CHAPTER xxxiv.

An Act to constitute and incorporate a Gas Board for the Urban Districts of Hebden Bridge and Mytholmroyd in the West Riding of the County of York to transfer to and vest in such Board the Undertaking of the Hebden Bridge Gas Company and for other purposes. A.D. 1895.

[30th May 1895.]

WHEREAS the districts of Hebden Bridge and Mytholmroyd in the west riding of the county of York are urban sanitary districts within the meaning of the Public Health Act 1875 and urban districts within the meaning of the Local Government Act 1894 and were prior to the appointed day referred to in the last-mentioned Act under the management and control for sanitary and other purposes of the Hebden Bridge District Local Board and the Mytholmroyd District Local Board respectively (in this Act called "the local boards") and are now by virtue of the same Act under the management and control of the Hebden Bridge Urban District Council and the Mytholmroyd Urban District Council respectively (in this Act called "the district councils"):

And whereas the Hebden Bridge Gas Company (in this Act called "the Company") were incorporated by the Hebden Bridge Gas Act 1870 and are empowered under that Act and the Hebden Bridge Gas Act 1894 to supply gas and are supplying gas within the district of the Hebden Bridge Urban District Council and part of the district of the Mytholmroyd Urban District Council and within certain townships and places in the west riding of the county of York:

And whereas the capital of the Company now consists of the following sums viz. Thirteen thousand six hundred and seventy pounds stock (consisting of eight thousand five hundred pounds share capital authorised by section 24 of the Act of 1870 and five thousand one hundred and seventy pounds authorised to be borrowed under that Act and raised as or converted into stock) with a standard

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dividend of ten per centum per annum and sixteen thousand four hundred and twenty-four pounds in fully paid-up shares with a standard dividend of seven per centum per annum:

And whereas the Company have not issued debenture stock:

And whereas the Company have issued no other loan capital:

And whereas the Company agreed with the local boards for the sale and transfer to the local boards of the undertaking of the Company on the terms contained in an agreement dated the 28th day of May 1894 and it is expedient that the said agreement as set forth in the First Schedule to this Act should be confirmed:

And whereas it is expedient and it was agreed between the local boards that for the purpose of carrying out the said agreement a board should be incorporated and constituted as by this Act provided and that the undertaking of the Company with all their rights powers duties obligations and privileges should be transferred to vested in and managed by such board and that all necessary and proper powers in relation to the control and management of gas supply should be conferred on the board:

And whereas it was further agreed between the local boards that they would through the medium of the said board provide the purchase money for share in the profits or meet the losses of and have representation in the management of the undertaking of the Company in the proportion which the consumption of gas within the respective following areas bears to the total consumption of gas within the present area or limits of supply of the Company viz. The Mytholmroyd District Local Board in proportion to the consumption of gas within its own area for the time being and the Hebden Bridge District Local Board in proportion to the consumption of gas within the remaining present area or limits of supply of the Company other than the said area of the Mytholmroyd District Local Board And that in such proportion subject to periodical revision as in this Act provided the local boards should through the medium of the said board be deemed to be joint proprietors of the said undertaking:

And whereas in addition to the moneys which will be required for carrying out the transfer of the undertaking estimates have been prepared by the district councils for the purchase of lands and the extension and improvement of the undertaking of the Company and such estimates amount to the sum of thirty-five thousand pounds and the works included in such estimates are permanent works within the meaning of section 234 of the Public Health Act 1875:

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And whereas it is expedient that the board be empowered to borrow money for the purposes of this Act:

And whereas at the date of the aforesaid agreement the Company were promoting the Bill in Parliament for the Act of 1894 which Bill the local boards separately opposed and thereby incurred costs charges and expenses for the payment of which and for other the purposes in this Act mentioned it is expedient that the district councils should be authorised to borrow money:

And whereas an absolute majority of the whole number of the local boards at meetings of those respective boards held on the 14th day of November 1894 after ten clear days notice by public advertisement of such meetings respectively and of the purposes thereof of the meeting of the Hebden Bridge District Local Board in the "Hebden Bridge Times" and the "Hebden Bridge and District News" being two local newspapers published or circulating in the said district of the Hebden Bridge District Local Board and of the meeting of the Mytholmroyd District Local Board in the "Halifax Guardian" a local newspaper published or circulating in the district of the Mytholmroyd District Local Board such notices being in addition to the ordinary notices required for summoning such meetings resolved respectively that it was expedient for the two boards to promote the Bill for this Act:

And whereas such resolutions were published twice those by the Hebden Bridge District Local Board in the "Hebden Bridge Times" a local paper published or circulating in the district of the Hebden Bridge District Local Board and those by the Mytholmroyd District Local Board in the "Hebden Bridge and District News" a local newspaper published and circulating in the said district of the Mytholmroyd District Local Board and in respect of matters within the jurisdiction of the Local Government Board have received the approval of that Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the respective district councils as successors of the local boards at further special meetings held in pursuance of similar notices by the Hebden Bridge Urban District Council on the 11th day of January 1895 and by the Mytholmroyd Urban District Council on the 22nd day of January 1895 being in each case not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the respective urban districts by resolutions in the manner provided in the Third Schedule to the Public Health Act 1875 have consented to the promotion of the Bill for this Act:

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And whereas the objects aforesaid cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it 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 for all purposes as the Hebden Bridge and Mytholmroyd Gas Board Act 1895.

Certain provisions of general Acts herein named incorporated.

2. The following enactments (as far as they are applicable for the purposes of and are not varied by or inconsistent with this Act) are hereby incorporated with and shall form part of this Act (that is to say):—

The Lands Clauses Acts (except the provisions thereof with respect to the purchase of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking):

The Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit):

And the provisions of the Gasworks Clauses Act 1871 (except section 7 relating to shareholders and section 35 accounts &c.) shall apply to the gas undertaking of the board:

The Commissioners Clauses Act 1847 except the following provisions (that is to say):—

With the exception of sections 6 7 45 47 52 and 65;

And with the exception of the sections with respect to the election and rotation of the commissioners where the commissioners are to be elected by the ratepayers or other like class of electors;

And with the exception of the sections with respect to the mortages to be executed by the commissioners;

And with the exception of the sections with respect to the accounts to be kept by the commissioners and except also sections 42 43 46 and 48.

Interpretation.

