



## CHAPTER clxxvii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to East Kent Gas Garstang Gas Harpenden District Gas St. Ives (Hunts) Gas and Swansea Gas. A.D. 1914.  
[7th August 1914.]

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

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

And whereas it is expedient that the Provisional Orders made by the Board of Trade as aforesaid and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore 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:—

1. This Act may be cited as the Gas Orders Confirmation (No. 3) Act 1914. Short title.

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

A.D. 1914.  

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SCHEDULE.LIST OF ORDERS.

EAST KENT GAS.—Order authorising the construction of gasworks for the manufacture of gas for the supply of certain parishes in the rural district of Elham in the eastern division of the county of Kent.

GARSTANG GAS.—Order authorising the Garstang Gas Company Limited to extend their limits of supply and to raise additional capital and for other purposes.

HARPENDEN DISTRICT GAS.—Order empowering the Harpenden District Gas Company to extend their limits of supply and to raise additional capital and for other purposes.

ST. IVES (HUNTS) GAS.—Order extending the limits of supply of the St. Ives (Hunts) Gas Company Limited empowering the Company to acquire additional lands to construct additional gasworks and to raise additional capital and for other purposes.

SWANSEA GAS.—Order to empower the Swansea Gas Light Company to construct and maintain further works for the manufacture and storage of gas and to repeal the Swansea Gas Order 1912.

EAST KENT GAS.

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*Order authorising the construction of gasworks for the manufacture of gas for the supply of certain parishes in the rural district of Elham in the eastern division of the county of Kent.*

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1. This Order may be cited as the East Kent Gas Order 1914.      Short title.

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

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

Provided that section 13 of the Gasworks Clauses Act 1847 shall for the purposes of incorporation with this Order 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 Company shall be alike in terms and amount under like circumstances to all consumers" were added at the end of that section.

4. In this Order "the authorised rate" means the rate of dividend authorised on the capital of the Undertakers or such rate as reduced or increased in accordance with the provisions of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings.      Interpretation.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Lyminge Elham Postling and Stanford in the rural district of Elham in the eastern division of the county of Kent.      Limits of Order.

*Undertakers.*

6. John Francis Kelley of the Homestead Sutton Surrey gentleman and Cornelius Brittiffe Tully of Hythe Kent gas engineer and      Undertakers.



[Ch. clxxvii.]      *Gas Orders Confirmation*      [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

A.D. 1914.      their heirs executors administrators and assigns shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" Provided always that the powers conferred by this Order shall not be exercised unless and until a company shall have been formed and duly constituted under the Companies Acts 1908 to 1913 for the purpose of carrying on the undertaking and exercising the powers authorised by this Order and as from the date of the transfer of the undertaking to such company that company shall be the Undertakers for the purposes of this Order in lieu of the person or persons above mentioned but no such transfer shall have any validity or effect until after the approval of the Board of Trade to such transfer has been signified in writing signed by a secretary or assistant secretary of the said Board.

*East Kent.*

*Capital.*

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

Borrowing powers.      8. The amount of all moneys which the Undertakers may borrow and secure by mortgage of the undertaking shall not at any time exceed in the whole one third part of the capital of the Undertakers at the time actually raised by the creation and issue of shares or stock and except with the sanction of the Board of Trade no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers in respect of any moneys borrowed by them and secured as aforesaid after the commencement of this Order.

*Purchase of Lands &c.*

Power to purchase lands by agreement.      9. The Undertakers may for the purposes of the undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in Schedule A to this Order annexed any lands and hereditaments not exceeding in the whole three acres which the Undertakers may from time to time require for the purposes of the undertaking Provided that the Undertakers shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in Schedule A to this Order annexed.

*Construction of Gasworks and Manufacture and Sale of Gas  
Coke and Residual Products.*

Undertakers may construct gas-      10. Subject to the provisions of this Order the Undertakers may on the lands shown on the map deposited for the purposes of this

Order and described in Schedule A 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 and may on the said lands convert and manufacture residual products resulting from the manufacture of gas.

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works on  
lands de-  
scribed in  
schedule and  
may make  
and sell gas  
&c.

11. For the protection of the South Eastern Railway Company and the South Eastern and Chatham Railway Companies' Managing Committee and the East Kent Light Railways Company (hereinafter respectively referred to as "the railway company") the following provisions shall (unless otherwise agreed) apply and have effect (that is to say):—

For protec-  
tion of South  
Eastern  
Railway  
Company  
and South  
Eastern and  
Chatham  
Railway  
Companies'  
Managing  
Committee  
and East  
Kent Light  
Railways  
Company.

