



CHAPTER lxxix.

An Act to provide for the transfer to the South Suburban Gas Company of the undertakings of the Sevenoaks Gas Company and the Tonbridge Gas Company and for other purposes.

A.D. 1932.

[12th July 1932.]

WHEREAS the South Suburban Gas Company (hereinafter referred to as "the Company") were originally incorporated by the Crystal Palace District Gas Company's Act 1858 by the name of the Crystal Palace District Gas Company :

And whereas the Acts relating to the Company were consolidated by the South Suburban Gas Act 1928 and under that Act and the South Suburban Gas Act 1929 the Company are supplying gas in an area of supply which comprises parts of the counties of London Surrey and Kent :

And whereas the area of supply of the Company adjoins the area of supply of the Sevenoaks Gas Company (hereinafter referred to as "the Sevenoaks Company") and the area of supply of the Sevenoaks Company adjoins the area of supply of the Tonbridge Gas Company (hereinafter referred to as "the Tonbridge Company") :

And whereas it would be to the advantage of the consumers of gas now supplied by the Sevenoaks Company and the Tonbridge Company respectively that the undertakings of those companies should be amalgamated with that of the Company and the Company have agreed

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A.D. 1932. with the said companies for the acquisition of their
— respective undertakings :

And whereas it is expedient that the acquisition of the said undertakings upon the terms set forth in this Act should be sanctioned :

And whereas it is expedient to authorise the Company to use additional lands for the storage of gas :

And whereas a statement of the authorised and paid up capital of the Company is set forth in the First Schedule to this Act and it is expedient that the Company should be authorised to raise additional capital for the purposes of this Act and of their undertaking and should have other financial powers conferred upon them as provided by this Act :

And whereas it is expedient that the other powers and provisions contained in this Act should be granted and made :

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 King'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 :—

PRELIMINARY.

Short and
collective
titles.

1.—(1) This Act may be cited as the South Suburban Gas Act 1932.

(2) The South Suburban Gas Acts 1928 and 1929 and this Act may be cited together as the South Suburban Gas Acts 1928 to 1932.

Incorporation of
general
Acts.

2.—(1) The following Acts and parts of Acts so far as the same are applicable to the purposes of and are not inconsistent with the provisions of the South Suburban Gas Acts 1928 to 1932 are hereby incorporated with this Act (namely) :—

The Companies Clauses Consolidation Act 1845
(except the provisions thereof with respect to
the conversion of borrowed money into capital);
and

Part II (relating to additional capital except the provisions thereof which limit the rate of dividend on preference capital) and Part III (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts : A.D. 1932.

The Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 Provided that section 13 of the said Act of 1847 shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the undertakers shall be alike in terms and amount to all consumers of gas supplied in like circumstances and for the same purposes" were added at the end of that section.

(2) In the application to the Company of Part III of the Companies Clauses Act 1863 section 22 shall be read as if the words "and to the same amount as" were omitted therefrom.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Gas Undertakings Acts 1920 and 1929 shall have the same respective meanings unless there be something in the subject or context repugnant to such construction Interpretation.
And—

- "The Company" means the South Suburban Gas Company;
- "The directors" means the directors of the Company;
- "The Sevenoaks Company" means the Sevenoaks Gas Company;
- "The Tonbridge Company" means the Tonbridge Gas Company;
- "The South Suburban district" means the limits within which the Company are authorised to supply gas at the date of the passing of this Act;
- "The date of transfer" means the first day of January or the first day of July whichever shall first occur next after the date of the passing of this Act;

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“ The Sevenoaks district ” means the limits specified in the Second Schedule to this Act within which the Sevenoaks Company are as on the date immediately before the date of transfer authorised to supply gas ;

“ The Tonbridge district ” means the limits specified in the Third Schedule to this Act within which the Tonbridge Company are as on the date immediately before the date of transfer authorised to supply gas ;

“ The Sevenoaks undertaking ” and “ the Tonbridge undertaking ” respectively mean subject to the provisions of this Act the business goodwill and undertaking of the Sevenoaks Company or the Tonbridge Company (as the case may be) subject to all duties obligations liabilities incumbrances contracts and engagements whatsoever in any way affecting those companies respectively or their respective undertakings or any part thereof and subsisting immediately before the date of transfer and the said expressions include (inter alia) all rights of making distributing and supplying gas and all other the rights easements powers authorities and privileges whatsoever of the Sevenoaks Company and the Tonbridge Company respectively and all property assets and effects whatsoever and wheresoever and whether real or personal including cash balances reserve insurance and other funds investments and all other interests and rights in to and out of the property whether real or personal and obligations and things in action of or belonging to the Sevenoaks Company and the Tonbridge Company respectively immediately before the date of transfer and all books accounts deeds writings and documents relating thereto except any agreements entered into or to be entered into between the Sevenoaks Company or the Tonbridge Company and the Company relating to the transfer to the Company of the Sevenoaks undertaking or the Tonbridge undertaking and any letters and documents relative to any such agreements or the said transfer ;

- “ The undertaking ” means the undertaking of the Company for the time being authorised ;
- “ Limits of supply ” means the limits within which the Company are for the time being authorised to supply gas ;
- “ The Act of 1928 ” means the South Suburban Gas Act 1928.
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TRANSFER OF SEVENOAKS AND TONBRIDGE
UNDERTAKINGS.

4.—(1) On and from the date of transfer the Sevenoaks undertaking and the Tonbridge undertaking shall by virtue of this Act be transferred to and vested in the Company upon and subject to the terms and conditions contained in this Act and the area within which the Company are authorised to supply gas shall be the area consisting of the South Suburban district the Sevenoaks district and the Tonbridge district.

Transfer to Company of Sevenoaks undertaking and Tonbridge undertaking and dissolution of Sevenoaks Company and Tonbridge Company.

(2) On and from the date of transfer the Sevenoaks undertaking and the Tonbridge undertaking shall form part of the undertaking of the Company and subject to the provisions of the section of this Act of which the marginal note is “ Sevenoaks Company and Tonbridge Company to continue incorporated for specified purpose ” the Sevenoaks Company and the Tonbridge Company shall be and are hereby dissolved.

Sevenoaks Company and Tonbridge Company to continue incorporated for specified purpose.

5. Notwithstanding anything contained in this Act the Sevenoaks Company and the Tonbridge Company shall for the purpose of enforcing the provisions of any agreement entered into between those companies respectively and the Company before the date of transfer and for that purpose only continue incorporated until the expiration of three months from the date of transfer or for such longer period as may be necessary for the purposes of any proceedings for enforcing any such agreement which may be pending at the expiration of the said period of three months but on and from the expiration of the last mentioned period or of such longer period as aforesaid the Sevenoaks Company and the Tonbridge Company shall be and are hereby finally dissolved :

Provided that nothing in this section shall postpone or interfere with the transfer to and vesting in the

A.D. 1932. — Company of the Sevenoaks undertaking and the Tonbridge undertaking as provided by the section of this Act of which the marginal note is “Transfer to Company of Sevenoaks undertaking and Tonbridge undertaking and dissolution of Sevenoaks Company and Tonbridge Company” or postpone or affect the operation of any other provisions of this Act.

Consideration for transfer of Sevenoaks undertaking.

6. As and by way of consideration for the transfer to the Company of the Sevenoaks undertaking the Company (in addition to carrying into effect the provisions of the section of this Act of which the marginal note is “Company to issue debenture stock in substitution for debenture stock of Sevenoaks Company”) shall as soon as reasonably practicable after the date of transfer and subject to and in accordance with the provisions of this Act issue to those persons who immediately before that date held “A” or “B” shares of ten pounds each of the Sevenoaks Company five per centum preference stock of the Company as follows (that is to say) :—

To each holder of such “A” shares for every ten such shares held by him two hundred and fourteen pounds four shillings five per centum preference stock of the Company to be created as in this Act provided and so in proportion for any number of such “A” shares other than ten or a multiple of ten ;

To each holder of such “B” shares for every such share held by him fifteen pounds five per centum preference stock of the Company to be created as in this Act provided.

Company to issue debenture stock in substitution for debenture stock of Sevenoaks Company.

7. As soon as reasonably practicable after the date of transfer the Company shall subject to and in accordance with the provisions of this Act issue to each of those persons who immediately before that date held five per centum debenture stock of the Sevenoaks Company for every one hundred pounds of such debenture stock held by him the sum of one hundred pounds five per centum perpetual debenture stock of the Company to be created as in this Act provided and so in proportion for any amount of such debenture stock of the Sevenoaks Company other than one hundred pounds or a multiple of one hundred pounds.

8. As and by way of consideration for the transfer to the Company of the Tonbridge undertaking the Company (in addition to giving effect to the provisions of the section of this Act of which the marginal note is "Company to issue debenture stock in substitution for debenture stock of Tonbridge Company") shall as soon as reasonably practicable after the date of transfer and subject to and in accordance with the provisions of this Act issue to those persons who immediately before that date held "A" "B" "C" "D" or "E" ordinary stock of the Tonbridge Company five per centum preference stock of the Company as follows (that is to say):—

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Consideration for transfer of Tonbridge undertaking.

To each holder of "A" stock of the Tonbridge Company for every one pound of such stock held by him the sum of two pounds and sixteen shillings five per centum preference stock of the Company to be created as in this Act provided;

To each holder of "B" "D" or "E" stock of the Tonbridge Company for every one pound of such "B" "D" or "E" stock held by him the sum of two pounds and four shillings five per centum preference stock of the Company to be created as in this Act provided;

To each holder of "C" stock of the Tonbridge Company for every one pound of such stock held by him the sum of one pound five per centum preference stock of the Company to be created as in this Act provided;

and so in proportion for any amount of any of such stock of the Tonbridge Company less than one pound.

9. As soon as reasonably practicable after the date of transfer the Company shall subject to and in accordance with the provisions of this Act issue to those persons who immediately before that date held four per centum perpetual debenture stock or five per centum redeemable debenture stock of the Tonbridge Company five per centum perpetual debenture stock or five per centum redeemable debenture stock of the Company as follows (that is to say):—

Company to issue debenture stock in substitution for debenture stock of Tonbridge Company.

