CHAPTER lxxxix.

An Act for incorporating and conferring powers on the Shirebrook and District Gas Company. A.D. 1899.

[13th July 1899.]

WHEREAS there is at present no supply of gas within the area comprised within the limits of this Act:

And whereas the persons in that behalf in this Act named with others are willing to provide such supply of gas on being incorporated into a company and on the necessary powers being conferred upon them for that purpose and it is expedient that they be incorporated accordingly and that the powers in this Act contained be conferred upon them:

And whereas by the Mansfield Commissioners Gas Act 1878 the Mansfield Improvement Commissioners were empowered to supply gas within the then parishes of Mansfield Mansfield Woodhouse and Warsop in the county of Nottingham and the then parish of Pleasley in the county of Derby:

And whereas the powers conferred by the said Act have never been exercised within any part of the area comprised within the limits of this Act and it is expedient to repeal the provisions of the said Act so far as they relate to any part of such area:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas a plan of the lands required or which may be taken for the purposes or under the powers of this Act and a book of reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited with the clerk of the peace for the county of Derby and are in this Act respectively referred to as the deposited plan and book of reference:

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

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Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. This Act may be cited as the Shirebrook and District Gas Act 1899.

Incorporation of general Acts.

2. The Companies Clauses Acts 1845 to 1889 (except the provisions with respect to the conversion of borrowed money into capital and except Part IV. of the Companies Clauses Act 1863) the Lands Clauses Acts the Gasworks Clauses Act 1847 (except sections 30 to 34) and the Gasworks Clauses Act 1871 are subject to the provisions of this Act incorporated with and form part of this Act Provided that section 35 of the Gasworks Clauses Act 1847 shall be read and construed as if the words from "in case the whole" to "have been paid" were omitted therefrom and as if the expression "the prescribed rate" included the rate of dividend authorised by this Act or such rate as reduced or increased in accordance with the provisions of this Act together with any sum which under the provisions of this Act may be carried to the insurance fund.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction and—

The expression "the Company" shall mean the Company incorporated by this Act;

The expressions "the works" "the gasworks" and "the undertaking" shall respectively mean the gasworks and works connected therewith by this Act authorised to be made by the Company and any improvement thereof which they may construct under the powers of this Act and the lands buildings estate right title property privileges and effects and the undertaking of the Company and every part thereof respectively.

Limits of Act.

4.—(1) The limits of this Act shall be so much of the parish of Pleasley in the county of Derby (including therein part of the township of Shirebrook) as lies north of an imaginary line commencing at the junction of Water Lane with Back Lane drawn along Water Lane Balkham Lane Green Lane and Wood Lane and so much of the said parish as lies east of the railway of the Midland Railway Company the parishes of Scarcliffe and Upper Langwith in the county of Derby the parishes of Nether Langwith and Sookholme in the county of Nottingham and so much of the parish

of Warsop in that county as is bounded on the north in part by the parish of Nether Langwith and in part by Spring Wood Lane on the south by the parish of Sookholme on the east in part by the parish of Sookholme and in part by William Wood Lane and the footpath leading from such lane to Nether Langwith and on the west in part by the parish of Upper Langwith and in part by the parish of Pleasley.

(2) The area above described is shown in pink colour on the map signed in triplicate by the Right Honourable James William Lowther the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and the said maps shall respectively within six months after the passing of this Act be deposited in the Parliament Office of the House of Lords in the Private Bill Office of the House of Commons and in the principal office of the Company.

(3) If there be any discrepancy between the description of the limits of this Act contained in this section and the maps signed as aforesaid the latter shall prevail.

(4) Copies of the map deposited in the principal office of the Company in pursuance of this section and certified by the secretary of the Company to be true copies shall be received in all courts of justice and elsewhere as primâ facie evidence of the limits of this Act.

Incorporation of Company.

5. Frederick Henry Moore John William Moore Charles Morris and Mark Robinson and all other persons who have subscribed to or who shall hereafter become proprietors in the undertaking and their executors administrators successors and assigns respectively shall be and they are hereby united into a Company for the purposes herein-after mentioned and shall be incorporated by the name of "The Shirebrook and District Gas Company" and by that name shall be a body corporate with perpetual succession and a common seal with power to purchase take hold and dispose of lands and other property for the purposes of this Act.

General purposes of Company.

6. The Company shall be established for manufacturing and supplying gas within the limits of this Act for carrying on any business usually carried on by gas companies or which is or may become incidental thereto and generally for carrying the powers of this Act into execution.

Capital.

7. The capital of the Company shall be fifty thousand pounds in five thousand shares of ten pounds each.

Shares not to be issued

8. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person

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accepting the same unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof.

until one fifth paid.