(A) In laying down altering improving enlarging extending maintaining or renewing or in executing or effecting the repairs or renewals of any mains pipes culverts or other works in the exercise of the powers contained in this Order upon across over under or adjoining or in any way affecting the railways lands and property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by such engineer in writing:

(B) All such works shall be done by and at the expense of the Undertakers (except as in this section otherwise provided) who shall also restore and make good to the reasonable satisfaction of the said engineer the railways lands roads and property including the roads over or under any bridge or over any level crossing of the railway of the railway company or over the approaches to any such bridge or level crossing so far as the same may be disturbed or interfered with by or owing to any operations of the Undertakers. Provided always that should the railway company elect so to do where any mains or pipes are required to be laid under or across any level crossing of their railway they may themselves lay the same and the reasonable costs charges and expenses thereof shall be paid by the Undertakers:



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- (c) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges level crossings approaches viaducts stations works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railways or at to or from any station thereon :
- (d) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid or the bursting leakage or failure of any such mains culverts pipes or works in under or near to any railway bridge level crossing embankment cutting approach viaduct station lands works or property of the railway company the Undertakers shall make compensation to the railway company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided :
- (e) If the railway company at any time or times hereafter of which they shall be the sole judges require to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges viaducts roads or works upon across over or under which any of the works of the Undertakers may have been constructed or laid the railway company may on giving to the Undertakers fourteen days' notice in writing under the hand of their secretary or general manager for the time being and in case of emergency without notice divert support or carry the said works of the Undertakers across over or under their lands railways bridges roads or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversions supporting carrying or dealing with such works The Undertakers shall on demand repay to the railway company the costs charges and expenses incurred by the railway company in or in connection with such diversion supporting or carrying of or other dealing with works of the Undertakers as aforesaid :
- (f) The Undertakers shall bear and on demand pay to the railway company the expense of the employment by the railway company with reference to and during the execution by the Undertakers of any works interfering with or

affecting the railway or works of the railway company of a sufficient number of inspectors watchmen and signalmen to be appointed by the railway company for watching and signalling the same and for preventing as far as may be all interference obstruction danger or accident from any of the operations or from the acts or defaults of the Undertakers or their contractors or any person in the employ of the Undertakers or of their contractors with reference thereto or otherwise :

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- (g) Except as in this section otherwise provided any dispute or difference which may arise between the railway company and the Undertakers with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the railway company and the Undertakers or either of them.

12. In executing the works and exercising the powers authorised by this Order so far as they affect any road which may now or hereafter be or become a main road (hereinafter in this section referred to as "any main road") or any county or main road bridge (which expression shall in this section include the road over such bridge and the approaches thereto and any culvert) in the county of Kent the following provisions for the protection of the county council of the administrative county of Kent (in this section referred to as "the county council") shall unless otherwise agreed in writing apply and have effect (that is to say) :--

For protec-  
tion of Kent  
County  
Council.

- (1) All mains pipes and works of the Undertakers to be laid in or along any main road or in or upon or across any county or main road bridge shall be laid in such position in or at the side thereof and at such depth not exceeding three feet as the county council in writing under the hand of their surveyor (hereinafter in this section referred to as "the county surveyor") may direct :
- (2) In the application of the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes the notice required by section 8 of that Act shall in the case of any county or main road bridge be fourteen days instead of three days and in all other cases seven days instead of three days :
- (3) The plan required by section 9 of the Gasworks Clauses Act 1847 shall be accompanied by a description of the proposed



[Ch. clxxvii.]      *Gas Orders Confirmation*      [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

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works and shall be delivered to the county council or the county surveyor by the Undertakers not less than in the case of any county or main road bridge twenty-one days and in all other cases fourteen days before the Undertakers commence to interfere with any such county or main road bridge or open or break up any main road for the purpose of executing the works and any difference as to any such plan or description or as to the temporary or other works referred to in the said section 9 shall be determined by arbitration under this section, instead of in the manner prescribed by the said section 9 :