To each holder of four per centum perpetual debenture stock of the Tonbridge Company for every one pound and five shillings of such debenture

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stock held by him the sum of one pound five per centum perpetual debenture stock of the Company to be created as in this Act provided;

To each holder of five per centum redeemable debenture stock of the Tonbridge Company for every one pound of such debenture stock held by him the sum of one pound five per centum redeemable debenture stock of the Company to be created as in this Act provided.

Creation of
stock of
Company
for purposes
of transfer.

10.—(1) As on the date of transfer there shall be created by virtue of this Act and without any other requisite such nominal amounts of five per centum preference stock and five per centum perpetual debenture stock and five per centum redeemable debenture stock of the Company as shall be necessary to give effect to the provisions of this Act with respect to the transfer of the Sevenoaks undertaking and Tonbridge undertaking.

(2) The amounts of preference stock and debenture stock of the Company to which the holders of "A" or "B" shares or debenture stock of the Sevenoaks Company or of ordinary stock or debenture stock of the Tonbridge Company respectively become by virtue of this Act entitled shall be deemed to be fully paid up and shall be vested in such holders as on and from the date of transfer and such holders shall subject to the provisions of the section of this Act of which the marginal note is "As to fractional parts of one pound of stock" be forthwith registered in the books of the Company as the holders of such amounts respectively.

(3) The five per centum redeemable debenture stock of the Company created by virtue of this Act shall be redeemable on the same date and on the same terms and conditions as the five per centum redeemable debenture stock of the Tonbridge Company.

(4) Subject to the provisions of this Act the preference stock and debenture stock of the Company created by virtue of this Act shall rank for dividend or interest as from the date of transfer and as from that date the "A" and "B" shares and debenture stock of the Sevenoaks Company and the ordinary stock and debenture stock of the Tonbridge Company shall cease to bear any dividend or interest.

11. The five per centum preference stock and five per centum perpetual debenture stock of the Company created by virtue of this Act shall in all respects and for all purposes be deemed to form part of and be consolidated with the five per centum preference stock or the five per centum perpetual debenture stock (as the case may be) of the Company existing at the date of transfer and such first-mentioned preference stock and debenture stock and the dividends and interest thereon respectively shall respectively rank *pari passu* with the said existing preference stock and debenture stock and the dividends and interest thereon respectively.

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Stock of
Company
created
under this
Act to form
part of exist-
ing stocks.

12.—(1) Where under the foregoing provisions of this Act a holder of "A" shares or debenture stock of the Sevenoaks Company or of ordinary stock or debenture stock of the Tonbridge Company would be entitled to be registered as a holder of any fractional part of one pound of preference stock or debenture stock of the Company or of any amount of such preference stock or debenture stock including any such fractional part as aforesaid the Company in lieu of registering such holder and issuing to him a certificate as holder of such fractional part of one pound of preference stock or debenture stock or of an amount of preference stock or debenture stock including such fractional part shall pay to such holder such a sum in cash as shall be equal to the value of such fractional part at the market price on the date of transfer and shall register such holder and issue to him a certificate as holder of the amount (if any) of preference stock or debenture stock of the Company to which he shall be entitled as aforesaid excluding such fractional part and the receipt of such holder for the sum in cash so paid as aforesaid shall be a sufficient discharge to the Company in respect of such fractional part. If any question shall arise as to such market price the certificate of the auditors of the Company with reference thereto shall be conclusive.

As to frac-
tional parts
of one pound
of stock.

(2) The Company may either cancel all or any of the preference stock or debenture stock in respect of which any such payment has been made or issue the same to any willing purchaser thereof in amounts of one pound or multiples of one pound but not otherwise

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A.D. 1932. — and any loss or expense which may be incurred in connection with such issue shall be borne by the Company.

Trustees to accept substituted stock.

13. The preference stock and debenture stock of the Company of which the holders of shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company are pursuant to the provisions of this Act respectively registered as the holders and all sums of cash paid by the Company under this Act in respect of the fractional parts of one pound as aforesaid shall be held in the same rights upon the same trusts and subject (so far as is consistent with such provisions) to the same powers provisions charges and liabilities as those in upon or subject to which the shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company for which such preference stock or debenture stock of the Company and sums of cash (if any) are respectively substituted were held immediately before the date of transfer and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company respectively and not to adeem any gift of such shares stock or debenture stock made by any will or other testamentary instrument and trustees executors or administrators and all other holders in any representative or fiduciary capacity of any shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company respectively are hereby expressly authorised and required to accept the stock or debenture stock of the Company (as the case may be) of which they are pursuant to the provisions of this Act registered as the holders and any sums of cash paid to them under the provisions of this Act in respect of the fractional parts of one pound as aforesaid and may subject to the provisions of this Act hold dispose of or otherwise deal with such stock or debenture stock and sums of cash in all respects as they might have held disposed of or otherwise dealt with the shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company for which the same are substituted and are hereby

excused from any liability in respect of all acts bona fide done by them in pursuance of the provisions of this Act. A.D. 1932.
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14. The Company shall call in and cancel the certificates for "A" or "B" shares or debenture stock of the Sevenoaks Company and for ordinary stock or debenture stock of the Tonbridge Company for which preference stock or debenture stock of the Company and sums of cash (if any) are substituted under the provisions of this Act and shall issue free of charge in exchange for those certificates to the respective holders thereof certificates for preference stock or debenture stock (as the case may be) of the Company of the respective classes and amounts and pay to such holders the sums of cash (if any) to which those holders are by this Act respectively entitled but no holder of shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company shall be entitled to a new certificate or to receive any such sum of cash as aforesaid until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate and sum of cash (if any) are to be substituted or shall have proved to the reasonable satisfaction of the directors the loss or destruction of such certificate and shall have given to the Company an indemnity against any and every claim in respect of such lost or destroyed certificate of the shares or ordinary stock or debenture stock represented thereby : Exchange of certificates.

Provided that until the issue of such new certificates the holders of the existing certificates for shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company shall (according to the amounts of preference stock or debenture stock of the Company to be issued under the provisions of this Act in substitution or part substitution for the shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company which such existing certificates respectively represent) have and possess the same rights and privileges as if such existing certificates were certificates for those respective amounts of preference stock or debenture stock of the Company but if any such holder neglect or omit to send or deliver to the Company his certificate or certificates for the period of one year

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A.D. 1932. after notice in writing sent by post to the address of such holder appearing in the books of the Sevenoaks Company or of the Tonbridge Company (as the case may be) the Company may suspend the payment of any dividends or interest declared or payable upon or in respect of the preference stock or debenture stock so held by him until such certificate or certificates is or are delivered up to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and until such indemnity as aforesaid shall have been given.

As to
validity of
certain
transfers &c.

15. All transfers or other dispositions of any shares or debenture stock of the Sevenoaks Company or of any ordinary stock or debenture stock of the Tonbridge Company made but not registered prior to the date of transfer shall notwithstanding the provisions of this Act be valid and have due effect given to them respectively as transfers or dispositions of (as the case may be) the amount of preference stock or amount and class of debenture stock of the Company to be substituted and cash (if any) to be paid under this Act for the shares ordinary stock or debenture stock thereby expressed to be transferred or disposed of although the instrument of transfer or disposition shall describe the same as shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company and the Company shall accordingly register the preference stock or debenture stock of the Company to be substituted under this Act in the name of and pay over such cash (if any) to the transferee or person taking under such disposition and any bequest of or any covenant in or provision of any deed or instrument which but for the passing of this Act would apply to the shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company so transferred or disposed of as aforesaid shall be held to apply to an amount of preference stock or an amount and class of debenture stock of the Company as the case may be equal to that which is under the provisions of this Act substituted for such shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company and to any sum of cash payable under the provisions of this Act in respect of any fractional part of one pound of preference stock or debenture stock of the Company.

16. Separate accounts of the Sevenoaks Company and the Tonbridge Company shall be made out for the year or half-year ending on the day prior to the date of transfer and shall be audited by the auditors of those companies respectively in the same manner as they would have been audited if this Act had not been passed.

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Separate accounts of Sevenoaks Company and Tonbridge Company to be audited.

17. Subject to the provisions of this Act all public and private Acts of Parliament relating to or affecting the Company or the undertaking immediately before the date of transfer shall (except so far as such Acts are repealed or amended by this or any other Act) apply to the undertaking and as from that date the Company may exercise within the South Suburban district and within the Sevenoaks district and the Tonbridge district all or any of the powers rights privileges and authorities and shall be subject to all the duties obligations and liabilities conferred or imposed by the said Acts in relation to the South Suburban district or any part thereof :

Application of Company's Acts.

Provided that nothing in this section shall be construed as extending or enlarging the scope of any of the provisions of the said Acts which only apply to or affect a specified portion of the undertaking or limits of supply or are otherwise specifically of limited application.

18.—(1) The Acts and Orders relating to the Sevenoaks Company and the Tonbridge Company respectively which are named in Part I of the Fourth Schedule to this Act shall as from the date of transfer be and the same are hereby repealed except the provisions thereof set out in Part II of that schedule and except so far as it may be necessary for the said Acts and Orders or any of them or any of the provisions thereof respectively to remain unrepealed for the purposes of the section of this Act of which the marginal note is "Sevenoaks Company and Tonbridge Company to continue incorporated for specified purpose."

As to Acts and Orders of Sevenoaks Company and Tonbridge Company.

(2) The provisions of the said Acts and Orders which are not repealed by this section shall continue in force within the Sevenoaks district and the Tonbridge district respectively and the Company within those districts respectively may exercise the powers conferred and shall be subject to the obligations imposed by the

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A.D. 1932. — said provisions in all respects as if the Company had been therein referred to instead of the Sevenoaks Company or the Tonbridge Company (as the case may be) :

Provided that notwithstanding anything in the said provisions with respect to the limits within which the Sevenoaks Company or the Tonbridge Company may supply gas manufactured by them the Company shall be entitled to supply in any part of the limits of supply any gas manufactured by them under or by virtue of the powers conferred by the said provisions :

Provided also that if there shall be any inconsistency between any of the enactments referred to in this subsection and any enactment applying to the Company or the undertaking otherwise than by virtue of this section such last-mentioned enactment shall prevail.