Calls.

9. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval between successive calls and three fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Standard rate of dividend.

10. Except as by this Act provided the profits of the Company to be divided among the shareholders in any year shall not exceed the rate (which is in this Act referred to as "the standard rate of dividend") of ten pounds in respect of every one hundred pounds actually paid up of the capital of the undertaking.

Insurance fund.

11. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the dividend on the ordinary capital of the Company at the authorised rate the excess beyond the sum necessary for that purpose may to the extent of one per centum per annum upon the paid-up capital of the Company be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or the like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one twentieth of the paid-up capital of the Company which sum shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Company from accident strikes or other circumstances which in the opinion of a court of summary jurisdiction 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 shall happen Provided that when and so often as the said fund shall reach one twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may be had to the insurance fund to meet any extraordinary claim or demand as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one twentieth as aforesaid.

Application of excess of profits over authorised dividend.

12. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the dividend at the authorised rate on the ordinary capital of the Company the excess or such portion of it as is not carried to the insurance fund shall be carried to the credit of the divisible profits of such undertaking for the next following year.

Reserve fund.

13. When in any year the dividend of the Company on the ordinary capital of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company 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 Company shall be insufficient to enable the Company in such year to pay the dividend at the authorised rate on the ordinary capital of the Company and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund.

Power to borrow.

14. The Company may subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one third part of the amount of the capital of the Company at the time actually issued by shares or stock but no part thereof shall be borrowed until the whole of the shares or stock at the time issued shall have been fully paid up and the Company have proved to the justice who is to certify under section 40 of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares or stock have been issued and fully paid up and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

15. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than five hundred pounds in the whole.

Debenture stock.

16. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall

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subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages are authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be stated in all mortgages and certificates of debenture stock.

Priority of mortgages and debenture stock over other debts.

17. All money to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted to the Company which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes of their undertaking or injuriously affected by the exercise of any powers conferred on the Company.

Application of moneys.

18. All moneys raised under this Act whether by shares debenture stock or borrowing shall be applied only to the purposes of this Act to which capital is properly applicable.

Ordinary meetings.

19. The first ordinary meeting of the Company shall be held within nine months after the passing of this Act and the subsequent ordinary meetings of the Company shall be held once in every year in the month of February or March or at such other time as shall be appointed for that purpose by an order of a general meeting.

Number of directors.

20. The number of directors shall be five but the Company may vary the number of directors so that the number be not more than seven nor less than three.

Qualification of directors.

21.—(1) The qualification of a director shall be the possession in his own right of not less than thirty shares.

(2) No person shall be disqualified from becoming or continuing a director of the Company by reason of his or any partner of his being or becoming interested in any contract with the Company either in his own behalf or as a member of any other company corporation local authority or partnership but no such person shall as a director vote in respect of any question as to any such contract.

(3) If any of the directors shall be made bankrupt or shall go to reside abroad or shall become lunatic or of unsound mind or shall

neglect to attend a meeting of directors for three months (unless such neglect to attend be occasioned by illness or by any other reasonable cause allowed by the directors) then in any of the cases aforesaid the office of such director shall become vacant and thenceforth he shall cease from voting or acting as a director.

(4) The continuing directors may act notwithstanding any vacancy in the number of directors.

Quorum.

22. The quorum of a meeting of directors shall be three.

First directors.

23. Frederick Henry Moore John William Moore Charles Morris and Mark Robinson and a person to be nominated by them or the majority of them and consenting to the nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act.

Election of directors.

24. At the first ordinary meeting held after the passing of this Act the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act or nominated as aforesaid being if they continue qualified eligible for re-election and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the provisions herein-before contained for varying the number of directors) elect persons to supply the places of directors then vacant and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are elected in their stead in manner provided by the Companies Clauses Consolidation Act 1845.

Number and qualification of auditors.

25.—(1) The prescribed number of auditors shall be one unless the number be increased to two by an order of a general meeting.

(2) It shall not be necessary for the auditors appointed by the Company to hold shares in the capital of the Company.

Receipt in case of persons non sui juris.

26. If any money is payable to a shareholder mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Interim dividend.

27. The directors may in any year without calling a meeting of shareholders for the purpose declare an interim half-yearly dividend out of the then ascertained profits of the Company Provided that the amount of any interim half-yearly dividend so declared shall

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not exceed in any one half year one half of the amount of the standard dividend.

Closing of transfer books previous to declaring interim dividend.

28. The directors may close the register of transfers for a period not exceeding fourteen days previous to the declaration of any interim dividend and they may fix a day for closing the same of which seven days notice shall be given by advertisement in some newspaper published or circulating in the district within which the Company's principal place of business is situate and any transfer made during the time when the transfer books are so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend.