3. In this Act—

"The board" means the Hebden Bridge and Mytholmroyd Gas Board incorporated by this Act;

"The local boards" means the Hebden Bridge District Local Board and the Mytholmroyd District Local Board;

"The district councils" means the Hebden Bridge Urban District Council and the Mytholmroyd Urban District Council;

"The Company" means the Hebden Bridge Gas Company;

"The Company's Acts" means the Hebden Bridge Gas Acts 1870 and 1894;

"The Act of 1870" means the Hebden Bridge Gas Act 1870;

"The Act of 1894" means the Hebden Bridge Gas Act 1894;

"The scheduled agreement" means the agreement dated the twenty-eighth day of May one thousand eight hundred and ninety-four made between the Company of the one part and the local boards of the other part as set forth in the First Schedule to this Act;

"The undertaking of the Company" means and includes all the gasworks lands buildings easements retorts mains pipes meters machinery apparatus plant rights powers privileges chattels contracts credits moneys (including therein the reserve fund and floating balance or undivided profits of the Company but subject to the payment thereout of the costs charges and expenses mentioned in the scheduled agreement) and all other the real and personal property and effects of the Company of whatsoever kind or nature or wheresoever situated including all books plans and documents other than the share register (subject to all contracts and liabilities attaching thereto) as from the thirty-first day of March one thousand eight hundred and ninety-four;

"The undertaking" means the undertaking of the board;

"The gas area of the Mytholmroyd Urban District Council" means so much of the area of that district council for the time being as is within the present limits for the supply of gas by the Company;

"The gas area of the Hebden Bridge Urban District Council" means the remaining portion of the present limits for supply of gas by the Company other than the area for the time being of the Mytholmroyd Urban District Council;

"The respective gas areas of the district councils as defined by this Act" means the respective areas of the Mytholmroyd Urban District Council and the Hebden Bridge Urban District Council as above defined;

"Revenue" means the revenue received by the board from or in relation to the undertaking;

"Clerk" means the clerk to the board.

Limits of Act.

4. The limits of this Act for the supply of gas shall be and include the urban district of Hebden Bridge the parish of Heptonstall the parish of Wadsworth and so much of the respective urban districts of Mytholmroyd and Todmorden and of the parishes of Blackshaw and Erringden as is shown and coloured red upon a

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plan signed in duplicate by the Right Honourable the Earl of Morley Chairman of Committees of the House of Lords one copy whereof has been deposited in the Office of the Clerk of the Parliaments and the other copy whereof shall within one month after the passing of this Act and before the exercise of any of the powers by this Act conferred be deposited with the clerk of the peace for the west riding of the county of York.

Incorporation of board.

5. For the purpose of carrying this Act into execution there shall be a board of nine members constituted and appointed as by this Act provided and they and their successors from time to time appointed and acting in pursuance of this Act shall be a body corporate under the name and style of "The Hebden Bridge and Mytholmroyd Gas Board" with perpetual succession and a common seal and with power to sue and be sued and to purchase take hold lease and dispose of lands (without any licence in mortmain) and other property for the purposes of this Act and with all the other powers and privileges of a body corporate.

Constitution of board.

6. The constitution of the board shall subject to adjustment as herein-after provided be as follows:—

(A) Seven members to be elected by the Hebden Bridge Urban District Council from among themselves; and

Two members to be elected by the Mytholmroyd Urban District Council from among themselves:

(B) The chairman of the board shall be elected by and out of the members of the board provided nevertheless that any outgoing chairman of the board may if qualified be re-elected and continue to act as chairman of the board if he shall be re-elected by a majority of the members of the board present and voting at the annual meeting of the board:

(C) Every question at a meeting of the board shall be determined by a majority of votes of the members present and voting on that question and in the case of an equal division of votes the chairman shall have a second or casting vote.

Election of members.

7.—(1) The first election of members of the board by each of the district councils shall take place at a meeting of the district council to be held within six weeks from the passing of this Act or within such further time as the Local Government Board shall by order allow and the members so appointed shall subject to the provisions of this Act continue in office till the sixteenth day of April one thousand eight hundred and ninety-seven.

(2) Each district council shall at its annual meeting held within twenty-eight days after the fifteenth day of April in every year or at

a special meeting to be held with special notice of the object of such meeting elect from among themselves the number of members of the board whom they are by this Act authorised to elect to hold office till their successors are appointed or until their or his election is revoked by the district council appointing such member.

Provisions where failure to elect members.

8. If either of the district councils fail to elect first members of the board as by this Act provided it shall be competent nevertheless for the other members of the board to carry this Act into execution and if either of the district councils fail to elect members of the board at any subsequent period of election the then existing members of the board representing such district council shall continue in office till their successors are appointed.

No person to be member of the board on behalf of more than one district council.

9. No person being a member of the board by election from either of the district councils shall so long as he continues a member by virtue of such election be qualified to be also a member of the board by election from the other district council and any such subsequent election shall be void and if the same person shall be elected a member of the board by more than one of the district councils at the same election he shall choose under which election he will serve and the other election shall be deemed void.

Members to be disqualified on ceasing to be members of district council.

10. If a member of the board elected by either of the district councils ceases to be a member of such district council or becomes disqualified he shall also cease to be a member of the board.

Members going out of office eligible for re-appointment.

11. Every member of the board going out of office shall if otherwise duly qualified be eligible immediately or at any future time for re-election and every person re-elected shall be deemed a new member.

Occasional vacancies.

12. If any member of the board dies or resigns or is disqualified or ceases to be a member of the board from any cause the district council whom he represented may if they think fit at any time after the happening of such vacancy elect a member of the board in his place from amongst themselves and every member of the board so appointed shall continue in office only so long as the person in whose place he is elected would have been entitled to continue in office.

Appointment of members to be certified to board.

13. Whenever an election of a member or members of the board has been made the clerk to the district council by whom the election was made shall by writing under his hand certify the election to the board and shall forthwith on the first election transmit the certificate to the clerk to the Hebden Bridge Urban District Council and on every subsequent election to the clerk of the board.

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First and other meetings of the board.

14. The board shall hold their first meeting and other meetings until the transfer of the undertaking of the Company at the board room of the Hebden Bridge Urban District Council in Hebden Bridge on the second Wednesday after their appointment at two o'clock (unless some other day or time shall be appointed for the purpose by the Local Government Board and then on such day and at such time as shall be so appointed) and other meetings of the board (including their annual meetings) shall be held generally at the gasworks with power to hold meetings occasionally elsewhere when considered necessary on such days and at such times as the board may from time to time appoint.