- (4) The surplus paving metalling or materials removed during the laying renewal or repair of the mains pipes and works of the Undertakers shall not be placed on the metalled portion of any main road or in or upon any county or main road bridge without the written consent of the county surveyor and subject to such conditions and directions as he may reasonably require or give :
- (5) All surplus paving metalling or materials removed during the laying of the mains pipes or works on any main road or in upon or across any county or main road bridge and not required by the Undertakers for the purpose of reinstating and making good the said road or bridge may be used by the county council for the maintenance and repair of any main or other road and the Undertakers shall on receiving notice from the county surveyor forthwith remove the same to such place or places not more than one mile from the place of excavation as the county surveyor may direct and if the Undertakers fail to do so the county surveyor may remove the same at the expense of the Undertakers :
- (6) If the Undertakers in the execution of any works in or affecting any main road or county or main road bridge shall cause any damage injury or disturbance thereto and shall neglect or refuse to make good all such damage injury or disturbance to the reasonable satisfaction of the county council then it shall be lawful for the county council after reasonable notice to the Undertakers of the alleged neglect or refusal and of the works they propose to execute to do all works necessary for making good all such damage injury or disturbance and the Undertakers shall repay to the county council all costs charges and expenses which the county council shall reasonably and properly incur in carrying out such works including all reasonable expense of superintendence :



(7) Nothing in this Order shall authorise the Undertakers to interfere with the structural part of any county or main road bridge without the consent in writing of the county surveyor which may be given upon such conditions as the county council or the county surveyor may reasonably determine :

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(8) Nothing in this Order contained shall prejudice or affect the right of the county council at any time or times to divert widen alter the levels of or otherwise alter and improve any main road and to remove alter rebuild widen or repair any county or main road bridge in under over or attached to which any mains pipes or works of the Undertakers are carried in the same manner as the county council might have diverted improved or removed altered rebuilt widened or repaired any such main road or county or main road bridge if this Order had not been passed and such mains pipes and works had not been constructed or laid in under over or attached to such main road or bridge respectively and the county council shall not make any compensation to the Undertakers for any expense or loss to which the Undertakers may be put by reason or in consequence of any such diversion improvement removal alteration rebuilding widening or reparation And in the event of any such main road or bridge in under over or attached to which any such mains pipes or other works are laid being diverted improved removed altered rebuilt widened or repaired as aforesaid in such manner as to require the removal or alteration of any such mains pipes or works the Undertakers shall at their own cost in all things as and when requested by the county surveyor remove or alter the position of the said mains pipes and works and the works by which the same are carried in under over or attached to any such main road or bridge as aforesaid and replace the same to the satisfaction of the county surveyor Provided that during any such diversion improvement removal alteration rebuilding widening or reparation of such main road or bridge as aforesaid the county council shall afford to the Undertakers all reasonable facilities for temporarily carrying such mains pipes and works along the main road or across any stream or river so as not to interrupt the continuous supply of gas or to diminish the pressure of such supply through such mains or pipes and the Undertakers may carry such mains and pipes accordingly and shall reimburse the county council all reasonable expenses incurred by the county council in affording such facilities :

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(No. 3) Act, 1914.

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- (9) All works shall be so executed by the Undertakers as not to stop the traffic and so far as reasonably practicable as not in any way to impede or interfere with the traffic on any main road or over any county or main road bridge and the Undertakers shall not open or break up at any one time a greater length than one hundred yards of any main road and shall leave an interval of at least one hundred yards between any two places at which they may open or break up such road :
- (10) All costs charges amounts and expenses payable by the Undertakers to the county council under the provisions of this section shall be recoverable as a debt due from the Undertakers to the county council :
- (11) If any difference at any time arises between the county council and the Undertakers touching this section or anything to be done or not to be done thereunder such difference shall be settled by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference to arbitration as aforesaid.

For pro-  
tection of  
Elham Rural  
District  
Council.

13. The following provisions for the protection of the Elham Rural District Council (in this section referred to as "the council") shall have effect unless otherwise agreed between the Undertakers and the council (that is to say) :—

- (1) All mains pipes and works to be laid in or along any road or street or in or upon or across any bridge belonging to the council shall be laid in such position in or at the side thereof as the council in writing under the hand of their surveyor may reasonably direct :
- (2) The notice required by section 8 of the Gasworks Clauses Act 1847 with respect to the breaking up of streets shall (except for laying connecting or repairing consumers' service pipes as to which three days' notice shall be sufficient and except in cases of emergency) as regards any such road street or bridge be not less than seven days instead of three days :
- (3) The plan required by section 9 of the last-mentioned Act if demanded by the said surveyor in writing shall as regards any such road street or bridge be on a scale of not less than six inches to a mile and shall be accompanied by sections to suitable scales to show clearly the proposed works and shall (except in cases of emergency) be delivered



to the said surveyor by the Undertakers not less than seven days before the Undertakers commence to open or break up such road street or bridge and if the said surveyor shall not within seven days after the plan has been delivered to him express his disapproval and his requirements in relation thereto the council shall be deemed to have approved thereof:

