas on such lands and supply and sell the same within the limits of supply and may manufacture all residual and bye-products obtained in the manufacture of water gas and matter producible therefrom and may sell and dispose of the same at the works and elsewhere and they may also construct and maintain and from time to time alter enlarge renew or discontinue houses offices buildings and other works connected with the undertaking.

Power to make gas meters, &c.

12. The Undertakers may manufacture purchase or hire and supply sell or let on hire gas columns gas lamps gas meters and 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 stoves ranges and apparatus for heating and for domestic and other purposes by means of water gas and all articles and things in any way connected with the manufacture supply use or consumption of water gas and may take charges and remuneration in respect thereof.

Power to use patents.

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

For protection of London and North-western Railway Company.

14. The following provisions for the protection of the London and North-western Railway Company (in this section called "the railway company") shall be in force and have effect and be binding on the Undertakers:—

In laying down and executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way

affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings of or repairable or used by 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 plans submitted to and in such manner as shall previously be 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 is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Undertakers and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of the traffic over such railways or at any station thereon And if any injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works under or near to any such bridge or level crossing the Undertakers shall make compensation in respect thereof to the 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.

Differences with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Water gas to be odorized.

17. All gas supplied by the Undertakers shall if not sufficiently odorized by the materials employed in the manufacture thereof to render any leakage or escape of the gas easily detected be passed through a locked chamber or reservoir containing mercaptan sulphurised-acetone or such other pungent odorant as may be approved by the Board of Trade in writing not accessible to those engaged in the manufacture so that the gas may be impregnated or mixed with a sufficient quantity of such odorant before reaching the gas-holder and that the gas supplied therefrom may be readily detected in the event of any leakage or escape from the mains or pipes either outside or inside the premises supplied.

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Llandrindod Water Gas.

Price of Gas.

Maximum price of gas.

18. The price to be charged by the Undertakers for gas supplied by them to consumers shall not exceed the following rates (that is to say) :—

In any year during which the total amount of gas supplied under the provisions of this Order does not exceed one million cubic feet the rate of five shillings per thousand cubic feet ;

In any year during which such total amount exceeds one million and does not exceed two million cubic feet the rate of four shillings per thousand cubic feet ;

In any year during which such total amount exceeds two million cubic feet the sum of three shillings and sixpence per thousand cubic feet.

Pressure of Gas.

Pressure of gas.

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

Testing of Gas.

Testing of gas.

20. The Undertakers shall before supplying gas under the authority of this Order cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act 1871 and the burner to be used for testing gas shall be a Sugg or a Bray burner according as the gas is carburetted or burnt with a Fahnehjelm comb respectively 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 quality of the gas supplied and the pressure at which the gas is supplied and for that purpose may open any street road passage or place (not being the immediate approach to any railway or canal bridge or railway station) vested in or under the control of any local or road authority.

Sanitary authorities may appoint gas inspectors.

21. The Board of Trade upon the application of the Rhayader Sanitary Authority and the Builth Sanitary Authority may from time to time appoint or appoint and keep appointed one or more competent and impartial person or persons to be inspectors for the purpose of inspecting the water gas supplied by the Undertakers and ascertaining whether the mains or pipes permit any leakage or escape of water gas and whether such gas is sufficiently odorized to render the escape readily perceived The Undertakers shall give to such person or persons access to the testing place at all reasonable hours and shall afford all facilities for the proper execution of the provisions of this section and such person or persons may for the purposes aforesaid exercise such powers as are conferred by this Order on any gas examiner appointed for the purposes of this Order in relation to the opening of any street road passage or place.

Every person so appointed as aforesaid shall on the day immediately following that on which he has made any inspection under the powers of this Order make and deliver a report of the result of such inspection to the said sanitary authorities and to the Undertakers.

Miscellaneous.

Board of Trade in certain events may modify or suspend powers of Undertakers.

22. The Board of Trade at any time and from time to time upon sufficient cause shown to their satisfaction by any local authority having jurisdiction within the limits of supply or by twenty or more inhabitant householders within the said limits that the Undertakers have made default in manufacturing or supplying gas in accordance with the provisions of this Order or with a due regard to the public safety may (after notice to the Undertakers and hearing any objections they may have to make in regard thereto) upon such terms and conditions as the Board of Trade think fit and for any limited or unlimited period suspend or modify any power or obligation of the Undertakers with respect to the supply of gas under this Order and any such terms and conditions shall be binding on and observed by the Undertakers and shall be of the like force and effect in every respect as though they were contained in this Order.