Power to call special meetings.

15. In addition to the meetings to be held by appointment of the board the chairman of the board for the time being or any two or more members of the board may at any time by writing addressed and sent to the clerk require a special meeting to be convened and the clerk shall convene a meeting accordingly provided that at least two clear days notice thereof shall be given to each member of the board by letter addressed to him and either sent by post to or delivered at his residence.

Error failure &c. not to invalidate acts done &c.

16. Any act of the board or of any of the members thereof shall not be invalidated or be illegal by reason of any irregularity in the election of any member of the board or by reason of any person not qualified or ceasing to be qualified acting as a member of the board or by reason of any failure or omission on any occasion on the part of either of the district councils to elect a member of the board or by reason of any other irregularity error failure or omission in or about any election or in or about any matter preliminary or incidental thereto.

As to convening meetings.

17. The first meeting of the board shall be convened by the clerk to the Hebden Bridge Urban District Council and every subsequent meeting shall be convened by the clerk to the board and every meeting shall be convened by circular delivered to each member of the board or sent by post to or delivered at his residence two clear days at least before the day of meeting.

Quorum.

18. The number of members of the board present to constitute a meeting of the board shall be three.

Officers of board.

19. The board may from time to time appoint and may remunerate a clerk a manager an engineer a treasurer an accountant and such other officers clerks and servants as they from time to time think requisite and all officers and servants so appointed shall be removable by the board at their pleasure No member of the

board or of either of the district councils shall be an officer of the board but a person may be and continue an officer of the board and of either of the district councils.

Agreement confirmed.

20. The scheduled agreement is hereby subject to the provisions of this Act confirmed and as so confirmed shall be read and have effect as if the board were parties thereto and were as from the passing of this Act substituted therein for the local boards.

Transfer of undertaking &c. by deed.

21.—(1) The sale of the undertaking of the Company under the scheduled agreement shall be carried into effect by a deed duly stamped and truly stating the consideration (which deed may be in the form set forth in the Second Schedule to this Act or to the like effect) and on the execution of the deed by the Company the undertaking of the Company shall by virtue of the deed and of this Act become and shall thenceforth be transferred to and vested in the board and such transfer and vesting is in this Act referred to as "the transfer."

(2) The said deed shall within three months from its date be produced duly stamped to the Commissioners of Inland Revenue and in default of such production the ad valorem stamp duty with interest at the rate of five pounds per centum per annum from the date of the deed to the date of payment of such stamp duty shall be recoverable from the board with full costs of suit and all costs and charges attending the same.

Company's debts to be paid and received.

22. Except so far as is by the scheduled agreement otherwise provided all debts rents charges and sums of money which at the transfer are due or owing to or from the Company shall be paid discharged settled and satisfied or received by the board.

Pending actions &c. against the Company.

23. If at the date of the transfer any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing against or in favour of the Company the same shall not abate or be discontinued or in anywise prejudicially affected by reason of the transfer or of anything in this Act but the same may be continued prosecuted and enforced against or in favour of the board as and when it might have been continued prosecuted and enforced against or in favour of the Company if this Act had not been passed but not further or otherwise.

Contracts of Company to be binding on board.

24. Except as is by the scheduled agreement otherwise provided all agreements contracts conveyances deeds and other instruments entered into or made with or by or otherwise affecting the Company and in force at the time of the transfer shall after the transfer be as binding and of as full force and effect against or in favour of the

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board and may be enforced as fully and effectually as if instead of the Company the board had been a party thereto.

Receipt of three directors for purchase money to be sufficient discharge.

25. The receipt in writing of three directors of the Company for the purchase money or any part thereof and any interest thereon or any sum to be paid to them by the board under the scheduled agreement or this Act shall effectually discharge the board from the sum which in such receipt shall be acknowledged to have been received and from being answerable or accountable for the loss misappropriation or non-application thereof Provided that if from any cause the board are unable to obtain such receipt they may pay the amount payable under this Act into the Bank of England (Law Courts branch) to the account of the Paymaster General for and on behalf of the Supreme Court to be placed in the books at the pay office to an account to be opened in the matter of this Act and a receipt shall be given to the board by the cashier of the said bank for the said sum which shall have the same effect as the receipt of such three directors.

Application of purchase money.

26.—(1) The Company shall hold the purchase money and all other sums of money paid to them by the board under the scheduled agreement or this Act and all other the assets of the Company to be retained under the scheduled agreement after the transfer in trust to apply so much thereof as is paid to or held by them for specific purposes to those purposes and as to the remainder thereof in trust to pay to the officers and servants of the Company by way of compensation for loss of office or service such reasonable sums as the Company in general meeting shall determine and to distribute the residue among the shareholders of the Company rateably and in proportion to their respective interests in the divisible profits of the Company at the standard rates of dividend.

(2) For the purpose of such distribution the several persons whose names shall appear in the books of the Company at the date of the transfer to be the proprietors of shares or stock therein unless the contrary be proved to the satisfaction of the directors shall be considered to be shareholders or stockholders of the Company and the receipt in writing of such persons or of their executors or administrators or of the committee or guardian of the estate of any of such persons who shall be an idiot lunatic or minor shall effectually discharge the Company and the directors thereof from the money therein expressed to be received and from any obligation affecting the share stock or interest in respect whereof that money is paid.

Payment into court by directors.

27. Where the directors of the Company are for six months after the transfer unable after diligent inquiry to ascertain the person to whom part of the purchase money of the undertaking or other assets of the Company is payable or where any part thereof is payable to a person by or on behalf of whom an effectual receipt cannot be given or on account of any other reasonable cause the directors may pay the same into the Supreme Court or if not exceeding five hundred pounds into the county court of Yorkshire holden at Todmorden under any Act for the time being in force for the relief of trustees and every such payment into court shall conclusively discharge the Company and directors from all further liability with respect to the moneys so paid.

Winding up and dissolution of Company.

28. So soon as conveniently may be after the transfer the affairs of the Company shall be wound up and for that purpose the directors of the Company then in office and the survivors of them shall continue in office without re-election and may and shall exercise all powers necessary for the declaration of the dividends amongst the shareholders of the Company in accordance with the terms of the scheduled agreement and for the payment of such dividends and the application and the distribution of the purchase money and all other sums of money paid to the Company by the board and all other assets of the Company as aforesaid and for winding up the affairs of the Company and when and so soon as the assets of the Company have been distributed and their affairs have been wound up the Company shall be by virtue of this Act dissolved.