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- (4) Nothing in this Order shall authorise the Undertakers to interfere with the structural part of any such bridge without the consent in writing of the said surveyor. Such consent shall not be unreasonably withheld and may be given upon such conditions as the council may reasonably determine:
- (5) All works shall be so executed by the Undertakers as not (without the consent in writing of the council) to stop or (so far as reasonably practicable) impede or interfere with the traffic on any such road street or bridge or the approaches thereto and the Undertakers shall not break up a greater consecutive length than one hundred yards of any such road or street and where they break up any road or street in more places than one at any one time they shall leave a length of one hundred yards of road or street between the lengths which they are breaking up:
- (6) The Undertakers shall pay to the council the reasonable costs which the council may incur in the repair and reinstatement of so much of any such road street bridge or approaches in which the mains pipes or other works of the Undertakers are or may be laid as may be damaged by reason of the traffic being concentrated thereon during the laying alteration renewal or repair of the said mains pipes or other works:
- (7) If the Undertakers in the execution of any works in or affecting any such road street bridge or approaches as aforesaid shall cause any damage injury or disturbance to such road street bridge or approaches and shall neglect or refuse to make good all such damage injury or disturbance in accordance with the provisions of the Gasworks Clauses Act 1847 then it shall be lawful for the council after fourteen days' notice to the Undertakers of the alleged neglect or refusal and of the works which they propose to execute to do all works necessary for making good all such damage injury or disturbance and the Undertakers shall repay to the council all costs charges and expenses

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which the council shall reasonably and properly incur in carrying out such works including all reasonable expenses of superintendence:

- (8) If any difference arises at any time between the council and the Undertakers touching the foregoing provisions of this section or anything to be done or not to be done thereunder or the giving or withholding of any such consent or the conditions of giving the same or any direction such difference shall be determined by arbitration by an engineer to be agreed upon between the council and the Undertakers or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and the Arbitration Act 1889 or any statutory modification thereof shall apply to any such arbitration.

Differences  
with railway  
and other  
companies.

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

*Testing Place.*

Testing  
place.

15. For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be a testing place which shall be provided by the Undertakers at their gasworks before commencing to supply gas under the powers of this Order.

*Pressure of Gas.*

Pressure of  
gas.

16.—(1) All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than eight-tenths of an inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Order subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied. The Undertakers shall afford to the examiner all reasonable facilities for making the test.



*Quality of Gas.*

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*East Kent.*Quality of  
gas.

17.—(1) The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming one hundred and twenty grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(2) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the Bar photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Undertakers or the local authority approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing.

(3) The Undertakers shall before commencing to supply gas under the powers of this Order provide all the apparatus required by this Order for the testing of gas and shall at all times keep the same in proper order and repair.

18. The price to be charged by the Undertakers for gas supplied by them shall not exceed five shillings per thousand cubic feet and so in proportion for any less quantity Provided that at any time after the expiration of five years from the commencement of this Order the Board of Trade may if they think fit by order in writing to be signed by a secretary or assistant secretary of the said Board alter the said maximum price either by substituting any other sum for the said sum of five shillings or by giving a standard price with sliding scale as to profits and as from the date specified in such order (hereinafter referred to as "the specified date") the price to be charged by the Undertakers for gas supplied by them shall be in accordance with such order Provided further that in case such order shall prescribe a standard price with sliding scale as to profits then as from the specified date the provisions set forth in Schedule B. to this Order annexed shall be in force and have effect and this Order shall be read and construed accordingly A copy of such order made by the Board of Trade shall be published in the London Gazette and a copy of the said Gazette containing such order shall be conclusive evidence of the due making and validity of the same and of the contents thereof.

Price of gas.

19.—(1) The Undertakers may demand for any gas supplied through a prepayment meter a not greater charge than for gas

Charge for  
gas supplied  
by means of



[Ch. clxxvii.]      *Gas Orders Confirmation*      [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

A.D. 1914.      supplied to private consumers within the limits of supply through  
*East Kent.*      any other kind of meter or by any other method of supply.

prepayment  
meters.

(2) 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 quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove:

The said charge shall include the providing letting fixing repairing and maintenance of the meter and fittings and the cost of collection and other costs incurred by the Undertakers in connection with the meter and fittings.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of sixpence per one thousand cubic feet supplied in manner aforesaid or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher:

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

(4) 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.

*Miscellaneous.*

No penalty  
in case of  
unavoid-  
able cause.

20. No penalty shall be incurred by the Undertakers for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was caused by circumstances beyond the control of the Undertakers Provided that the want of sufficient funds shall not be held to be a circumstance beyond the Undertakers' control.