Pending
actions not
to abate.

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

Contracts to
be binding.

20. All contracts agreements conveyances deeds leases licences and other instruments affecting the Sevenoaks Company or the Tonbridge Company and in force immediately before the date of transfer shall subject as hereinafter in this section provided as from the date of transfer be as binding and of as full force and effect against or in favour of the Company and may be enforced against or by the Company as fully and effectually as if instead of the Sevenoaks Company or the Tonbridge Company the Company had been a party thereto or bound thereby or entitled to the benefit thereof and the Company shall as from the said date indemnify the Sevenoaks Company and the Tonbridge Company respectively from and against all actions proceedings claims

demands losses damages costs charges and expenses A.D. 1932.
whatsoever in respect thereof : —

Provided that no contract agreement conveyance deed lease or other instrument made or entered into by the Sevenoaks Company or by the Tonbridge Company after the twenty-sixth day of November one thousand nine hundred and thirty-one otherwise than in the ordinary course of carrying on the respective undertakings and (in the case of either of the said companies) extending beyond the date of transfer shall be of any effect against or in favour of the Company if made or entered into without the consent in writing of the directors of the Company which consent shall not be unreasonably withheld.

21. All rents rates and charges and other sums at the date of transfer due or accruing due to the Sevenoaks Company or the Tonbridge Company shall be payable to and may be collected recovered and enforced by the Company in the same manner as the Sevenoaks Company or the Tonbridge Company might have enforced the same. Collection of outstanding debts.

22. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the Sevenoaks Company or the Tonbridge Company shall be admitted in evidence in respect of the same or the like matter for or against the Company. Books &c. to remain evidence.

23. All officers and persons who at the date of transfer have in their possession or under their control any books documents papers moneys or effects forming part of the Sevenoaks undertaking or of the Tonbridge undertaking (other than the duplicates of any agreements between the Sevenoaks Company or the Tonbridge Company and the Company for or relating to the transfer of the Sevenoaks undertaking or of the Tonbridge undertaking and other than any letters and documents relative to any such agreements or the said transfer) or to which the Sevenoaks Company or the Tonbridge Company would but for the transfer have been entitled shall be liable to account for and deliver up the same to the Company or to such persons as the Company may appoint to receive the same and subject to the same Officers of Sevenoaks Company and Tonbridge Company to be accountable for books &c.

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A.D. 1932. — consequences on refusal or neglect as if such officers and persons had been appointed by and become possessed of such books documents papers moneys and effects for the Company.

As to dividends on shares and interest on debenture stock of Sevenoaks Company.

24.—(1) The Company shall as soon as practicable after the date of transfer pay to the persons who immediately before the date of transfer held "A" or "B" shares of the Sevenoaks Company or their successors in title to such shares respectively out of the funds of the Sevenoaks Company which if this Act had not been passed would have been applicable to dividend dividends (less income tax) on those shares for the then last preceding half-year at the highest respective rates at which the Sevenoaks Company could lawfully have paid dividends thereon out of such funds :

Provided that the dividends so to be paid together with any interim dividend paid in the year in which such half-year occurs shall not exceed—

- (a) in the case of the "A" shares of the Sevenoaks Company a dividend at the rate of ten pounds per centum per annum; and
- (b) in the case of the "B" shares of the Sevenoaks Company a dividend at the rate of seven pounds per centum per annum.

(2) The Company shall as soon as practicable after the date of transfer pay to the persons who at that date held five per centum debenture stock of the Sevenoaks Company or their successors in title interest at the rate of five per centum per annum (less income tax) on their respective holdings for the then last preceding half-year ending on the thirtieth day of June or the thirty-first day of December as the case may be.

As to dividends on stocks of Tonbridge Company.

25. The Company shall as soon as practicable after the date of transfer and not later than two months after such date pay to the persons who immediately before the date of transfer held "A" "B" "C" "D" or "E" ordinary stock of the Tonbridge Company or their successors in title to such stocks respectively out of the funds of the Tonbridge Company which if this Act had not been passed would have been applicable to dividend

dividends (less income tax) on such stocks for the then last preceding half-year at the following rates :— A.D. 1932.

- (a) in the case of the "A" ordinary stock of the Tonbridge Company the rate of fourteen pounds per centum per annum;
- (b) in the case of the "B" "D" and "E" ordinary stock of the Tonbridge Company the rate of eleven pounds per centum per annum; and
- (c) in the case of the "C" ordinary stock of the Tonbridge Company the rate of five pounds per centum per annum.

26.—(1) The several persons who immediately before the date of transfer appeared on the registers of the Sevenoaks Company and the Tonbridge Company respectively to be the holders of shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company or the respective executors or administrators of such persons shall for the purposes of this Act and subject to the provisions of the section of this Act of which the marginal note is "As to validity of certain transfers &c." be deemed to be holders of such shares ordinary stock and debenture stock as the case may be and the secretaries of those companies respectively shall forthwith after the date of transfer deliver the said registers to the Company at the principal office of the Company and as on and from the date of transfer the registers of transfer of the Sevenoaks Company and of the Tonbridge Company respectively shall be permanently closed and no transfer of any such shares ordinary stock or debenture stock made on or after the date of transfer shall as between the Company and the party claiming thereunder be of any effect.

Sevenoaks Company's and Tonbridge Company's books to be evidence as to holders of shares or stocks.

(2) The issue by the Company pursuant to the provisions of this Act of certificates of preference stock or debenture stock (as the case may be) of the Company (together with the payment of any sums of cash payable pursuant to the foregoing provisions of this Act) to the persons whose names appear by the said registers to be registered holders of shares or debenture stock of the Sevenoaks Company or ordinary stock or debenture stock of the Tonbridge Company or the respective executors or administrators of such persons or to the persons entitled thereto pursuant to the section of this

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Application of certain funds of Sevenoaks Company and Tonbridge Company.

27. As from the date of transfer the moneys and securities forming—

- (a) the reserved fund of the Sevenoaks Company shall as to half thereof be added to and form part of the reserve fund of the Company and as to the remainder thereof be added to and form part of the special purposes fund of the Company;
- (b) the reserve fund of the Tonbridge Company shall be added to and form part of the reserve fund of the Company;
- (c) the renewal fund of the Sevenoaks Company and insurance fund of the Tonbridge Company shall be added to and form part of the special purposes fund of the Company;
- (d) the co-partnership fund and the pension fund of the Sevenoaks Company shall be added to and form part of the appropriate superannuation or pension fund of the Company.

Sevenoaks Company and Tonbridge Company to carry on undertakings until date of transfer.

28. As from the passing of this Act and until the date of transfer the Sevenoaks Company and the Tonbridge Company may and shall maintain and carry on their respective undertakings according to the usual course of business but so that the Sevenoaks Company and the Tonbridge Company and the Company shall respectively comply with the obligations in relation to the carrying on of the said undertakings contained in any agreement between the Sevenoaks Company or the Tonbridge Company and the Company for or relating to the transfer of the Sevenoaks undertaking or the Tonbridge undertaking respectively.

Differential price in Sevenoaks district.

29.—(1) As from the last respective dates before the date of transfer of the reading of the meters the price charged by the Company in respect of gas supplied by them by meter in the Sevenoaks district may exceed the price for the time being charged in respect of gas supplied within the South Suburban district (exclusive of the added limits of supply as defined in the South

Suburban Gas Act 1929) by not more than the amounts following (that is to say):— A.D. 1932.

- (a) in the urban district of Sevenoaks and in the parish of Seal in the rural district of Sevenoaks one penny per therm;
- (b) in the parish of Riverhead in the rural district of Sevenoaks three halfpence per therm;
- (c) in the remainder of the Sevenoaks district two-pence per therm.

(2) In calculating for any year or half-year "the consumer's share" referred to in section 36 (Division of surplus profits) of the Act of 1928 if the sums paid by consumers in respect of gas supplied within the Sevenoaks district are in excess of the sums which would have been paid if the gas had been charged for at the price charged within the South Suburban district (exclusive of the added limits of supply as defined in the South Suburban Gas Act 1929) the excess shall not be taken into account.

30.—(1) As from the last respective dates before the date of transfer of the reading of the meters the price charged by the Company in respect of gas supplied to consumers by meter in that part of the Tonbridge district described in Part I of the Third Schedule to this Act shall not exceed eightpence halfpenny per therm except to the extent to which the price for the time being charged in respect of gas supplied within the South Suburban district shall exceed ninepence halfpenny per therm. As to price in Tonbridge district.

(2) As from the last respective dates before the date of transfer of the reading of the meters the price charged by the Company in respect of gas supplied to consumers by meter in that part of the Tonbridge district described in Part II of the said Third Schedule may exceed by not more than one decimal eight pence per therm the price for the time being charged by them within the urban district of Tonbridge:

Provided that the price charged by the Company in respect of gas supplied by them to consumers by meter within that part of the Tonbridge district described in the said Part II of the Third Schedule shall in no case exceed sixteen pence per therm.

(3) In calculating for any year or half-year "the consumer's share" referred to in section 36 (Division of surplus profits) of the Act of 1928 if the sums paid by

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Price of gas supplied to urban district council of Tonbridge.

31. The price charged by the Company in respect of gas supplied to the urban district council of Tonbridge at the sewage works of the said council shall not exceed such a price as shall be one decimal two pence per therm less than the price for the time being charged by the Company in respect of gas supplied by meter to private consumers within the urban district of Tonbridge and for gas supplied to the said council elsewhere such a price as shall not exceed such a price as shall be decimal six of a penny per therm less than the price for the time being charged by the Company in respect of gas supplied by meter to private consumers as aforesaid.

Registration of Company as holders of investments transferred from Sevenoaks Company and Tonbridge Company.