Books to be balanced to thirty-first December.

29. The period to which the books of the Company shall be balanced shall be the thirty-first day of December in each year.

Power to acquire lands.

30. Subject to the provisions and for the purposes of this Act the Company may enter on take and use all or any of the lands delineated on the deposited plan and described in the deposited book of reference and in the schedule to this Act.

For protection of Shirebrook Colliery Limited.

31. Notwithstanding anything in this Act contained or shown upon the map or plans deposited in connexion therewith the Company shall not for the purpose of any of their works or for the laying of mains and pipes of distribution enter upon take or use any lands roads streets and property or any part or parts thereof belonging to or in the exclusive occupation of Shirebrook Colliery Limited or their tenants or licencees without the previous consent in writing of the Shirebrook Colliery.

For protection of Midland Railway Company.

32. If the Company shall hereafter acquire under the powers of this Act the property numbered on the deposited plan 7 in the parish of Pleasley in the county of Derby or any portion thereof to which the provisions of this section will apply they shall within three months of such acquisition offer to the Midland Railway Company to sell and convey to that company a strip of land adjoining the Midland Railway and on the east side of the said land of a uniform width throughout of thirty-three feet and if within one month after the receipt of such offer the Midland Railway Company accept the same the purchase money or other consideration to be paid by the Midland Railway Company to the Company for the purchase of the said strip of land shall be settled in case of difference by arbitration as if the purchase were made by the Midland Railway Company under the powers of the Lands Clauses Acts.

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Correction of errors &c. in deposited plan and book of reference.

33. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the Company after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county of Derby for the correction thereof and if it appear to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of Derby and a duplicate thereof shall also be deposited with the clerk of the Pleasley Parish Council and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands in accordance with such certificate.

Period for compulsory purchase of lands.

34. The powers of the Company for the compulsory purchase of lands under this Act shall not be exercised after the expiration of three years from the passing of this Act.

Sale or lease of lands not required.

35. Subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands so far as such provisions in each case apply the Company may sell or lease any lands vested in or acquired by them under the powers of this Act and not for the time being required for the purposes thereof.

Powers as to construction and maintenance of gasworks.

36. Subject to the provisions of this Act the Company may upon the lands described in the schedule to this Act or upon any part thereof erect lay down provide maintain alter improve enlarge extend and renew or discontinue gasworks retorts gasometers receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying gas within the limits of this Act and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar pitch asphaltum ammoniacal liquor oil sulphate of ammonia and all other products or residuum of any materials employed in or resulting from the manufacture of gas and also meters gas engines stoves fittings tubes pipes and other articles and things in any way connected with gasworks or with the supply or consumption of gas.

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

37. The Company may for the purposes of their undertaking purchase take on lease and hold (by agreement but not otherwise) in addition to the lands described in the schedule to this Act any lands and hereditaments not exceeding in the whole five acres which the Company may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Act.

Prescribed period for sale of lands.

38. The prescribed period for the sale of superfluous lands within the meaning of section 127 of the Lands Clauses Consolidation Act 1845 shall be twelve years from the passing of this Act.

Power to supply gas apparatus &c. for heating motive and other purposes.

39. The Company may provide supply sell let for hire and otherwise deal in and fix set up alter repair remove and refix (but shall not manufacture) gas engines stoves ranges pipes fittings 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 may provide all materials and do all works necessary or proper in that behalf and 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 repairing or removing of such engines stoves ranges pipes fittings and other apparatus and appliances articles and things as aforesaid and for securing their safety and return to the Company as may be agreed upon between the Company and the person to or for whom the same are sold supplied let fixed set up altered repaired or removed. The engines stoves ranges pipes fittings and other apparatus appliances articles and things let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent nor to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such engines stoves ranges pipes fittings apparatus appliances articles and things have upon them a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

Supply of gas for other than lighting purposes.

40. The Company may supply gas for heating cooking motive power warming ventilating and other purposes and for the particular requirements of any trade industry manufacture or business and

may do all things needful therefor on such terms and conditions in all respects as may be agreed on between the Company and the person to whom such supply shall be given.

Power to lay pipes in streets not dedicated to public use.

41. The Company may upon the application of the owner or occupier of any premises abutting on or being erected in any street laid out or made but not dedicated to public use within the limits of this Act supply such premises with gas and may lay and repair take up alter relay or renew in across or along such street such pipes as may be requisite or proper for furnishing such supply and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Dividend dependent on price charged.