If the number of directors of the Company be reduced by death resignation or otherwise below three before the completion of such winding up the continuing directors shall from time to time choose a shareholder or shareholders of the Company to fill the vacancy or vacancies so caused.

Books &c. to remain evidence.

29. All books and documents which if the transfer had not been made would have been evidence in respect of any matter for or against the Company shall be admitted in evidence in respect of the same and the like matter for or against the board.

Application of Company's Acts to board.

30. From and after the transfer and subject to the provisions of this Act all the powers authorities rights and privileges and all the duties and obligations of the Company under the Company's Acts as amended by this Act shall by virtue of this Act be transferred to and vested in and devolve upon the board and the Company's Acts shall be read and have effect as if the board had been therein named instead of the Company subject nevertheless and

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according to the following exceptions and provisions (that is to say):—

(1) The provisions of the Companies Clauses Consolidation Act 1845 the Companies Clauses Act 1863 and the Companies Clauses Act 1869 incorporated with the Company's Acts shall not apply to the board;

(2) The provisions of the Gasworks Clauses Act 1847 incorporated with the Company's Acts with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their own benefit shall not apply to the board;

(3) None of the provisions of the Company's Acts or of any of the Acts incorporated therewith in any manner relating to the constitution the capital or the dividends or the application of the profits of the Company shall apply to the board.

Interest of district councils in undertaking defined.

31. The district councils in every year shall be deemed to be interested in the undertaking and shall share in profits and losses or deficiencies in revenue in proportion to the consumption of gas supplied by the board for the then last preceding year within the respective gas areas of the district councils as defined by this Act:

Provided that the consumption of gas supplied by the Company within the respective gas areas in the year ending the thirty-first day of March immediately preceding the transfer of the undertaking shall determine the proportions for the year ending the thirty-first day of March immediately succeeding such transfer.

Periodical revision of representation of district councils.

32. The proportion in which each of the district councils shall have representation on the board shall be adjusted every three years or at such other periods as may be arranged between the district councils in accordance with the consumption of gas supplied by the board in the last preceding year within the respective gas areas of the district councils Provided that neither of the district councils shall at any time have fewer than two representatives on the board Provided also that if any question or difference arises between the district councils under this section such question or difference shall be determined and settled by a gas engineer to be appointed (unless otherwise agreed between the district councils) by the President for the time being of the Institution of Civil Engineers.

Power to purchase lands by agreement.

33. The board may for the purposes of this Act purchase take and hold by agreement in addition to the lands vested in them under this Act any lands and hereditaments not exceeding in the whole ten acres which the board may from time to time require for the purposes of their works and undertaking but the board shall not create or permit a nuisance on any such lands and no lands shall be

used by the board for the purpose of manufacturing gas or residual products except the lands which at the transfer the Company are authorised by the Act of 1870 and the Act of 1894 to use or purchase or use for that purpose.

Application of moneys arising from sale &c. of land.

34. The proceeds of the sale of any surplus lands of the board and all moneys received by them by way of fine or premium on any lease and other receipts in the nature of capital other than borrowed moneys shall be distinguished as capital in the accounts of the board and shall be applied in discharge of moneys borrowed by the board but shall not be applied in the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

Restriction on taking houses of labouring class.

35. The board shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied For the purpose of this section the expression "labouring class" means and includes mechanics artisans 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.

Provision for sale of portion of undertaking to other sanitary authorities.

36. If at any time after the transfer any sanitary authority whose district is beyond the districts of the district councils but within the limits for the supply of gas of the board shall give not less than six months notice in writing to the board of their desire to purchase such portion of the gasworks and plant of the board as is contained within the district of any such sanitary authority and shall obtain the consent of the Local Government Board to such purchase and shall apply to Parliament or the Local Government Board for power to purchase such portion of the gasworks and plant of the board (except the mains and pipes or other apparatus which shall be necessary for supplying with gas any other part of the limits of the board for the supply of gas) and to supply gas within such district then it shall not be lawful for the board to oppose such application (except as to the details thereof) and if such powers of

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purchase and supply be granted the board shall sell and such sanitary authority shall purchase the portion of the gasworks and plant of the board (except as aforesaid) within the district of such sanitary authority at such price being a sum in gross and upon such terms and conditions as shall be fixed in default of agreement by arbitration under the provisions of the Lands Clauses Acts and the board shall apply the proceeds of any sale under this section in the same manner as they are required to apply money received from sales of land under this Act Provided that after the completion of such purchase all obligations on the part of the board to supply gas within such district shall cease and determine.

Power to supply gas apparatus engines &c.

37. The board may manufacture purchase provide supply sell let for hire and otherwise deal in and fix set up alter remove and refix gas meters and fittings gas engines stoves ranges pipes and other apparatus and appliances articles and things for lighting motive power the warming and ventilation of houses and buildings the cooking of food and for all other purposes for which gas can or may be used and the board may require and take such remuneration in money or such rents and charges for and make such terms and conditions with respect to the sale supply letting fixing setting up altering or removing of such meters fittings engines stoves ranges pipes and other apparatus and appliances articles and things as aforesaid and for securing their safety and return to the board as may be agreed upon between the board and the person to or for whom the same are sold supplied let fixed set up altered or removed.

Recovery of rents &c.

38. If any person supplied with gas or with any gas meter or fitting by the board neglect to pay to the board the rent due for such gas or the rent or money due to the board for the hire or fixing of such meter or any expenses lawfully incurred by the board in cutting off the gas from the premises of such person the sum so due is hereby declared to be a civil debt recoverable summarily on complaint to a court of summary jurisdiction in manner directed by the Summary Jurisdiction Acts.

Price of gas.

39. It shall not be lawful for the board to demand and receive for gas supplied by them by meter any sum exceeding the sum of four shillings and sixpence for every one thousand cubic feet of gas so supplied.

Discounts.

40. The board may if they think fit allow discounts or rebates to every consumer of gas within the district of the board who shall

within twenty-eight days after delivery of the gas account pay such account at the gas office of the board (that is to say) :—

When such account amounts to one pound and under five pounds at the rate of two and a half per centum;

When such account amounts to five pounds and under ten pounds at the rate of five per centum;

When such account amounts to ten pounds and upwards at the rate of ten per centum :

The accounts referred to in this section shall be for a supply of gas during such period not being more than three months nor less than one month as the board shall from time to time prescribe.