32. At any time after the date of transfer upon production to the secretary or registrar or other officer charged with the registration of transfers of any stock shares or securities held by the Sevenoaks Company or the Tonbridge Company or their respective nominees immediately before that date of a King's Printers' copy of this Act and upon payment of the appropriate fee for the registration of a transfer on sale of such stock shares or securities such secretary registrar or other officer shall enter the name of the Company or their nominees in the appropriate register as holders of such stock shares or securities and thereupon the Company shall be deemed for all purposes to be the registered holder of such stock shares or securities.

As to declared calorific value of gas in Sevenoaks district and Tonbridge district.

33. Unless and until the Company otherwise declare the declared calorific value of the gas supplied by them in the Sevenoaks district and the Tonbridge district respectively shall continue to be the calorific value as last declared by the Sevenoaks Company or the Tonbridge Company as the case may be prior to the date of transfer.

Compensation to directors and auditors of Sevenoaks Com-

34.—(1) The directors of the Sevenoaks Company and the Tonbridge Company respectively holding office at the date of transfer shall retire from office as from that date (except that the said directors shall continue to act as directors of the Sevenoaks Company and the Tonbridge

Company respectively without remuneration so long as those companies shall respectively continue incorporated pursuant to the section of this Act of which the marginal note is "Sevenoaks Company and Tonbridge Company to continue incorporated for specified purpose") and the Company shall within one month after the date of transfer pay to each of the said directors (other than any person who was on the first day of October one thousand nine hundred and thirty-one or who shall be on the date of transfer a managing director of either the Sevenoaks Company or the Tonbridge Company) as compensation for loss of office a sum of money equivalent to (in the case of the Sevenoaks Company) seven times the amount received by such director from the Sevenoaks Company in respect of his fees as such director during the year one thousand nine hundred and thirty-one and (in the case of the Tonbridge Company) seven times the amount received by such director from the Tonbridge Company in respect of his fees as such director during the year one thousand nine hundred and thirty together (in both cases) with the amount (if any) of income tax thereon.

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—
pany and
Tonbridge
Company.

(2) Each of the auditors of the Sevenoaks Company and the Tonbridge Company respectively holding office at the date of transfer shall retire from office as from that date (except that such auditors shall continue to hold their respective offices without remuneration for the purpose of auditing the accounts of those companies respectively in accordance with the provisions of the section of this Act of which the marginal note is "Separate accounts of Sevenoaks Company and Tonbridge Company to be audited") and as compensation for loss of office shall be paid by the Company within one month after the date of transfer a sum equal to three years' remuneration as such auditor according to the rate of remuneration of such auditor in force during the year one thousand nine hundred and thirty together with the amount (if any) of income tax thereon.

35.—(1) The Company shall subject as is hereinafter provided take over and employ as on and from the date of transfer such of the staff officers of the Sevenoaks Company and the Tonbridge Company respectively as the Company may desire and as shall be willing to enter the service of the Company at the same salary and emoluments and subject to the same general conditions of employment as those to which they were entitled and

As to officers
of Seven-
oaks Com-
pany and
Tonbridge
Company.

A.D. 1932. subject immediately before the date of transfer (except as may be otherwise agreed between the Company and any such staff officer).

(2) The Company shall pay to any such officer who shall not be taken over by them by way of compensation for loss of office such an amount (not exceeding the maximum amount which would be payable to him if he were an officer to whom section 49 of the Rating and Valuation Act 1925 applies) as may be agreed between the Company and such officer or as failing such agreement may be determined by an arbitrator to be agreed upon between the Company and such staff officer or in default of agreement appointed on the application of the Company or of such officer (after notice in writing to the other of them) by the President of the Institute of Gas Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 or any statutory modification or re-enactment thereof for the time being in force shall apply to such determination. All compensation payable by the Company under the provisions of this subsection shall be paid within one month after the date of transfer or within one month after the date on which the amount thereof shall have been agreed or determined whichever is the later.

(3) For the purposes of this Act the staff officers of the Sevenoaks Company or of the Tonbridge Company as the case may be shall be deemed to be those officers whose names and offices are set out in the list of staff officers signed by John Harry Donaldson on behalf of the Sevenoaks Company and Wilfrid Wastell on behalf of the Company and the list of staff officers signed by James Donaldson on behalf of the Tonbridge Company and the said Wilfrid Wastell on behalf of the Company and the salaries and emoluments of the respective staff officers of the Sevenoaks Company or of the Tonbridge Company as the case may be shall be deemed to be the salaries and emoluments set after their names in the said lists with the addition of any automatic increase to which on or before the date of transfer any such officer may be entitled by the terms of his engagement or any increase which on or before that date would in the ordinary course have been accorded to him.

As to compensation to employees other than staff officers.

36. The Company shall pay to any person (other than a staff officer) who is in the employment of the Sevenoaks Company or of the Tonbridge Company at the date of transfer and who is not taken over by the

Company compensation in accordance with the provisions of the scheme of the National Joint Industrial Council for the Gas Industry dated the twenty-ninth day of April one thousand nine hundred and thirty relating to compensation for loss of employment on the amalgamation of gas undertakings.

A.D. 1932.

37. Any staff officer or other employee of the Sevenoaks Company or of the Tonbridge Company taken over by the Company shall become subject to the same obligations as are imposed upon the staff officers or other employees of the Company to join the co-partners superannuation fund of the Company and shall be eligible to become members of the co-partnership fund of the Company on the like terms and conditions as staff officers and other employees of the Company are so eligible :

As to membership of co-partners superannuation fund and co-partnership fund of Company.

Provided that in calculating the period of service of any such staff officer or other employee of the Sevenoaks Company or the Tonbridge Company for the purpose of any superannuation allowance of such staff officer or employee upon his retirement from the service of the Company his service with the Sevenoaks Company or the Tonbridge Company as the case may be and any service of his which under the rules and regulations relating to any pension or superannuation scheme of the Sevenoaks Company (if the same had continued in force) would have been added to his service with the Sevenoaks Company or be deemed to have been service with the Sevenoaks Company shall be deemed to have been service with the Company.

38.—(1) As from the date of transfer the Company shall continue to pay all superannuation allowances pensions or other like sums made granted or payable by the Sevenoaks Company or the Tonbridge Company before the date of transfer.

Company to continue to pay pensions &c.

(2) Any staff officer or other employee of the Sevenoaks Company or the Tonbridge Company who is taken over by the Company and who has any rights accrued or accruing due or would receive any benefits under any pension or superannuation scheme of the Sevenoaks Company or the Tonbridge Company but who shall not be eligible to become a member of the co-partners superannuation fund of the Company shall (subject to

A.D. 1932. his continuing to make to the Company the same contributions (if any) as would have been payable under such scheme if the same had continued in force) be entitled to the same pension or allowance at the hands of the Company as he would have been entitled to or would have received at the hands of the Sevenoaks Company or the Tonbridge Company as the case may be if such scheme had continued in force.

LANDS AND WORKS.

Lands for storage of gas.

39. Subject to the provisions of this Act the Company may upon the lands described in Part I of the Fifth Schedule to this Act erect maintain alter improve and renew gas holders with all necessary machinery and apparatus and do all such acts as may be proper for the storage of gas :

Provided that any gas holder or other apparatus for the storage of gas on the lands in the parish of West Wickham secondly described in the said schedule shall be constructed in such a manner that the same shall be below the level of the roads known as Station Road and Tiepigs Lane adjoining the said lands and the Company shall erect and maintain along the boundary of the said lands fronting the said Station Road and Tiepigs Lane a close boarded fence not less than six feet in height and shall plant and maintain a belt of coniferous trees on the boundary of the said lands to screen the gravel pit containing the said holders and works from public view.

As to lands transferred by Act of 1929.

40. The lands which were transferred to the Company by virtue of the South Suburban Gas Act 1929 and on which the Company may maintain erect alter improve and renew gasworks and work up and convert residual products are described in Part II of the Fifth Schedule to this Act.

CAPITAL.

Increase of authorised capital of Company.

41. As from the date of transfer the authorised capital of the Company shall be increased by the amount of two hundred and twelve thousand nine hundred and five pounds five per centum preference stock or such less amount as may be required by reason of the provisions of the section of this Act whereof the marginal

note is "As to fractional parts of one pound of stock" to be issued in place of fifteen hundred "A" shares and four thousand two hundred and eighty-seven "B" shares of the Sevenoaks Company and eight thousand pounds "A" ordinary stock eight thousand pounds "B" ordinary stock two thousand pounds "C" ordinary stock seven thousand three hundred and fifty pounds "D" ordinary stock and twenty-six thousand five hundred pounds "E" ordinary stock of the Tonbridge Company. A.D. 1932.

42. The Company may from time to time raise additional capital not exceeding in the whole five hundred thousand pounds by the creation and issue at their option of ordinary stock or preference stock or partly by one and partly by the other of those modes but no such stock shall vest in the persons accepting the same until the full price of such stock including any premiums obtained on the issue thereof shall have been paid in respect thereof Provided that it shall not be lawful for the Company to create and issue under the powers of this section any greater nominal amount of additional capital than shall be sufficient including any premiums as aforesaid to produce the sum of five hundred thousand pounds. Additional capital.

43. The following sections of the Act of 1928 shall extend and apply to and for the purposes of this Act and of the exercise by the Company of their powers under section 2 of the Gas Undertakings Act 1929 as if those sections were with any necessary modifications re-enacted in this Act:— Application of provisions of Act of 1928.

Section 15 (As to sale of stock by auction or tender);

Section 16 (Stock in further capital to be part of general capital);

Section 17 (Votes in respect of preference capital);

Section 19 (As to commissions on sale of capital);

Section 22 (Debenture stock);

Section 23 (Priority of mortgages over other debts);

Section 24 (Redeemable stock);

Section 25 (Application of premiums):

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Provided that in its application to and for the purposes of this Act the said section 15 shall have effect as if the word "seven" were substituted in paragraph (a) of subsection (3) thereof for the word "fourteen."