Undertakers  
to pay  
interest on  
deposit.

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



22.—(1) The Undertakers may purchase sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other gas fittings for lighting motive heating ventilating cooking or any other purposes and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

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*East Kent.*  
Power to supply fittings.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against the person in whose possession the same may be. Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Undertakers as the actual owners thereof.

23. The Undertakers may but only with the consent of the owner of the soil of such street on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply these premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation with this Order.

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

24. The Undertakers may contract with any local authority company or persons authorised to supply gas under parliamentary powers in any district adjacent to the limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon but nothing in this section shall authorise the Undertakers to lay any pipes or interfere with any street beyond the limits of supply.

Power to contract for sale of gas in bulk.

25.—(1) At least twenty-four hours' notice shall be given to the Undertakers by every gas consumer either personally at the office of the Undertakers or in writing before he shall quit any premises supplied with gas by meter by the Undertakers and in default of such notice the consumer so quitting shall be liable to pay to the Undertakers the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Undertakers to supply gas to such premises whichever shall first occur.

Gas consumers to give notice to Undertakers before removing.

(2) Notice of the effect of this enactment shall be endorsed on every demand note for gas charges payable to the Undertakers.

26. A notice to the Undertakers from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at

Notice of discontinuance.

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A.D. 1914. or sent by post to the office of the Undertakers or be given by the  
consumer personally at the office of the Undertakers.

*East Kent.*

Period of  
error in  
defective  
meters.

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

Power to  
refuse to  
supply per-  
sons in debt  
for other  
property.

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

Incor-  
poration of  
section 140  
of 8 Vict.  
c. 16.

29. Section 140 of the Companies Clauses Consolidation Act 1845 shall be and is hereby incorporated with this Order. Provided that for the purpose of such incorporation the expression "the company" in the said section shall be construed to mean the Undertakers.

Costs of  
Order.

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

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The SCHEDULES referred to in the foregoing Order.

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SCHEDULE A.

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SITE OF GASWORKS.

A piece or parcel of land containing by admeasurement three and three-quarter acres or thereabouts situate at Lyminge in the rural district of Elham in the county of Kent belonging or reputed to belong to Richard Hogben numbered 455 on the 25-inch Ordnance map for the parish of Lyminge bounded on the north and east by other land belonging or reputed to belong to the said Richard Hogben on the west by the South Eastern and Chatham Railway and on the south by a bridle road leading from Lyminge to Shuttlesfield.



## SCHEDULE B.

A.D. 1914.

*East Kent.*

The foregoing Order shall after the making by the Board of Trade of an order in pursuance of the provisions in that behalf therein contained prescribing a standard price for gas supplied by the Undertakers with sliding scale as to profits and as from the specified date be read and construed subject to the modifications following:—

- (i) Sections thirty to thirty-four (both inclusive) of the Gasworks Clauses Act 1847 shall not continue to be incorporated with or form part of the foregoing Order and in construing the said Act for the purposes of the foregoing Order section thirty-five of the said Act shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the authorised rate as defined by the foregoing Order together with any sum which under the provisions of this schedule might lawfully be carried to the special purposes fund. Sections 30 to 34 of Gasworks Clauses Act 1847 shall cease to be incorporated.
- (ii) Notwithstanding anything contained in the foregoing Order the standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter shall be the price prescribed by such order of the Board of Trade as aforesaid per thousand cubic feet: Price of gas with sliding scale as to dividend.

Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary capital as follows:—

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

And in respect of any year during the whole of which the price charged by the Undertakers shall have been one penny or more below the standard price the dividend payable by the Undertakers may in respect of each penny by which the standard price has been reduced be increased

A.D. 1914.

*East Kent.*

Power to  
create a  
special  
purposes  
fund.

above the standard rate of dividend by five shillings on every one hundred pounds of ordinary share capital and so in proportion for any fraction of one hundred pounds.

- (iii)—(1) The directors of the Undertakers may if they think fit in any year appropriate out of the revenue of the Undertakers as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum of the paid-up capital of the Undertakers to a fund to be called "the special purposes fund":
- (2) The special purposes fund shall be applicable only to meet such charges as an accountant appointed for the purpose by the Board of Trade shall approve as being—
- (A) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or
- (B) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works:
- (3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the paid-up capital of the Undertakers:
- (4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Undertakers to which capital is properly applicable or may be used partly in the one way or partly in the other:
- (5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section.

Application  
of excess of  
profits over  
authorised  
rate of divi-  
dend.