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

41. If a person requiring a supply of gas from the board has previously quitted premises at which gas was supplied to him by the board without paying all gas or meter rent due from him the board may refuse to furnish to him a supply of gas until he pays the same.

Gas consumers to give notice to board before removing.

42. Twenty-four hours notice in writing shall be given to the board at their office by every gas consumer before he shall quit any premises supplied with gas by meter by the board and in default of such notice the consumer so quitting shall be liable to pay to the board the moneys accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises.

Power to board to borrow.

43.—(1) The board may for the purposes herein-after mentioned from time to time borrow at interest upon mortgage of the revenue of the undertaking or any part thereof and of the moneys receivable by them from the district funds and general district rates of the district councils under the provisions of this Act the following sums of money (that is to say) :—

(A) For the purpose of providing the purchase money for the acquisition of the undertaking of the Company and for defraying the costs charges and expenses incident to the transfer (including all costs charges and expenses payable under Article 11 of the scheduled agreement) and for the purpose of purchasing lands and for the extension and improvement of gasworks any sum or sums of money not exceeding one hundred and three thousand pounds;

(B) For the purpose of providing working capital for the undertaking such sum as may be required not exceeding five thousand pounds;

(C) For the general purposes of the undertaking being in all cases purposes to which capital is properly applicable such sum

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or sums as may be from time to time sanctioned by the Local Government Board;

(d) For the purpose of paying the taxed costs and expenses of and incidental to preparing for and obtaining this Act so far as the same consist of costs and expenses of parliamentary agents including therein expenses of parliamentary advertisements and printing fees payable to the Houses of Parliament and fees of counsel engineers and witnesses and the costs payable to the solicitors to the Company under Article 4 of the scheduled agreement such sum or sums as may be required.

Period for payment off of money borrowed.

(2) All moneys borrowed by the board under this Act shall be repaid within the respective periods (in this Act referred to as "the prescribed periods") following (that is to say):—

As to moneys borrowed under this section for the purposes (a) within the period of forty-five years from the date or dates of the borrowing of the same;

As to moneys borrowed under this section for the purposes (b) within the period of thirty years from the date or dates of the borrowing of the same;

As to moneys borrowed under this section for the purposes (c) within such period as the Local Government Board shall determine;

As to moneys borrowed under this section for the purposes (d) within ten years from the date or dates of the borrowing of the same.

As to local inquiries and expenses of Local Government Board.

44.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary for giving effect to any of the provisions of this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by that board under the Public Health Act 1875.

(2) The board shall pay to the Local Government Board any expenses incurred by that board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the Local Government Board not exceeding three guineas a day for the services of such inspector.

Power to borrow under Local Loans Act 1875.

45.—(1) The board if they think fit in lieu of borrowing on mortgage as herein-before provided may borrow the moneys which they are by this Act authorised to borrow or any part thereof under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of

debentures debenture stock or annuity certificates or partly in one way and partly in another and for the purposes of such issue the board shall be deemed a local authority under that Act.

(2) Any moneys borrowed in manner by this section authorised shall be a charge upon and shall be paid out of the same revenue and moneys receivable by the board from the district funds and general district rates of the district councils as they would be charged upon and paid out of if raised by way of mortgage under the powers of this Act and such revenue and moneys shall be deemed to be the local rate within the meaning and for the purposes of the Local Loans Act 1875.

(3) Every such loan shall be discharged within the prescribed period.

Mode of payment off of money borrowed.

46. The board shall within the prescribed periods pay off all moneys borrowed by them under the powers of this Act or of the Local Loans Act 1875 either by equal yearly or half-yearly instalments of principal or of principal and interest combined or by any one of those methods or by means of a sinking fund or partly by such instalments and partly by a sinking fund and in regard to any sinking fund formed under this Act the provisions of section 15 of the Local Loans Act 1875 shall apply Provided that the first payment to the sinking fund in respect of the moneys borrowed under this Act shall be made within twelve months after the respective dates of borrowing Provided also that the board shall not invest the sinking fund or any part thereof in their own securities or in the securities of either of the district councils.

Power of re-borrowing.

47. If the board pay off any moneys borrowed by them under this Act otherwise than by instalments or by means of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on any leases or out of other moneys received on capital account not being borrowed moneys they may from time to time re-borrow the same but all moneys so re-borrowed shall be repaid within the prescribed periods and shall be deemed to form the same loan as the moneys originally borrowed and the obligations of the board with respect to the repayment of the loan and to the provision to be made for such repayment shall not be diminished by reason of such re-borrowing.

As to mortgages of board.

48.—(1) All mortgages granted by the board under this Act may be in the form in the Third Schedule to this Act and shall be sealed with the seal of the board and signed by the chairman and countersigned by the clerk of the board and shall rank together

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without any priority on account of the date of the mortgage or on any other account.

(2) The provisions contained in sections 236 to 239 of the Public Health Act 1875 with respect to the mortgages to be executed by a local authority shall apply in the case of all mortgages granted under this Act except where any such provisions are expressly altered or varied by this Act and for the purposes of such application the term "local authority" in the said provisions shall be construed to mean the board and the term "rates" shall be construed to include the revenue of the undertaking.

Protection of lender from inquiry.

49. A person lending money to the board under this Act shall not be bound to inquire as to the observance by them of any of the provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of the money lent or of any part thereof.

Liability of respective district councils for sum borrowed defined.

50. The district councils shall in every year be deemed to be respectively liable for the repayment of the total sums so borrowed and interest thereon in proportion to the consumption of gas supplied by the board for the then last preceding year within the respective gas areas of the district councils as defined by this Act.

Board not to regard trusts.

51. The board shall not be bound to see to the execution of any trust to which any mortgage or security granted by them may be subject and the receipt of the person in whose name any such mortgage or security stands in the register or books of the board shall be a sufficient discharge to the board in respect thereof notwithstanding any trusts to which such mortgage or security may be subject and whether or not the board have had notice of any such trust or of any charge or incumbrance upon or transfer of such mortgage or security or interest thereon not entered in their register or books and the board shall not be bound to see to the application of the money for which such receipt shall have been given or be answerable or accountable for any loss mis-application or non-application of any such money.

Application of money borrowed.