As to borrowing powers on issued capital stock.

44. The Company may subject to the provisions of this Act and without the certificate of a justice at any time after the date of transfer borrow on mortgage of the undertaking in respect of their ordinary and preference stock issued at that date and of the preference stock issued in pursuance of the provisions of the sections of this Act whereof the marginal notes are respectively "Consideration for transfer of Sevenoaks undertaking" and "Consideration for transfer of Tonbridge undertaking" any sum or sums not exceeding in the whole including the amount borrowed by the Company before and outstanding at that date and the amounts of the debenture stock (having in the aggregate a nominal value of fifty-nine thousand one hundred and fifty pounds) referred to in the sections of this Act whereof the marginal notes are "Company to issue debenture stock in substitution for debenture stock of Sevenoaks Company" and "Company to issue debenture stock in substitution for debenture stock of Tonbridge Company" one million and thirty-five thousand seven hundred and fifty-three pounds.

As to calculation of consumer's benefit under Act of 1929.

45. In calculating for any year or half-year "the consumer's share" referred to in section 36 (Division of surplus profits) of the Act of 1928 if the sums paid by consumers in respect of gas supplied within the added limits of supply as defined in the South Suburban Gas Act 1929 are in excess of the sums which would have been paid if the gas had been charged for at the price charged within the South Suburban district (exclusive of those limits) the excess shall not be taken into account.

MISCELLANEOUS.

Agreements between Company and other gas undertakers.

46.—(1) The Company and any company body or person authorised to supply gas under statutory powers may with the approval of the Board of Trade enter into and carry into effect agreements for the amalgamation purchase leasing or joint working or management of their respective undertakings including agreements for or in connection with the joint use of buildings works or plant and the provision or adaptation of buildings works

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or plant for such joint use and for the setting up and joint use or carrying on of establishments for research and generally for any purpose which will in the opinion of the parties to any such agreement conduce to the more economical or efficient exercise of any statutory powers of either of the parties to the agreement relating to the manufacture distribution and sale of gas or manufacture working up conversion or use of residual products.

(2) In any case in which the Company apply to the Board of Trade for their approval of any agreement entered into or proposed to be entered into under the provisions of subsection (1) of this section the Company shall give notice of such application to the council of every county and county borough wholly or partly within any area in which the parties to such agreement supply or are authorised to supply gas and the said Board shall before giving such approval consider any representation which may be made to them by any such authority as is referred to in this section.

(3) The Board of Trade may if they think fit approve any such agreement subject to any modification of the terms thereof to which the parties thereto assent.

47.—(1) Notwithstanding anything contained in any Act or Order relating to the Company it shall be lawful for the Company with the approval of the Board of Trade—

Powers with reference to companies formed for laying of pipes.

- (a) To subscribe for purchase or acquire and hold or dispose of any shares stock mortgages debentures or debenture stock of or to lend money to any company formed for the purpose of providing or laying pipes for the transmission of gas or to guarantee the payment of preferential or other dividends or of interest on any shares stock mortgages debentures or debenture stock issued by any such company;
- (b) To use for the purposes of their undertaking any pipes provided or laid by any such company and pay rent or other consideration to such company for such use.

(2) In any case in which the Company apply to the Board of Trade for their approval under this section the Company shall give notice of such application to the council of every county and county borough wholly or

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A.D. 1932. — partly within the limits of supply for the time being of the Company and the said Board shall before giving such approval consider any representations which may be made to them by any such authority as is referred to in this section.

Securities
may be
taken as
considera-
tion.

48. Any agreement entered into under the foregoing provisions of this Act may provide that any consideration being in the nature of a capital payment and payable thereunder by either of the parties thereto to the other of them may be satisfied wholly or in part by the allotment of such shares stock debentures or debenture stock of the Company from whom such consideration is due as may be agreed upon between such parties or partly by the one and partly by the other of such modes as may be so agreed and thereupon it shall be lawful for either of such parties to issue such shares stock debentures or debenture stock accordingly and all shares or stock so issued shall for all purposes be deemed fully paid up :

Provided that in estimating the extent to which any such consideration is satisfied by any shares or stock issued under the provisions of this section such shares or stock shall be taken at the average price at which according to the books of the company issuing the same sales of similar shares or stock were effected within the period of six months immediately preceding the issue thereof or if there has been only one sale or no sale of similar shares or stock within the said period then at the price at which the last sale of similar shares or stock was effected making due allowance in each case for any enhancement of value by reason of any accrued dividend.

The price at which such shares or stock are or is to be issued shall be determined by the company issuing the same in accordance with the provisions of this section.

Loans to
other com-
panies and
exchange of
securities.

49. In any case in which the Company and any other company have entered into any agreement authorised by this Act the Company may effect exchanges of stock or securities of the Company with proprietors of stock shares or securities of such other company or may lend money to such other company to such extent as in the opinion of the directors of such other company

will be of advantage for furthering the purposes of such agreement including the reduction of the price of gas. A.D. 1932. —

50.—(1) Notwithstanding anything contained in any Act relating to the Company the directors may appoint a person possessing professional technical commercial financial or scientific knowledge advantageous to the conduct of gas undertakings as an additional director of the Company. Specially qualified director.

(2) Any such additional director may be appointed for such period as the directors think fit and shall not be subject to retirement by rotation and the directors may remove or dismiss any such additional director from office and appoint another in his place.

(3) Any such additional director shall receive the same remuneration as is for the time being paid to the other ordinary directors and the aggregate remuneration for the time being of the directors shall be deemed to be increased accordingly.

(4) No person shall be appointed or be a director under this section unless he has the qualification prescribed by section 60 (Qualification of directors) of the Act of 1928.

51. All money raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of stock shall not be considered as part of the capital of the Company entitled to dividend. Application of money.

52. Save as otherwise by this Act expressly provided all offences against any Act or Order from time to time relating to the Company and all penalties forfeitures costs and expenses imposed or recoverable under those Acts or Orders or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts. Recovery of penalties &c.

53. Proceedings for the recovery of any demand made under the authority of any Act or Order from time to time relating to the Company whether provision is or is not made for recovery in any specified court Recovery of demands.

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A.D. 1932. — or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Partial
repeal of
powers of
Mid-Kent
Gas Light
and Coke
Company.

54. As from the passing of this Act the rights powers authorities obligations and duties of the Mid-Kent Gas Light and Coke Company with respect to the supply of gas in the parish of Kemsing in the rural district of Sevenoaks shall cease and determine and so much of the Mid-Kent Gas Light and Coke Act 1899 as authorises the said company to supply gas in that parish is hereby repealed.

Costs of Act.

55. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may be defrayed wholly or partly out of revenue.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

STATEMENT OF CAPITAL AUTHORISED BY THE COMPANY'S ACTS.

Authority.	Description of capital.	Basic rate of dividend.	Amount paid up.	Amount unissued.	Amount authorised.
South Suburban Gas Acts 1928 and 1929 Gas Undertakings Act 1929... ..	Perpetual preference stock ...	5 per cent.	£ 300,000	} 55,875	£ 1,914,477
	Ordinary stock ...	5 per cent.	1,543,795		
	Premiums ...	—	14,807		
	<i>Loan capital.</i>	Rate of interest.	1,858,602	55,875	1,914,477
	Perpetual debenture stock ...	5 per cent.	668,837	} 251,963	957,238
	Premiums ...	—	29,838		
	Northfleet and Greenhithe first mortgage debentures ...	6 per cent.	6,600		
			705,275	251,963	957,238

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SECOND SCHEDULE.

THE SEVENOAKS DISTRICT.

The urban district of Sevenoaks.

The parishes of Brasted Chevening Dunton Green Kemsing Otford Riverhead Seal Sevenoaks Weald and Sundridge in the rural district of Sevenoaks.

The parish of Knockholt in the rural district of Bromley.

All in the county of Kent.

THIRD SCHEDULE.

THE TONBRIDGE DISTRICT.

PART I.

The urban district of Tonbridge.

So much of the parish of Tonbridge Rural in the rural district of Tonbridge and of the urban district of Southborough as lies within a distance of two hundred yards on either side of the main road from Tonbridge to Tunbridge Wells between the southern boundary of the urban district of Tonbridge and the entrance gate leading to Nightingale Farm which gate is situate 1300 yards or thereabouts from the said boundary.

All in the county of Kent.

PART II.

The urban district of Wrotham (Detached No. 2).

In the rural district of Malling—

The parish of Shipbourne.

So much of the parish of West Peckham as lies to the west of the eastern boundary of the road from Shipbourne to Hadlow via Puttenden Manor Farm.

In the rural district of Tonbridge—

The parish of Hadlow.

The parish of Hildenborough.

The parish of Tonbridge Rural except (subject to the provisions of Part I of this schedule) that part of the said parish which lies to the south of the road from Tonbridge to Tudeley and to the south of an imaginary line forming

the arc of a circle drawn with a four-mile radius and having as a centre point the centre of the western door of Holy Trinity Church Tunbridge Wells. A.D. 1932.

In the rural district of Sevenoaks—

The parish of Leigh except Leigh detached in the parish of Bidborough.

The parish of Penshurst (including Penshurst detached) except so much thereof as lies to the west of the river Eden and to the south of an imaginary straight line drawn from east to west between White Post and a point on the road leading from Saints Hill to Spring Hill 10 chains or thereabouts north of Colliers Land Bridge and to the south-east of an imaginary line drawn in a north-easterly direction from the last-mentioned point to the almshouses near Elliots Farm Penshurst thence along the north-eastern side of Rogues Hill to the eastern boundary of the said parish.

All in the county of Kent.

FOURTH SCHEDULE.

PART I.

ACTS AND ORDERS RELATING TO THE SEVENOAKS COMPANY REPEALED.

The Sevenoaks Gas Act 1876 (39 & 40 Vict. c. 176).

The Sevenoaks Gas Act 1881 (44 & 45 Vict. c. 30).

The Sevenoaks Gas (Charges) Order 1922 (S.R. & O. 1922 No. 770).