Penalty on Undertakers failing to comply with Board of Trade regulations.

23. If the Undertakers at any time fail to comply with any requirements made by the Board of Trade in accordance with the provisions of the last preceding section or if at any time they make default in complying with any of the provisions of this Order in regard to the odorization of the gas supplied by them they shall for every such offence be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding two pounds for every day after the first day during which such offence continues.

Board of Trade may revoke Order as to whole or part of district.

24. If at any time after the commencement of this Order a representation is made to the Board of Trade by any local authority having jurisdiction within the limits of supply or by twenty or more inhabitant householders within the said limits that the manufacture and supply of water gas cannot be carried on by the Undertakers without danger to public safety the said Board may (after giving notice to the Undertakers and hearing any objections they may make with regard to the matters contained in the said representation) hold an inquiry with regard to the said matters and may thereupon by Order to be made as herein-after specified either revoke this Order as to the whole of the district included within the limits of supply in which case all the powers conferred by this Order upon the Undertakers shall from and after the publication of such Order as herein-after provided absolutely cease and determine or may (with the consent of the Undertakers) exclude any part of the said district from the limits of supply in which case the powers so conferred upon the Undertakers shall from and after such publication as aforesaid of such Order with respect to such part absolutely cease and determine as if such part had not been included within the said limits.

Every such Order shall be signed by a Secretary or an Assistant Secretary of the Board of Trade and the Board of Trade shall cause a copy of the same to be published once at least in each of two successive weeks in some one and the same local newspaper circulating within the limits of supply and once in the London Gazette and the Undertakers shall pay to the Board of Trade all costs incurred by them in and about the publication of the copies of such Order in manner aforesaid.

A.D. 1890.

Llandrindod Water Gas.

No penalty in case of unavoidable cause.

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

Recovery of penalties.

26. All penalties under this Order the recovery of which is not otherwise specially provided for may be recovered in a summary manner before any court of competent jurisdiction.

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.

Costs of Order.

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

SCHEDULE.

Gas Lands.

All that piece of land containing by admeasurement one acre or thereabouts situated in the north-east angle of an allotment under the Swyddneithon enclosure award numbered 81 on the map annexed to the said award in the parish of Cefnllys in the county of Radnor bounded on the north-west and north-east by lands belonging or reputed to belong to Thomas and William Vaughan of Llandrindod on the south-east and south-west by lands belonging or reputed to belong to Middleton Evans together with an easement in or under and right of way over the occupation road leading from the said piece or parcel of land to the high road leading from the Rock House Hotel to the railway station at Llandrindod.

STUDLEY GAS.

A.D. 1890.

Studley Gas.

Order empowering the Studley Gas Coal and Coke Company (Limited) to maintain and continue Gasworks and to manufacture and supply Gas within the Parishes of Studley and Sambourne in the County of Warwick.

Short title.

1. This Order may be cited as the Studley Gas Order 1890.

Commencement of Order.

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

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) of the Gasworks Clauses Act 1847 (except sections thirty to thirty-four both inclusive) and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by this Order) and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains pipes and works of the Undertakers laid down or constructed before the commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order Provided that for the purpose of such incorporation section thirty-five of the said Gasworks Clauses Act 1847 shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rate as defined by this Order together with any sum which under the provisions of this Order might lawfully be carried to the insurance fund.

Interpretation.

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

Limits of Order.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Studley and Sambourne in the county of Warwick.

Undertakers.

Undertakers.

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

A.D. 1890.

Studley Gas.

Capital.

Capital.

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

Limit of dividend on capital.

8. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividend on the share capital than the standard rate of ten pounds in respect of every one hundred pounds actually paid up of such capital.

Limit of borrowing powers.

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

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

10. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rate 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 the said limit of one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may from time to time be had to the insurance fund to meet any extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of the paid-up capital as aforesaid.

Application of excess of profits over prescribed rate.

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

Power to create a reserve fund and application thereof.

12. When in any year the prescribed rate exceeds the standard rate by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of such increase the Undertakers may in

such year set apart such sum as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the commencement of this Order may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or 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 rate and save as by this Order specially provided no sum shall in any year be carried by the Undertakers to any reserve fund.

Purchase of Land.

Power to purchase additional land.