52. Moneys borrowed by the board under this Act shall be applied only for purposes for which they are respectively authorised to be borrowed and to which capital is properly applicable.

Annual return to Local Government Board with respect to sinking fund.

53. The clerk of the board shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid under this Act transmit to the Local Government Board a return in such form as may be prescribed by that board and verified by

statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appear to the Local Government Board by such return or otherwise that the board have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court The provisions of this section shall apply mutatis mutandis to appropriations and annual repayments.

Board may issue stock under Public Health Acts Amendment Act 1890.

54. For the purposes of Part V. of the Public Health Acts Amendment Act 1890 the board shall be deemed to be an urban authority within the meaning of that Act and to have adopted Part V. of that Act and may exercise their borrowing powers by the creation of stock in the manner by that Act provided and subject to the provisions therein contained.

Power to district councils to borrow.

55. The district councils may (in addition to any other moneys which they are now authorised to borrow) respectively borrow at interest on the security of the district fund and general district rate of their respective districts for the purpose of paying the taxed costs charges and expenses incurred by them respectively (other than those provided to be paid by the board) of and incidental to preparing for and obtaining this Act and of opposing the Company's Bill for the Act of 1894 as if such purposes were purposes for which money is authorised to be borrowed under the Public Health Act 1875 and the foregoing sections of this Act

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relating to the mode of payment off of money borrowed power of re-borrowing protection of lender from inquiry power to borrow under Local Loans Act 1875 board not to regard trusts application of money borrowed and annual return to Local Government Board with respect to sinking fund shall apply to the exercise of such borrowing powers by the district councils respectively as if the district councils had been named in such sections instead of the board Provided that the period within which the money so borrowed shall be repaid shall be ten years from the date or dates of borrowing the same.

Accounts and audit.

56. The board shall make up the accounts in the first instance to the thirty-first day of March one thousand eight hundred and ninety-seven and afterwards to the thirty-first day of March in each year The provisions of section 58 of the Local Government Act 1894 shall apply to the board their committees and officers as if the board was an urban district council.

Application of revenue.

57. The board shall apply the revenue of the undertaking as follows (that is to say):—

First.—In payment of the costs charges and expenses of and incidental to the collecting and recovering of revenue;

Secondly.—In payment of the working and establishment expenses and cost of maintenance of the undertaking;

Thirdly.—In payment of the interest on moneys borrowed by the board under this Act;

Fourthly.—In providing the sums necessary for instalments or sinking funds under this Act;

Fifthly.—In providing a reserve fund if they think fit by setting aside such money as they from time to time think reasonable and investing and accumulating the same at compound interest in any securities in which they are authorised to invest the sums paid into the sinking fund until the reserve fund so formed amounts to a sum equal to one tenth of the capital of the board which sum shall be applicable from time to time to answer any deficiency at any time happening in the income of the board from the undertaking or to meet any extraordinary claim demand or charge at any time arising against the board in respect of the undertaking and so that 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 shall happen;

Provided that when and so often as the said fund shall reach one tenth part of the said capital the interest thereon shall be carried to the revenue Provided also that resort may from time to time

be had to the reserve fund for any of the purposes aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one tenth as aforesaid;

Sixthly.—In improving or extending the undertaking;

Lastly.—In reduction of the price of gas when and as circumstances shall permit the same to be done Provided that the board may retain in hand at the close of any financial year so much of the surplus as they shall think necessary for the purpose of carrying on the undertaking and paying the current expenses connected therewith or the board shall pay and divide such surplus to and between the district councils in proportion to the consumption of gas supplied by the board during the then last preceding year within the respective gas areas of the district councils as defined by this Act.

Deficiency in revenue of board to be made good by district councils.

58.—(1) If in any year there is a deficiency in the net revenue of the board and the reserve funds (after satisfying the purposes first and secondly mentioned in the preceding section) for the payment of the interest on the money borrowed and the sums necessary for the instalments or sinking funds the board are hereby authorised and required in every such case forthwith to ascertain and determine the amount of such deficiency and to apportion the same between the district councils.

(2) The amount of the deficiency shall be apportioned between the district councils in proportion to the consumption of gas supplied by the board during the then last preceding year within the respective gas areas of the district councils as defined by this Act Provided that the consumption of gas supplied by the Company within the respective gas areas in the year immediately preceding the transfer of the undertaking shall determine the proportions for the year immediately succeeding such transfer.

(3) The board shall issue precepts to the district councils for the amounts so respectively apportioned and the district councils shall within two months from the receipt of such precepts pay to the board the amounts so apportioned to them respectively.

(4) Such amounts respectively shall be paid by the district councils out of their respective district funds and general district rates which funds and rates are hereby charged with the payment of the same accordingly and the district councils respectively are hereby authorised and required to make and levy any rate that may be necessary for the purposes aforesaid.

(5) If either district council fails to pay any amount so apportioned within the time aforesaid the same shall be a debt due to the board from such district council and shall bear interest till payment

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at the rate of five pounds per centum per annum and the board may in addition to all other remedies proceed for recovery thereof in either of the modes following (that is to say):—

(A) The board may sue the defaulting district council for the amount unpaid in any court of competent jurisdiction;

(B) The board may by precept empower some officer of the board to raise by means of a rate to be assessed upon the like property and to be made levied and collected in like manner and with the like powers and authorities as the general district rate of the defaulting district council such sum (the amount to be specified in the precept) as in the opinion of the board will be sufficient to pay the amount so apportioned and interest and all expenses incurred in consequence of the non-payment thereof and the expenses of levying and collecting such rate and any officer of the board so empowered shall have the like powers of assessing making levying and collecting rates and of issuing precepts and of requiring officers of the defaulting district council to account as the defaulting district council would have under any Act or otherwise and the officer of the board so empowered after paying all money payable under the precept shall pay any residue of the money received by him (the amount to be ascertained by the board) to the defaulting district council.

Justices not disqualified.

59. No person shall be incapable of acting as a justice in the execution of this Act by reason of his being a member of the board or an annuitant or mortgagee or the holder of any debenture stock or of his being liable to the payment to the board of any gas rent or rate or other payment.

Saving rights of district councils against the board.

60. Notwithstanding anything in this Act contained the district councils respectively shall have and be subject to the same rights and obligations against or to the board as they would respectively have had and been subject to against or to the Company if the undertaking had remained in the hands of the Company.