The Sevenoaks Gas Order 1923 (S.R. & O. 1923 No. 835).

ACTS AND ORDERS RELATING TO THE TONBRIDGE COMPANY REPEALED.

The Tonbridge Gas Act 1872 (35 & 36 Vict. c. 151).

The Tonbridge Gas Order 1890 confirmed by the Gas Orders Confirmation (No. 1) Act 1890 (53 & 54 Vict. c. ccvi).

The Tonbridge Gas Order 1899 confirmed by the Gas and Water Orders Confirmation Act 1899 (62 & 63 Vict. c. cxliii).

The Tonbridge Gas Order 1917 confirmed by the Gas and Water Provisional Orders Act 1917 (7 & 8 Geo. V. c. xxxii).

The Tonbridge Gas (Charges) Order 1922 (S.R. & O. 1922 No. 653).

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PART II.

PROVISIONS OF ACTS AND ORDERS RELATING TO SEVENOAKS
COMPANY SAVED FROM REPEAL.

THE SEVENOAKS GAS ACT 1876.

Powers as to
construction
and main-
tenance of
gasworks &c.

45. Subject to the provisions of this Act the Company may from time to time maintain alter improve enlarge extend and renew or discontinue their existing gasworks upon the lands on which the same are erected or any part thereof and which are described in the schedule to this Act and also upon the other lands described in such schedule and they may also erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue additional and other 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 coal coke tar pitch asphaltum ammoniacal oil and all other products or residuum of any materials employed in or resulting from the manufacture of gas and also meters fittings tubes pipes and other articles and things in any way connected with gasworks or with the supply of gas as they may from time to time think fit.

THE SCHEDULE.

All that piece of land on part of which the present gasworks of the limited company are erected situate in the parish of Sevenoaks and county of Kent near the station of the Sevenoaks Railway Company (known as the Bat and Ball Station of the London Chatham and Dover Railway) and bounded on or towards the west by the highway (late a turnpike road) leading from Sevenoaks to Dartford and on all the other sides thereof by lands belonging or reputed to belong to or in the occupation of Messrs. Thomas Russell Crompton and Sons and which piece of land is distinguished in the tithe apportionment map for the parish of Sevenoaks and in the book of reference relating thereto by the number 55 and contains one acre three roods and eight perches or thereabouts.

THE SEVENOAKS GAS ACT 1881.

Power to
construct
gasworks &c.

6. The Company may upon the lands described in Part II. of the schedule to this Act from time to time erect lay down provide maintain alter improve enlarge extend and renew or discontinue gasworks retorts gasholders receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery approaches and other works apparatus and conveniences and

may do all such acts as they may think proper for making and storing gas and for supplying gas and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar pitch asphaltum ammoniacal liquor and all other products or residuum resulting from the manufacture of gas or from any materials employed therein.

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THE SCHEDULE.

PART II.

THE GAS LANDS AUTHORISED BY THIS ACT.

All that piece of land situate in the parish of Sevenoaks in the county of Kent adjoining the existing gasworks and lands of the Company bounded on or towards the north for a distance of 192 feet (measured from the northern corner of the said gasworks and lands) by the highway late a turnpike road leading from Sevenoaks to Dartford on or towards the east for a distance of 500 feet and on or towards the south for a distance of 353 feet by lands belonging or reputed to belong to Thomas Russell Crampton on or towards the west for a distance of 112 feet by the said highway on or towards the north for a distance of 494 feet and on or towards the west for a distance of 340 feet by the said gasworks and lands and which piece of land contains one acre and three roods or thereabouts.

THE SEVENOAKS GAS ORDER 1923.

25. The Company may between the works of the Company and the railway of the Southern Railway Company at or adjacent to the Bat and Ball Station lay down and repair take up relay or renew mains pipes and culverts for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with the undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Power to lay pipes for ancillary purposes.

26. For the protection of the Southern Railway Company (hereinafter referred to as "the railway company") the following provisions shall unless otherwise agreed between the railway company and the Company apply and have effect:—

For protection of the Southern Railway Company.

- (1) In laying down repairing or removing any mains pipes or culverts under the powers of section 25 of this Order upon across over under or in any way affecting the railway of the railway company or any bridge over or under such railway or any approaches to any such bridge

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maintained by or within the railway company's boundaries (in this section called "the railway works") the same shall be done under the superintendence and to the reasonable satisfaction of the chief engineer of the railway company and according to such plans sections and specifications and except in case of urgent necessity at such times as shall be previously reasonably approved in writing by him or in the event of disapproval then in such manner and at such times as shall be determined by arbitration in manner hereinafter provided and all such works shall be executed by and at the expense in all things of the Company and so as not to cause any injury to the railway works and the Company shall within the railway company's boundaries so execute any such works as aforesaid as to interfere with or impede as little as possible any improvement or widening of the railway which may be carried out by the railway company under any powers vested in them at the date of this Order. Provided that if the said engineer does not express his approval or disapproval of the said plans sections and specifications within fourteen days after the same have been submitted to him he shall be deemed to have approved thereof and if the said engineer shall refuse or neglect to superintend any operations the Company may execute the work without his superintendence.

- (2) The Company shall if required so to do by the said engineer provide and maintain such stop-cocks as may be necessary on any mains or pipes to be laid by the Company on over or under or in any way affecting the railway company's property.
- (3) If any injury or damage to the railway works or property of the railway company or any interruption to the traffic of the railway company shall be in any way occasioned by the Company or by their contractors agents or workmen in executing any such works as aforesaid the Company shall forthwith make full compensation to the railway company in respect thereof.
- (4) All such mains pipes and culverts of the Company as aforesaid laid or placed upon across over or under the railway works shall be at all times maintained in good repair by the Company and in default of their being so maintained the railway company may from time to time by notice in writing signed by their said engineer and delivered at the principal office for the time being of the Company require the Company to forthwith put into good repair any such main pipe or culvert as aforesaid which may be in want of repair and if the Company

for seven days after the receipt of such notice refuse or neglect to proceed with the repair of the same and do not dispute the necessity thereof the railway company without any further notice to the Company may repair the same and all expenses reasonably incurred by them in or about such repair shall be repaid to them by the Company. Provided that in case of accidents happening or immediate danger being apprehended to the railway works by reason of any such main pipe or culvert as aforesaid being in want of repair the railway company may without giving such notice as aforesaid make such repair as may be immediately necessary and the reasonable expenses of the same shall be repaid as hereinbefore provided.

- (5) All additional expense which the railway company may reasonably and properly incur in widening altering reconstructing or maintaining the railways or the works connected therewith under any powers vested in them at the date of this Order by reason of the existence of any such mains pipes or culverts of the Company as aforesaid shall be paid by the Company.
- (6) The Company shall bear and on demand pay to the railway company all reasonable costs of watching lighting and protection of the railway works with reference to and during the laying down repairing or removing by the Company of any such main pipe or culvert as aforesaid so far as such costs may be in case of difference determined by the arbitrator to have been necessary.
- (7) Any difference which may arise between the railway company and the Company touching any of the matters referred to in this section shall be decided by a single arbitrator to be agreed upon between the parties or failing such agreement to be appointed on the application of either party (after notice in writing to the other of them) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 (52 & 53 Vict. c. 49) shall apply to any such reference and decision.

27.—(1) Subject to the provisions of this Order the Company may upon the lands described in the First Schedule to this Order so long as they are possessed of the same erect maintain alter improve and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may also upon the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas by them.

Power to construct gasworks and convert residual products.

* * * * *

[Ch. lxxix.] *South Suburban Gas* [22 & 23 GEO. 5.]
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For protec-
tion of the
Kent County
Council.

39. Notwithstanding anything in this Order the following provisions shall unless otherwise agreed in writing between the Company and the Kent County Council (in this section referred to as "the County Council") have effect for the protection of the County Council in relation to the exercise by the Company of any powers conferred by this Order but not further or otherwise (that is to say) :—

- (1) The provisions of section 8 of the Gasworks Clauses Act 1847 in their application to the works by this Order authorised shall have effect as if the word "fourteen" were substituted for the word "three" in that section.
- (2) The plan required by section 9 of the Gasworks Clauses Act 1847 shall be accompanied by a description of the proposed works and shall be delivered to the County Council by the Company not less than fourteen days before the Company commence to open or break up any road of the road authority.
- (3) Where any work by this Order authorised is laid under any main road vested in the County Council the same shall be laid and maintained so far as reasonably practicable at the side of the road and at such depth as the County Council in writing under the hand of their surveyor may reasonably direct and the trench shall be filled in and the surface of the road made good and kept level with the adjoining surface of the road in accordance with the reasonable requirements of the surveyor and the Company shall be liable to maintain and repair at their own expense and to the reasonable satisfaction of the surveyor the roadway over the trench for a period of twelve months from the date of the surface being made good as aforesaid.
- (4) If within a period of twelve months after any work by this Order authorised has been laid in any such main road any sinking or subsidence of the surface of the road due thereto shall occur the Company shall at their own expense make up the surface of the road to the reasonable satisfaction of the surveyor and if they fail to do so in seven days when required by the surveyor he may on giving the Company twenty-four hours' notice cause the work to be done and all expenses reasonably incurred in connection with such work shall be repaid by the Company to the County Council.
- (5) The works by this Order authorised and any works of maintenance alteration or renewal thereof shall be executed so as not unreasonably to stop or impede or interfere with the traffic over or along any road and no road shall be broken up for more than two hundred yards in any single length at any one time.