- (iv) If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the dividend at the authorised rate on the ordinary capital of the Undertakers the excess shall be carried to the credit of the divisible profits of such undertaking for the next following year:

Provided that the sum so carried forward shall not in any case exceed the amount required to pay one year's dividend at the authorised rate.

Power to  
create a  
reserve fund  
and applica-  
tion thereof.

- (v) Where in any year the dividend of the Undertakers on the ordinary share capital of the Undertakers shall exceed the standard rate of dividend by reason of the price charged



by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of such excess of dividend the Undertakers may in such year set apart such sum as they think fit and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the specified date in relation to the undertaking may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers shall be insufficient to enable the Undertakers in such year to pay the dividend at the authorised rate on the ordinary capital of the Undertakers and save as by this schedule specially provided no sum shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund.

A.D. 1914.  
*East Kent.*

- (vi) Nothing in this schedule contained shall alter vary or affect any contract or agreement duly made or any liability incurred or notice given before the specified date with respect to the gasworks of or the supply of gas by the Undertakers.

Saving of  
existing  
contracts.

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### GARSTANG GAS.

*Order authorising the Garstang Gas Company Limited to extend their limits of supply and to raise additional capital and for other purposes.*

*Garstang.*

#### *Preliminary.*

1. This Order may be cited as the Garstang Gas Order 1914 and the Garstang Gas Order 1880 (in this Order referred to as "the Order of 1880") and this Order may be cited together as the Garstang Gas Orders 1880 and 1914.

Short and  
collective  
titles.

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

Commence-  
ment of  
Order.

3. The provisions of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by the Order of 1880 or this Order) and form part of this Order:

Incorporation  
of Acts.

A.D. 1914. *Garstang.* Provided that section 13 of the Gasworks Clauses Act 1847 shall for the purposes of its incorporation with the Order of 1880 or this Order 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 under like circumstances to all consumers" were added at the end of that section.

Interpretation. 4. The several words terms and expressions to which by any Act in whole or in part incorporated with this Order or by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings unless there be something in the subject or context repugnant to such construction. And in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall mean the undertaking authorised by the Order of 1880 as extended by this Order and the expression "the authorised rates" means the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of this Order.

Extension of limits of supply. 5. The limits of supply of the Undertakers are hereby extended so as to include the township of Claughton in the rural district of Garstang in the county palatine of Lancaster (in this Order called "the additional limits of supply") and subject to the provisions of this Order the Undertakers shall have and may exercise within the additional limits of supply all and the like powers privileges and authorities and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have may exercise and are subject to within the limits of supply defined by the Order of 1880.

*Undertakers.*

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

*Capital.*

Additional capital. 7. The limitation prescribed by the Order of 1880 with respect to the amount of the share capital of the Undertakers for the purposes of the undertaking shall not prevent the Undertakers from raising for such purposes further share capital (in this Order called "the new capital") not exceeding three thousand pounds including any premiums that may be obtained on the sale of any shares or stock under the provisions of this Order. Provided that the share capital of the Undertakers for the purposes of the undertaking shall not exceed in the whole six thousand five hundred pounds unless the Undertakers are hereafter authorised to raise further share capital by Provisional Order



under the Gas and Water Works Facilities Act 1870 or by Act of Parliament. A.D. 1914.

*Garstang.*

8.—(1) All shares or stock forming part of the new capital shall be issued in accordance with the provisions of this section.

New capital  
to be sold by  
auction or  
tender.

(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers shall by special resolution determine Provided as follows:—

(A) Notice of the intended sale shall be given in writing to the clerk of the Garstang Rural District Council and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

(B) A reserve price shall be fixed by the directors of the Undertakers and notice thereof shall be sent by the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:

(C) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds:

(D) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum. In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:

(E) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary or preference shares or stock of the Undertakers in manner prescribed by a resolution passed by the directors of the Undertakers and to the employees of the Undertakers and to the consumers of gas supplied by the Undertakers in such proportions as the directors of the Undertakers may think fit or to one or more of these classes of persons only. Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be

A.D. 1914. allotted to and distributed amongst the applicants as nearly as may  
be in proportion to the amounts applied for by them respectively.  
*Garstang.*

(4) Any shares or stock which have been offered in accordance with the foregoing provisions of this section and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Undertakers shall send a report thereof to the Board of Trade stating the total amount of the respective shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the respective shares or stock as the case may be.

Application  
of money.

9. All money raised under this Order including any premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise from the issue of any shares or stock under the provisions of this Order by way of premium shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limit of  
dividend on  
capital.