Repeal of certain sections of Acts of 1870 and 1894.

61. From and after the transfer sections 55 and 77 of the Act of 1870 and sections 31 and 35 of the Act of 1894 shall be repealed.

Dissolution of board by consent.

62. The board may at any time be dissolved by mutual agreement between the district councils for that purpose and thereupon the district councils shall be respectively entitled to purchase with the approval of the Local Government Board so much of the undertaking as may be within the respective gas areas of the district councils as defined by this Act The dissolution and partition shall be carried out by means of a deed sealed by the district councils which shall provide for the division of the undertaking and for the

apportionment of the debts liabilities and assets thereof and for the transfer to each district council of the rights powers privileges and liabilities of the board within the respective gas areas of the district councils as defined by this Act and thereupon the board shall be dissolved and the district councils respectively shall within the respective gas areas of the district councils as defined by this Act have and exercise all the rights and powers and be subject to all the duties and obligations theretofore exercised by or imposed upon the board under this Act and the Acts incorporated therewith.

Board to supply gas to Cragg Vale.

63. For the purpose of supplying the inhabitants of Cragg Vale with gas the board shall as soon as practicable and not later than twelve months after the transfer of the undertaking lay or cause to be laid mains under and along the public road leading from Mytholmroyd to Victoria Mill in Cragg Vale and with the consents of the owners of the road leading from Gates End to Upper Mill in Cragg Vale under and along such road so far as the said roads are within the limits of supply of the board Provided that it shall not be obligatory on the part of the board to lay or cause to be laid any main under or along such roads unless and until a sufficient number of owners and occupiers of premises situate in Cragg Vale aforesaid have entered into a written contract with the board if required by them so to do to continue to receive and pay for a supply of gas inclusive of public lighting of at least one million two hundred and fifty thousand feet of gas per annum for a period of at least two years and unless and until the owners of existing gasworks in the said Cragg Vale have entered into a written agreement with the board undertaking that they will discontinue the manufacture of gas Provided also that the price of the gas to be so supplied to the owners and occupiers of premises situate in Cragg Vale shall be the same for every one thousand cubic feet as that charged by the board within the remaining limits of supply of the board.

Costs of Act.

64. All costs charges and expenses of and incidental to preparing for and obtaining of this Act or otherwise in relation thereto shall be taxed by the taxing officer of the House of Lords or of the House of Commons and as to so much thereof as are costs charges and expenses mentioned in the section of this Act the marginal note whereof is "Power to board to borrow" shall be paid by the board as in that section provided and as to so much thereof as consists of costs charges and expenses mentioned in the section of this Act the marginal note whereof is "Power to district councils to borrow" shall be paid by the district councils respectively either out of any of their funds or rates or out of the moneys to be borrowed by them respectively on the security thereof under the powers of this Act.

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The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

ARTICLES OF AGREEMENT made the twenty-eighth day of May one thousand eight hundred and ninety-four between THE HEBDEN BRIDGE GAS COMPANY (herein-after called "the Company") of the one part and THE HEBDEN BRIDGE DISTRICT LOCAL BOARD and THE MYTHOLMROYD DISTRICT LOCAL BOARD (herein-after referred to as "the Local Boards") of the other part.

WHEREBY it is mutually agreed as follows:—

1. The local boards shall withdraw the petitions severally presented by them against the Bill now being promoted by the Company in Parliament and shall permit such Bill to become an Act in the form in which such Bill was presented to the Committee of the House of Commons to whom the same was referred subject to the provision that the standard price to be charged for gas shall be three shillings and sixpence per thousand cubic feet instead of three shillings and ninepence and subject to such further modifications and alterations as Parliament may think fit to make.

2. Subject to and on condition of the confirmation of these articles by Act of Parliament as herein-after mentioned the Company shall sell and the local boards jointly or one of them separately shall purchase the whole undertaking of the Company (herein-after called the said undertaking) which expression shall be taken to include all the gasworks lands buildings easements retorts mains pipes meters machinery apparatus plant rights powers privileges chattels contracts credits moneys (including therein the reserve fund and floating balance or undivided profits of the Company but subject to the payment thereout of the costs charges and expenses herein-after more particularly mentioned) and all other the real and personal property and effects of the Company of whatsoever kind or nature or wheresoever situated including all books plans and documents of the Company other than the share register of the Company (subject to all contracts and liabilities attaching thereto) as from the thirty-first day of March one thousand eight hundred and ninety-four Provided that before the Company deliver to the local boards or either of them the said undertaking they shall be entitled to deduct therefrom such an amount as shall represent the costs charges and expenses of and incident to the preparing obtaining and passing of the Act of the Company now pending or otherwise in relation thereto such costs to be taxed as between solicitor and client the said local boards having notice of any appointment for taxation and being entitled to attend the same.

3. The consideration for the said purchase shall be the payment at the date of completion of the purchase of a sum equal to twenty-seven years purchase of the maximum dividends actually paid by the Company that is to say dividends at the rate of ten per cent. per annum on the sum of thirteen thousand six hundred and seventy pounds stock and at the rate of seven per cent. per annum on the sum of sixteen thousand four hundred and twenty-four pounds share capital and at the authorised and actually paid rate of dividend on such further capital as may be raised under the provisions of the pending Bill of the Company and of this agreement.

4. The local boards or one of them shall at their or its own expense promote a Bill in the next available session of Parliament and use their or its best endeavours to procure in such session an Act for the winding up and dissolution of the Company and the distribution among the holders of stock or shares of the Company of the moneys to be paid in pursuance of this agreement by the local boards or one of them to the Company on the completion of the purchase and shall subject to the approval of Parliament insert in such Bill such clauses and provisions as may be necessary for and incidental to the ratifying and giving full effect to this agreement and to the transfer to the local boards or board of the said undertaking The Company shall not oppose such Bill if so introduced into Parliament except so far as may be necessary to carry into effect the provisions of this agreement and the costs of the Company to be incurred in connexion with such Bill shall be paid by the local boards or such one of such boards as shall promote the said Bill to the Company to an amount not exceeding one hundred pounds.

5. The said purchase is to be completed within six months from the date of the Royal Assent being given to the Act referred to in clause 4 hereof Three months previously to the completion of the purchase the local boards or one of them shall give to the Company notice in writing of the date on which the purchase money is to be paid and completion of the purchase is to take place and if from any cause whatever the purchase money is not paid on the date so fixed for completion interest shall be paid from that date on the said purchase money at the rate of four pounds per cent. per annum until the actual completion of the purchase and the Company shall from the date fixed for completion until such actual completion carry on their business in the ordinary way but at the risk and for the benefit of the local boards or such one of them as shall have become the purchaser.