42. The standard price to be charged by the Company for gas supplied by them shall be five shillings per thousand cubic feet Provided that the Company may increase or reduce the price charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Company on the ordinary capital as follows :—

In respect of any year during any part of which the price charged by the Company shall have been one penny or part of a penny above the standard price the dividend payable by the Company shall in respect of each penny or part of a penny by which the standard price shall have been increased be reduced below the standard rate of dividend by five shillings on every one 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 the whole of which the price charged by the Company shall have been one penny or more below the standard price the dividend payable by the Company may in respect of each penny by which the standard price shall have been reduced 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.

43. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than three fifths of an inch and from sunset to midnight not less than four fifths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer and any gas examiner appointed under the Gasworks Clauses Act 1871 may subject to the terms of his appointment test the pressure at which the gas is supplied and may for that purpose open any street road passage or

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place vested in or under the control of any local or road authority and the provisions of the Gasworks Clauses Act 1871 with reference to testing of gas and to penalties shall mutatis mutandis apply to such testing of pressure and two hours previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Quality of gas.

44. The prescribed number of candles shall be fifteen.

Testing place.

45. Within six months after the Company shall have commenced to supply gas they shall provide a testing place at their works.

Burner.

46. The prescribed burner shall be Sugg's London argand burner number one with a six-inch by one-and-three-quarter-inch glass chimney but if at any time and so long as the gas flame rises above the top of that glass a six-inch by two-inch chimney shall be used or any other burner or chimney approved for this purpose by the Board of Trade.

Company to pay interest on money deposited as security for gas meters.

47. If any person is required by the Company to give to them security for the payment of the price or rent of a meter the Company shall pay interest at the rate of three 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.

No penalty in case of unavoidable cause.

48. No penalty shall be incurred by the Company for neglect or refusal to give a supply of gas in accordance with the provisions of this Act or for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which the court having cognizance of the case are of opinion that such neglect refusal insufficiency defect or excess was caused by circumstances beyond the control of the Company or was of so slight or unimportant a character as not materially to affect the value of the supply Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company.

Company may contract with local authority and others for supply in bulk.

49. The Company may contract with any local authority company or person beyond the limits of this Act (but only with the consent of any local authority company or person authorised by special Act or Provisional Order confirmed by Parliament to supply gas within the district within which the supply is to be given) for the supply to them or him of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon.

Power to refuse to supply per-

50. If a person requiring a supply of gas for any premises occupies or has occupied other premises at which gas was supplied

to him by the Company and has not paid all gas or meter rent or other moneys due from him to the Company they may refuse to furnish to him a supply of gas for such first-mentioned premises until he pays the same.

Persons in debt for other property.

51. Twenty-four hours notice in writing shall be given to the Company by every gas consumer before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever shall first occur Notice of the effect of this enactment shall be contained in every demand note for gas rent.

Gas consumers to give notice to Company before removing.

52. A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by the consumer and be left at or sent by post to the office of the Company.

Notice of discontinuance.

53. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the current quarter and the amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be.

Period of error in defective meters.

54. The Company may erect and maintain dwelling-houses for persons in their employ upon the lands for the time being belonging to or leased by the Company.

Dwelling-houses for persons in Company's employ.

55. The Company may acquire take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent made or to be made granting any right or privilege of working using exercising or vending any invention in relation to the production utilisation and distribution of gas the production of coke tar pitch asphaltum ammoniacal oil and the products from coal and other substances employed in or resulting from the manufacture of gas or otherwise in relation thereto but not so as to acquire any exclusive right to the working use exercising or putting in practice of any such invention.

Power to take licences for use of patents.

56.—(1) The Company shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day

Restriction on taking houses of

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labouring class.

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.

(2) If the Company acquire or appropriate any house or houses under the powers by this Act granted in contravention of the provisions of this section they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

(3) For the purposes of this section the expression "labouring class" means 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.

Power to apply for a Provisional Order to supply electricity.

57. The Company if they think fit may under the provisions of the Electric Lighting Acts 1882 and 1888 or any other Act for the time being in force with respect to the supply of electricity make application for a provisional order or licence to produce and supply electricity for public and private purposes and may apply their funds for the purpose of such application.

Recovery of demands under fifty pounds.

58. Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court.

Partial repeal of provisions of Act of 1878.

59. The provisions of the Mansfield Commissioners Gas Act 1878 so far as they relate to the area comprised within the limits of this Act are hereby repealed.

Costs of Act.

60. All costs charges and expenses of and incident to the applying for preparing obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Company.

The SCHEDULE.

A piece of land containing 11a. 3r. 10p. situate in the parish of Pleasley in the county of Derby west of the Midland Railway and south of Shirebrook Station on that railway and comprising the lands numbered 87 88 89 139 142 143 and 144 on the $\frac{1}{2500}$ Ordnance map (1893 edition) for the said parish.

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