10. The Undertakers shall not in any year declare out of their profits any larger dividends on the additional capital authorised by the Order of 1880 than seven pounds in respect of every one hundred pounds actually paid up of such capital and on the new capital than seven pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as ordinary capital and five pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Dividends  
on different  
classes of  
ordinary  
shares or  
stock to be  
paid propor-  
tionately.

11. In case in any year or in any half-year (if the Undertakers declare a dividend half-yearly) the net revenue of the Undertakers applicable to dividend is insufficient to pay the full amount of the prescribed maximum rates on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Limit of  
borrowing  
powers.

12. Notwithstanding anything contained in section 7 (Limit of borrowing powers) of the Order of 1880 the Undertakers may borrow on mortgage of the undertaking any sum of money not exceeding one-third of the amount of the capital of the Undertakers for the purposes of the undertaking at the time actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares or stock under the provisions of this Order and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the



Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid. A.D. 1914.  
*Garstang.*

*Price of Gas.*

13. As from the first quarter day after the commencement of this Order section 14 of the Order of 1880 shall be repealed and in lieu thereof the following provisions shall be in force and have effect:— Price of gas.

- (1) The price to be charged by the Undertakers for gas supplied by them shall not exceed six shillings per thousand cubic feet and so in proportion for any less quantity supplied:
- (2) Provided that at any time after the expiration of three years from the commencement of this Order the Board of Trade may if they think fit by order in writing signed by a secretary or an assistant secretary of the said Board alter the said maximum price either by substituting any other sum for the said sum of six shillings or by fixing a standard price with sliding scale as to profits and as from the date specified in such order (hereinafter referred to as "the specified date") the provisions set forth in the Schedule to this Order annexed shall be in force and have effect and this Order shall be read and construed accordingly:
- (3) A copy of any such order made by the Board of Trade shall be published in the London Gazette and a copy of the said Gazette containing such order shall be conclusive evidence of the due making and validity of the same and of the contents thereof.

*Testing of Gas.*

14. As from the first day of July nineteen hundred and sixteen section 13 (Quality of gas) section 15 (Pressure of gas) and section 16 (Test meter) of the Order of 1880 shall be repealed and the following provisions shall be in force and have effect in lieu thereof:— Testing of gas.

- (1) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be a testing place which shall be provided by the Undertakers at their works: Testing place.
- (2) The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming one hundred and twenty grains of sperm per Quality.

[Ch. clxxvii.] *Gas Orders Confirmation* [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

A.D. 1914.  
*Garstang.*

hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871:

- (3) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Undertakers or of the Garstang Rural District Council approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing:
- (4) The Undertakers shall provide all the apparatus required by this section for the testing of gas and shall at all times keep the same in proper order and repair:
- (5) All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than eight-tenths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer:
- (6) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Order subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied The Undertakers shall afford to the examiner all reasonable facilities for making the test.

*Miscellaneous.*

Power to  
supply gas  
fittings  
Fittings not  
to be subject  
to distress  
&c.

15.—(1) The Undertakers may purchase sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other gas fittings (in this section called "fittings") for lighting motive warming heating ventilating cooking or any other purposes and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against the person in whose possession the same may be.



(3) All fittings let by the Undertakers for hire as aforesaid shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Undertakers: Provided that nothing in this subsection shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

A.D. 1914.

*Garstang.*

(4) The Undertakers shall only be entitled to the privileges and exemptions conferred by subsections (2) and (3) of this section in respect of such fittings as shall have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

16.—(1) Every consumer of gas supplied by the Undertakers who uses a gas engine shall if required to do so by the Undertakers use an efficient anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and if any consumer shall make default in complying with the provisions of this section the Undertakers may cease to supply him with gas.

Anti-fluctua-  
tors for gas  
engines.

(2) The Undertakers shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Undertakers if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

17. At least twenty-four hours' notice shall be given to the Undertakers by every gas consumer in writing or in person at the Undertakers' office before he shall quit any premises supplied with gas by meter by the Undertakers and in default of such notice the consumer so quitting shall be liable to pay to the Undertakers the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Undertakers to supply gas to such premises whichever shall first occur Provided that notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable by the Undertakers.

Gas con-  
sumers to  
give notice  
to Under-  
takers before  
removing.

18. A notice to the Undertakers from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office for the time being of the Undertakers or be given personally at the office of the Undertakers.

Notice of  
discontinu-  
ance.



A.D. 1914.

*Garstang.*  
Power to refuse to supply persons in debt for other premises.  
Period of error in defective meters.