6. The Company shall pay and discharge out of revenue all outgoings and liabilities of every kind properly chargeable to revenue up to the date fixed for completion and subject thereto shall be entitled to declare and pay out of revenue to the holders of stock or shares of the Company the maximum annual dividends now paid as heretofore up to and including the same date and dividends at the authorised rates on any further capital to be raised as hereinafter mentioned provided that no new contract or obligation which shall extend beyond the thirty-first day of December one thousand eight hundred and ninety-five shall be voluntarily entered into by the Company without the consent of the local boards or such one of them.

The local boards or one of them shall on the completion of the purchase take over perform and fulfil all obligations liabilities and contracts of the

A.D. 1895. Company save as aforesaid and indemnify the Company from all liability thereunder and from any claims whatsoever against the Company.

7. Each local board shall be at liberty to appoint a member to attend all meetings of the board of director of the Company held after the Royal Assent shall have been given to the Act to be obtained by the local boards as aforesaid until the completion of the purchase and for that purpose due notice shall be given to the local boards of all such meetings the members so attending shall not be entitled to vote or take any part in the discussion at such meetings.

8. The Company shall carry on the said undertaking as heretofore and according to its usual custom until the completion of the purchase and shall maintain and keep the undertaking in such good working order repair and condition as it is now in (reasonable wear and tear and accidents only excepted) and shall also continue to keep proper accounts of the affairs of the Company which accounts shall be open to the inspection of a member of each local board and their respective clerks.

9. The Company shall not between the execution of these presents until the completion of the purchase without the previous consent in writing of the local boards or such one as shall resolve to purchase the undertaking of the Company given under the hand of their clerks or clerk make any expenditure on capital account except such as may be in the ordinary course of the proper conduct of the affairs of the Company and with the intention of benefiting the undertaking and for such purpose the Company may issue such of the capital authorised by the now pending Bill of the Company (if the same becomes an Act) as may from time to time be required.

10. The Company shall decide according to the usual and proper custom whether payments or expenditure made by it have been made on capital or revenue account.

11. The Company shall if required by the local boards (or either of them) deliver to such local boards or board an abstract of its title to the lands to be sold and the conveyances leases and assignments of such lands to the Company shall be accepted by the local boards as valid and sufficient title thereto and such lands shall be sold subject to such rents obligations and incidents of tenure as the same are held under by the Company at the date of completion of the purchase and subject also to the tenancies affecting the same and the Company shall convey and assign the said undertaking to the local boards or board by a proper deed or deeds to be prepared and duly stamped by and at the expense of the local boards or board who shall pay all the expenses and solicitors and legal and other charges which may properly be incurred by the Company in connexion with and in relation to the preparation of these articles of agreement and the transfer and conveyance or assignment of the said undertaking.

12. In the event of the Company and the local boards or board not being authorised by Parliament to perform and carry out this agreement then the same shall be void and of no effect except as to clause 1 and the last preceding clause and except that the local boards or board shall pay to the Company the costs and expenses of the Company if any as mentioned in clause 4 hereof (not exceeding one hundred pounds) in relation to the Bill to be promoted by the local boards or board for acquiring the said undertaking.

13. This agreement is made subject to the ratification thereof by the shareholders of the Company and for this purpose the directors shall forthwith convene a meeting of the shareholders of the Company for obtaining such ratification and such meeting shall be held before the present Bill of the Company shall be read the first time in the House of Lords and the result thereof immediately notified in writing under the hand of an officer or solicitor of the Company to the clerks of the respective local boards.

14. This agreement is also made subject to such alterations as Parliament may think fit to make therein but if Parliament make any material alterations which the Company or the local boards or board may be unwilling to accept it shall be competent for either party thereto to withdraw from the same.

In witness whereof the Company and the local boards have hereunto set and affixed their respective common seals the day and year first before written.

CHAMPION MURGATROYD
Depty. Chairman. L.S.

EDWARD JONES CROSSLEY
Chairman of the
Hebden Bridge District Local Board. L.S.

JAMES SIMPSON
Deputy Chairman of the
Mytholmroyd Local Board. L.S.

THE SECOND SCHEDULE.

FORM OF DEED OF TRANSFER OF UNDERTAKING OF COMPANY TO THE BOARD.

In pursuance and subject to the provisions of the Hebden Bridge and Mytholmroyd Gas Board Act 1895 and in consideration of £ the Hebden Bridge Gas Company hereby grant convey and assign their undertaking unto the Hebden Bridge and Mytholmroyd Gas Board and their successors To hold the same unto the Hebden Bridge and Mytholmroyd Gas Board their successors and assigns And the said Board do hereby accept the same accordingly In witness whereof the said Company and the said Board have hereunto affixed their respective common seals this day of 189 .

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THE THIRD SCHEDULE.

Form of Mortgage by the Board.

By virtue of the Hebden Bridge and Mytholmroyd Gas Board Act 1895 we the Hebden Bridge and Mytholmroyd Gas Board in consideration of the sum of pounds paid to the treasurer of this board by of (*if so out of moneys belonging to them upon a joint account*) for the purposes of the said Act do hereby grant and assign unto the said his executors administrators and assigns (*or the survivors or survivor of them or the executors or administrators of such survivor their or his assigns*) subject to the provisions of the said Act such proportion of the revenue of the undertaking of the board and of the moneys receivable by the board under the provisions of the said Act from the district fund and general district rates of the Hebden Bridge Urban District Council and of the Mytholmroyd Urban District Council as the said sum of doth or shall bear to the whole sum which is or shall be borrowed on the credit of the said undertaking and moneys to hold to the said his executors administrators and assigns (*or the survivors or survivor of them or the executors or administrators of such survivor their or his assigns*) from the day of the date hereof until the said sum of with interest at the rate of per centum per annum for the same shall be fully paid and satisfied And it is hereby declared that the said principal sum shall be repaid on the day of (*or at months notice by either party hereto*) at Hebden Bridge in the west riding of the County of York.

Dated this day of one thousand

The common seal of the Hebden Bridge and Mytholmroyd Gas Board was affixed hereto in the presence of

Chairman.

Clerk.

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