- (6) No works shall be constructed or laid so as to interfere with the structure or foundations of any bridge vested in or repairable by the County Council or any arch connected therewith except with the consent of the County Council such consent not to be unreasonably withheld and in a manner approved by them. A.D. 1932.
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- (7) The County Council shall not except in case of negligence be liable to the Company for any damage done to any work by this Order authorised where laid under any such road caused by the reasonable use of a road roller or other engine not exceeding fifteen tons in weight and the Company shall indemnify the County Council from claims for damages that may be made against the County Council by reason of any sinking or subsidence of the road caused by the construction or failure of any work by this Order authorised. Provided that the use of a road roller or other engine not exceeding fifteen tons in weight over works laid at the level authorised by this Order shall not in the event of such works being damaged by such use be deemed to be evidence of negligence in the use of such road roller or other engine.
- (8) If by reason of the construction of the works by this Order authorised any increased expense in removing or lowering or otherwise dealing with the said works or any part thereof is reasonably incurred by the County Council in connection with the maintenance repair or widening or improvement of any main road or any county bridge or with the reconstruction thereof respectively the increased expense so incurred shall be repaid by the Company to the County Council.
- (9) Any difference which arises under this section shall be referred to and be determined by arbitration subject to the provisions of the Arbitration Act 1889 (52 & 53 Vict. c. 49) and the arbitrator shall failing agreement be appointed by the President of the Institution of Civil Engineers on the application of either party.

THE FIRST SCHEDULE.

Lands in the parish and urban district of Sevenoaks in the county of Kent comprising an area of 1 acre 3 roods and 29·5 perches or thereabouts belonging to and in the occupation of the Company and bounded on the north-east by the road known as Crampton's Road on the north-west by other lands belonging to and in the occupation of the Company and described in the schedule to the Sevenoaks Gas Act 1881 on the south-west in part

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A.D. 1932. — by the Dartford Road in part by the rear of premises known as Woodbine Cottages belonging or reputed to belong to Charles Pierce and in part by the rear of premises known as Springfield Villas belonging or reputed to belong to Thomas Gear and on the south-east in part by part of the last-mentioned premises and in part by Number 1 Woodbine Cottages aforesaid.

PROVISIONS OF ACTS AND ORDERS RELATING TO TONBRIDGE
COMPANY SAVED FROM REPEAL.

TONBRIDGE GAS ACT 1872.

Power to
maintain
gasworks.

42. The Company may maintain alter improve and renew the works for the manufacture and storing of gas on the lands described in the schedule to this Act and they may also from time to time make erect and maintain additional works for the manufacture and storing of gas on the lands described in the said schedule and upon those lands only the Company may manufacture gas and the several matters and things producible from the residual products resulting from the manufacture of gas.

SCHEDULE REFERRED TO IN THE FOREGOING ACT.

1. A piece of land containing by admeasurement one quarter of an acre and lately forming part of a field called the Wharf Meadow and bounded on the north by the River Medway on the west partly by a stowage wharf belonging or reputed to belong to the company of proprietors of the Navigation of the River Medway and partly by the piece of land hereinafter thirdly described on the south by a private road running over the said field and leading into the High Street in the town of Tonbridge aforesaid and on the east by the remainder of the same field.

2. Also a piece of land near to the firstly-described piece of land containing three roods and twenty-four perches or thereabouts also lately forming part of the said Wharf Meadow and bounded on the east by the said private roadway running through the said meadow and leading to Walters Farm in the parish of Tonbridge aforesaid on the north-east or north by other land formerly part of the said field called the Wharf Meadow and now or late belonging or reputed to belong to the said company of proprietors of the River Medway Navigation and on all other sides by the River Medway or a branch or brook flowing therein.

3. A leasehold piece of land containing nine perches formerly part of the wharf belonging or reputed to belong to the said company of proprietors of the River Medway Navigation on the west side of and adjoining the piece of land herein firstly described.

THE TONBRIDGE GAS ORDER 1890.

A.D. 1932.

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

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

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

Power to make stoves and gas apparatus.

33. For the protection of the South-eastern Railway Company (hereinafter called "the railway company") the following provisions shall apply and have effect:—

For the protection of the South-eastern Railway Company.

- (1) Before laying down or executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in the Act of 1872 and in this Order upon across over under or in any way affecting the railway lands or property now or hereafter belonging to or used by the railway company and before entering upon the said railway lands and property the Undertakers shall give at least fourteen days' notice in writing to the company of their desire so to do (except in case of emergency in which case the Undertakers shall give notice in writing to the railway company forthwith after they shall have entered upon the railway lands or property aforesaid) and shall before such entry for the purposes aforesaid or any of them obtain the written consent thereto of the railway company under the hand of their principal engineer for the time being.

A.D. 1932.
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- (2) Fourteen days at least before commencing to lay down any main pipe or other work or (except in case of urgent necessity) to execute or effect any repair or renewal of any main pipe or other works as aforesaid upon across over under or in any way affecting the railway lands or property of the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways plans sections and specifications shall be submitted to the said engineer for his approval and shall be reasonably approved by him in writing or in the event of such engineer failing to signify his approval or disapproval or to give such other direction within fourteen days after the submission of such plans as aforesaid he shall be deemed to have approved of the same and in the event of any difference thereon arising between the Company and the Undertakers such work shall be executed in such manner as shall unless otherwise agreed be determined by an engineer to be appointed by the Board of Trade on the application of either the railway company or the Undertakers and the decision of such engineer shall be final and conclusive between both parties and such work shall be executed in accordance with such plans sections and specifications as so approved and under the superintendence of and subject to the reasonable approval of the said engineer of the railway company Provided that nothing herein contained shall authorise the Undertakers to occupy or use permanently with their works the surface of any land or property of the railway company without the previous consent in writing of the secretary of the railway company and all such works shall be done by and at the expense of the Undertakers who shall also restore and make good to the reasonable satisfaction of the railway company's engineer the roads over any bridges level crossings and approaches which the railway company either alone or jointly are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Undertakers and all such works and operations shall be constructed executed and done so as not to cause any injury to such railway bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon and if any such injury or interruption shall arise from or in any way be owing to any of the works operations and matters aforesaid or the failure of any such mains pipes or works the Undertakers shall make compensation to be determined by arbitration in the manner hereinafter provided and such

compensation together with full costs shall be recoverable by the railway company from the Undertakers by all and the same means as any simple contract debt of like amount is recoverable.

A.D. 1932.

- (3) In the event of any dispute arising between the principal engineer for the time being of the railway company and the engineer for the time being of the Undertakers as to any of the matters aforesaid the same shall be determined by arbitration by an engineer to be appointed by the Board of Trade at the request of either party and the costs of such arbitration shall be in the discretion of the arbitrator.

SCHEDULE.

GAS LANDS.

A piece of land containing two acres and twelve perches or thereabouts situate in the parish of Tonbridge in the county of Kent bounded on the north by the towing-path adjoining the River Medway on the east by land belonging or reputed to belong to Joseph Trueman Mills and in the occupation of James Jeffery on the south in part by land belonging or reputed to belong to the representatives of the late William Gorham and in the occupation of the said James Jeffery in part by a private road leading to Walters Farm and as to the remaining part by land belonging or reputed to belong to the Undertakers and on the west side in part by a brook flowing into the River Medway and on the other part by land belonging or reputed to belong to the Medway Company.

THE TONBRIDGE GAS ORDER 1899.

25. The Undertakers may on the lands shown on the deposited plan and described in the schedule to this Order annexed and on the lands (if and when purchased) of the Hadlow Gas Company also described in the said schedule while they are possessed of the same construct erect maintain alter remove extend and enlarge retorts retort-houses gasholders receivers purifiers meters apparatus and works for the manufacture and storing of gas and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom and they may subject to the provisions of this Order upon the said lands and on the lands (if and when purchased) of the Hadlow Gas Company make and store gas and supply and sell the same within the limits of supply and may on the same lands or any part thereof respectively manufacture and store tar lime coke pitch asphaltum and ammoniacal liquor oil and all such other residual products as aforesaid and may sell and dispose of the same at their works and elsewhere and they may construct and

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

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Act, 1932.

A.D. 1932. — maintain and alter enlarge and renew or discontinue houses offices buildings and other works connected with the undertaking.

For the protection of South Eastern Railway and Hadlow Light Railway Company.

29. For the protection of the South Eastern Railway Company and the Hadlow Light Railway Company (hereinafter respectively called "the railway company") the following provisions shall apply and have effect:—

- (1) Before laying down or executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in the Act of 1872 in the Order of 1890 and in this Order upon across over under or in any way affecting the railway lands or property now or hereafter belonging to or used by the railway company and before entering upon the said railway lands and property the Undertakers shall give at least fourteen days' notice in writing to the railway company of their desire so to do (except in case of emergency in which case the Undertakers shall give notice in writing to the railway company forthwith after they shall have entered upon the railway lands or properties aforesaid) and shall before such entry for the purposes aforesaid or any of them obtain the written consent thereto of the railway company under the hand of their principal engineer for the time being.
- (2) Fourteen days at least before commencing to lay down any main pipe or other work or (except in case of urgent necessity) to execute or effect any repair or renewal of any main pipe or other works as aforesaid upon across over under or in any way affecting the railway lands or property of the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways plans sections and specifications shall be submitted to the said engineer for his approval and shall be reasonably approved by him in writing or in the event of such engineer failing to signify his approval or disapproval or to give such other direction within fourteen days after the submission of such plans as aforesaid he shall be deemed to have approved the same and in the event of any difference thereon arising between the railway company and the Undertakers such work shall be executed in such manner as shall unless otherwise agreed be determined by an engineer to be appointed by the Board of Trade on the application of either the railway company or the Undertakers and the decision of such engineer shall be final and conclusive between both parties and such work shall be executed in accordance with such plans sections and specifications as so approved and under the superintendence of and subject to the reasonable

approval of the said engineer of the railway company
Provided that nothing herein contained shall authorise
the Undertakers to occupy or use permanently with
their works the surface of any land or property of
the railway company without the previous consent in
writing of the secretary of the railway company and
all such works shall be done by and at the expense
of the Undertakers who shall also restore and make
good to the reasonable satisfaction of the railway
company's engineer the roads over any bridges level
crossings and approaches which the railway company
either alone or jointly are or may be liable to maintain
and which may be disturbed or interfered with by or
owing to any operations of the Undertakers and all
such works and operations shall be constructed executed
and done so as not to cause any injury to such railway
bridges level crossings approaches viaducts stations
works lands or property or interruption to the passage
or conduct of traffic over such railways or at any
station thereon and if any such injury or interruption
shall arise from or in any way be owing to any of the
works operations and matters aforesaid or the failure
of any such mains pipes or works the Undertakers
shall make compensation to be determined by arbitration
in the manner hereinafter provided and such com-
pensation together with full costs shall be recoverable
by the railway company from the Undertakers by all
and the same means as any simple contract debt of
like amount is recoverable.