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

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

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

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

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

15. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters fittings gas stoves and cooking and other apparatus and also manufacture purchase hire sell let deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves

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Studley Gas.

ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to take licences for patents.

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

Difference with railway and other companies.

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

Quality of Gas.

Quality of gas.

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

Price of Gas.

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

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

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

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

Pressure of Gas.

Pressure of gas

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

Testing Gas.

Testing of gas.

21. The Undertakers shall within six months after the commencement of this Order cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act 1871 and the burner to be used for testing gas shall be a Sugg's London Argand No. 1 with a six-inch by one-and-three-quarters-inch glass chimney and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used Provided that any other description of burner may be used which may from time to time be approved for the purpose by the Board of Trade And any gas examiner appointed under the Gasworks Clauses Act 1871 for the purposes of this Order may from time to time subject to the terms of his appointment at such testing place or elsewhere as and when he thinks fit test the pressure at which the gas is supplied and for that purpose may open any street road passage or place not being the immediate approach to any railway or canal bridge or railway station vested in or under the control of any local or road authority.

Miscellaneous.

No penalty in case of unavoidable cause.

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

Undertakers to pay interest on deposit.

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

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

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

Costs of Order.

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

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Studley Gas.

SCHEDULE.

GAS LANDS.

A piece of land now belonging or reputed to belong to and in the occupation of the Undertakers situate in the parish of Studley in the county of Warwick containing by admeasurement one thousand seven hundred and ten square yards or thereabouts and bounded on or towards the east by the main road leading from Alcester to Birmingham on the west by land belonging or reputed to belong to Henry Arnall on the north by land belonging or reputed to belong to Thomas Barker and Thomas Huband and on the south by land belonging or reputed to belong to Miss Vale.

Wellingborough Gas.

WELLINGBOROUGH GAS.

Order empowering the Wellingborough Gaslight Company (Limited) to extend their limits of supply.

Short title.

1. This Order may be cited as the Wellingborough Gas Order 1890.

Commencement of Order.

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

Incorporation of Acts.

3. The Wellingborough Gas Order 1879 (in this Order referred to as "the Order of 1879") as amended and modified by this Order and this Order shall be read and construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Limits of supply.

4. The Undertakers shall have and may exercise subject to the provisions of this Order within the parishes of Wilby Great Doddington and Earls Barton all in the county of Northampton all the like powers privileges and authorities for and in relation to the supply of gas and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have and are subject to within the limits of supply as defined by the Order of 1879 and the expression "limits of supply" in the Order of 1879 shall from and after the commencement of this Order be deemed to include the said parishes.

Undertakers.

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

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

6. The following provisions for the protection of the London and North-western Railway Company shall be in force and have effect:—

In laying down and executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by such railway company or the bridges approaches viaducts stations or other works or any level crossings of or repairable or used by such railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of such railway

company and only according to plans submitted to and in such manner as shall previously be 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 such 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 the traffic over such railways or at any station thereon And if any injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works under or near to any bridge or level crossing the Undertakers shall make compensation in respect thereof to such 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.

Price of gas within extended limits of supply.

7. Notwithstanding anything in the Order of 1879 the Undertakers may charge at any time for gas supplied by them under the provisions of this Order in the aforesaid parishes of Wilby Great Doddington and Earls Barton any price not exceeding by more than one shilling per thousand cubic feet the price at the same time charged by the Undertakers for a like supply within the limits of supply as defined by the Order of 1879 Provided that the price so charged in the said parishes shall not at any time exceed five shillings per thousand cubic feet unless at the same time the price charged by the Undertakers for a like supply within the said limits as defined by the Order of 1879 amounts to or exceeds five shillings in which case the price chargeable in the said parishes shall be the same as that charged within the said limits as defined by the Order of 1879.

Regulation of dividends.

8. Notwithstanding any charge made by the Undertakers for gas supplied by them in the said parishes of Wilby Great Doddington and Earls Barton in excess of the price charged by them within the limits of supply as defined by the Order of 1879 the rates of dividend on the paid-up capital of the Undertakers shall be regulated by and in the manner prescribed by the said Order without regard to the price charged in the said parishes.

Quality of gas.

9. Notwithstanding anything in the Order of 1879 the quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce a light equal in intensity to the light produced by fifteen sperm candles and shall in all respects be in accordance with the provisions of the Gasworks Clauses Act 1871.

Costs of Order.

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

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