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- (3) In the event of any dispute arising between the principal
engineer of the railway company and the engineer of
the Undertakers as to any of the matters aforesaid
the same shall be determined by arbitration by an
engineer to be appointed by the Board of Trade at
the request of either party and the costs of such
arbitration shall be in the discretion of the arbitrator.

SCHEDULE.

GAS LANDS.

All those pieces or parcels of land containing 5 acres 0 roods
36 perches or thereabouts situate in the parish of Tonbridge
in the county of Kent bounded on the north by the towing-path
adjoining the river Medway on the east by land belonging or
reputed to belong to Joseph Trueman Mills on the south by
land belonging or reputed to belong to the representatives of
the late William Gorham and on the west in part by land
belonging or reputed to belong to the said representatives of

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A.D. 1932. the said William Gorham and in other part by land belonging or reputed to belong to the Medway Company all which said pieces or parcels of land are in the occupation of the Undertakers.

GAS LANDS OF THE HADLOW GAS COMPANY.

All that piece or parcel of land with the messuage or tenement thereon used as and for a manager's house situate lying and being in the parish of Hadlow in the county of Kent and on the north-western side of the road leading from Hadlow to Tonbridge bounded on the north-west and north-east by land now or formerly belonging or reputed to belong to Walter Horatio May and on the south-west side thereof by land belonging or reputed to belong to John Porter and Thomas Porter and containing in length on that side one hundred and fifty-two feet or thereabouts and on the south-east side thereof by the said road and containing in length on that side two hundred and sixteen feet or thereabouts And also all the erections and buildings erected and being on the said piece or parcel of land or on some part thereof comprising retort house purifying house meter room coal store gasholder and other erections and buildings thereon and known as the Hadlow Gasworks.

THE TONBRIDGE GAS ORDER 1917.

Power to maintain gasworks and convert residual products.

7.—(1) Subject to the provisions of this Order the Undertakers may upon the lands described in the schedule to this Order annexed while they are possessed of the same erect maintain alter improve extend and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply.

* * * * *

For protection of South Eastern Railway Company and South Eastern and Chatham Railway Companies Managing Committee.

36. For the protection of the South Eastern Railway Company and the South Eastern and Chatham Railway Companies Managing Committee (hereinafter called "the railway company") the following provisions shall unless otherwise agreed in writing between the Undertakers and the railway company apply and have effect :—

(1) Before laying down or executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in the Act and Orders 1872 to 1899 and in this Order upon across over under or in any way affecting the railway lands or property now or hereafter belonging to or used by the railway company and before entering upon the said railway lands and property the Undertakers shall give at least fourteen days' notice in writing to the railway company

of their desire so to do (except in case of emergency in which case the Undertakers shall give notice in writing to the railway company forthwith after they shall have entered upon the railway lands or properties aforesaid) and shall before such entry for the purposes aforesaid or any of them obtain the written consent thereto of the railway company under the hand of their principal engineer for the time being.

- (2) Fourteen days at least before commencing to lay down any main pipe or other work or (except in case of urgent necessity) to execute or effect any repair or renewal of any main pipe or other works as aforesaid upon across over under or in any way affecting the railway lands or property of the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways plans sections and specifications shall be submitted to the said engineer for his approval and shall be reasonably approved by him in writing or in the event of such engineer failing to signify his approval or disapproval or to give such other direction within fourteen days after the submission of such plans as aforesaid he shall be deemed to have approved the same and in the event of any difference thereon arising between the railway company and the Undertakers such work shall be executed in such manner as shall unless otherwise agreed be determined by an engineer to be appointed by the Board of Trade on the application of either the railway company or the Undertakers and the decision of such engineer shall be final and conclusive between both parties and such work shall be executed in accordance with such plans sections and specifications as so approved and under the superintendence of and subject to the reasonable approval of the said engineer of the railway company Provided that nothing herein contained shall authorise the Undertakers to occupy or use permanently with their works the surface of any land or property of the railway company without the previous consent in writing of the secretary of the railway company and all such works shall be done by and at the expense of the Undertakers who shall also restore and make good to the reasonable satisfaction of the railway company's engineer the roads over any bridges level crossings and approaches which the railway company either alone or jointly are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Undertakers and all such works and operations shall be constructed executed and done so as not to cause any injury to such railway

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bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon and if any such injury or interruption shall arise from or in any way be owing to any of the works operations and matters aforesaid or the failure of any such mains pipes or works the Undertakers shall make compensation to be determined by arbitration in the manner hereinafter provided and such compensation together with full costs shall be recoverable by the railway company from the Undertakers by all and the same means as any simple contract debt of like amount is recoverable.

- (3) In the event of any dispute or difference arising between the railway company and the Undertakers as to any of the matters aforesaid the same shall be determined by arbitration by an engineer to be agreed upon between the Undertakers and the railway company or failing agreement by an engineer to be appointed by the Board of Trade at the request of either party after notice in writing to the other and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference.

For protection of Upper Medway Conservancy.

37. In the event of any dispute arising between the Upper Medway Conservancy (hereinafter called "the conservancy") and the Undertakers as to the carrying out of any of the works authorised by this Order so far as they may affect the property of the conservancy the same shall be determined by arbitration by an engineer to be agreed upon between the Undertakers and the conservancy or failing agreement by an engineer to be appointed by the Board of Trade at the request of either party after notice in writing to the other and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference.

THE SCHEDULE REFERRED TO IN THE FOREGOING ORDER.

GAS LANDS.

All that piece or parcel of land situate and being near Cannon Bridge in the parish of Tonbridge in the county of Kent formerly forming part of the Postern Estate and containing six acres and a half or thereabouts bounded on the north-west by the River Medway on the north by the road leading from Tonbridge to the Postern on the east by land belonging or reputed to belong to Edward Chapman Holding on the south by land belonging or reputed to belong to the urban district council of Tonbridge and on the west by other land of the Undertakers.

THE TONBRIDGE GAS (CHARGES) ORDER 1922.

A.D. 1932.

7.—(1) The Undertakers may demand in respect of gas supplied through a prepayment meter a not greater charge in respect of gas supplied to private consumers within their limits of supply through any other kind of meter or by any other method of supply. Charges for prepayment meters.

(2) (a) The charge for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the number of therms supplied and the maximum rate of charge shall be—

For a prepayment meter and fittings (including a cooking stove) three decimal six pence per therm;

For a prepayment meter and fittings (not including a cooking stove) three pence per therm.

(b) The charge for the hire of a prepayment meter without fittings shall be either a sum of money calculated according to the number of therms supplied (when the maximum rate of charge shall be one decimal eight pence per therm) or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

(c) The said charges shall include the providing letting fixing repairing and maintenance of the meter and fittings or of the meter (as the case may be) and the cost of collection and other costs incurred by the Undertakers in connection therewith.

(3) For the purpose of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

FIFTH SCHEDULE.

PART I.

LANDS FOR THE STORAGE OF GAS.

IN THE COUNTY OF KENT.

A piece of land in the borough of Bromley containing nineteen acres one rood and nineteen perches or thereabouts formerly known as the Waldo Brickworks belonging or reputed to belong to the Company and bounded on the south-west by

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Act, 1932.

A.D. 1932. premises abutting on Havelock Road on the north-west in part by premises abutting on Homesdale Road in part by Homesdale Road and in part by premises abutting on Waldo Road on the north-east by land belonging or reputed to belong to the mayor aldermen and burgesses of the said borough and on the south-east in part by premises abutting on Bourne Road and in part by land abutting on that road belonging or reputed to belong to the trustees under the will of John Tredwell deceased.

A piece of land formerly a gravel pit in the parish of West Wickham in the rural district of Bromley containing one acre or thereabouts belonging or reputed to belong to the Company and being the south-westerly part of the enclosure numbered in the said parish 323 on the 1/2500 Ordnance map (Kent sheet XV. 8 edition 1909) and bounded on the south by Station Road on the west by Tiepigs Lane and on the north-east by the remainder of the said enclosure.

A piece of land in the urban district of Erith containing three acres three roods or thereabouts belonging or reputed to belong to the Company and abutting on Norman Road for a distance of three hundred and seventy feet or thereabouts and extending for a depth from that road of four hundred and forty feet or thereabouts and being part of the enclosure numbered in the said urban district 363 on the 1/2500 Ordnance map (Kent sheet II. 8 edition 1909).

A piece of land in the urban district of Northfleet containing five hundred and fifty-five square yards or thereabouts belonging or reputed to belong to the Company and bounded on the north-east by a public footpath on the south-east by the Southern Railway and on the south-west and north-west by the remainder of the said enclosure being part of the enclosure numbered in the said urban district 238 on the 1/2500 Ordnance map (Kent sheet X. 6 edition 1909).

PART II.

GAS LANDS TRANSFERRED BY THE ACT OF 1929.

IN THE COUNTY OF KENT.

A piece of land formerly a chalk pit in the urban district of Northfleet containing two roods or thereabouts and belonging or reputed to belong to the Company bounded on the north by a street called "The Shore" on the east and west by land and premises formerly belonging or reputed to belong to Mr. Sturge and on the south by land formerly belonging or reputed to belong to William Ruston.

[22 & 23 GEO. 5.] *South Suburban Gas* [Ch. lxxix.]
Act, 1932.

A piece of land forming a wharf or river frontage in the urban district of Northfleet containing one rood or thereabouts belonging or reputed to belong to the Company and bounded on the north and east by the line of high-water mark of ordinary spring tides on the river Thames on the south by a street called "The Shore" and on the west by a wharf and premises belonging or reputed to belong to Associated Portland Cement Manufacturers Limited.

A.D. 1932.
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FOR

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