19. If a person requiring a supply of gas from the Undertakers has previously quitted premises at which gas was supplied to him by them without paying to them all gas charges and meter rent due from him to the Undertakers they may refuse to furnish to him a supply of gas until he pays the same.

20.—(1) In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

(2) The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Undertakers shall be paid by or to the Undertakers to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Undertakers.

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

21. The Undertakers may but only with the consent of the owner of the soil of such street on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with gas and for that purpose the provisions of the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in the Order of 1880 and this Order.

Power to lay down and utilise pipes for ancillary purposes.

22. The Undertakers having first obtained the consent in writing of the local authority of the district may lay down place repair alter remove and renew mains pipes and culverts for the purpose of procuring conducting or disposing of any oil or other materials used by them or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with their business 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 shall so far as applicable extend and apply mutatis mutandis to and for the purposes thereof.

As to construction and placing of pipes &c. between mains and meters.

23. In order to enable the Undertakers to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Undertakers may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Undertakers' mains and the meter so far as the same are intended to be covered over:



(2) The Undertakers may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

A.D. 1914.

*Garstang.*

(3) The specification shall be published once in each of two newspapers circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Undertakers:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Undertakers' main but within the outside wall of the building:

(5) When any pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Undertakers and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Undertakers. Any officer of the Undertakers duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipe or fittings are not according to the Undertakers' specification or if the meter is not placed as required by this section the Undertakers may refuse to supply gas to the premises until the provisions of this section have been complied with:

(6) Any person to whom the Undertakers refuse a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Undertakers' specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incidental to the appeal shall be paid.

24. The Undertakers may on any land for the time being belonging to or leased by them erect fit up maintain and let and may also purchase and take on lease houses cottages and buildings for the officers and servants employed by the Undertakers for the purposes of their undertaking.

Power to  
erect cot-  
tages &c. for  
officers and  
servants.

25. Proceedings for the recovery of any demand made under the authority of the Order of 1880 or this Order or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having

Recovery of  
demands.

[Ch. clxxvii.]      *Gas Orders Confirmation*      [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

A.D. 1914. otherwise jurisdiction in the matter provided that the demand does not  
*Garstang.* exceed the amount recoverable in that court in a personal action.

Authentica-  
tion and  
service of  
notices.

26. Any notice to be served by the Undertakers on a person supplied with gas shall be sufficiently authenticated by the signature of the secretary or other duly authorised officer of the Undertakers being affixed thereto in writing or by a stamp or if it be a notice to pay any charge in respect of a supply of gas by the name either of the secretary or of a collector or other duly authorised officer of the Undertakers being affixed thereto as aforesaid and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

Recovery of  
penalties &c.

27. Save as otherwise by this Order expressly provided all offences against the Order of 1880 or this Order and all penalties forfeitures costs and expenses imposed or recoverable under the Order of 1880 or this Order 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 recovered summarily as civil debts.

Time for  
making up  
accounts.

28. Notwithstanding anything contained in section 35 of the Gasworks Clauses Act 1871 the annual statement of accounts of the Undertakers shall be made up to the thirtieth day of June in each year and forwarded to the local authority of every district within the limits of supply on or before the thirtieth day of September then next following and the said section shall for the purposes of this Order be read and construed as though the thirtieth day of June and the thirtieth day of September had been named therein instead of the thirty-first day of December and the twenty-fifth day of March.

For pro-  
tection of  
Manchester  
Corporation.

29. Nothing in this Order shall affect the status rights powers and privileges of the lord mayor aldermen and citizens of the city of Manchester under the Manchester Corporation Waterworks Act 1879 or any Act or Acts amending that Act in connection with the laying and maintenance of water mains pipes and other works within the limits of supply of the Undertakers under the Order of 1880 and this Order.

For pro-  
tection of  
Lancashire

30. For the protection of the county council of the County Palatine of Lancaster (in this section called "the county council") the following



provisions shall unless otherwise agreed between the county council and the Undertakers apply and have effect (that is to say):—

A.D. 1914.

*Garstang.*County  
Council.

- (1) Nothing in the Order shall in any way limit or affect the powers of the county council to rebuild alter widen or repair the structure of any of the three bridges known as "Brock Higher" "New" and "Walmsley" all being in the township of Claughton upon which any work by this Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order:
- (2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any of the said bridges which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such works give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of gas it is in the opinion of the county bridgemaster necessary temporarily to remove the mains pipes and works belonging to the Undertakers from any of the said bridges then the Undertakers shall (and they are hereby authorised so to do) at their own expense temporarily to carry their mains pipes and works across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council:
- (3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out:
- (4) All mains pipes and works to be laid in or along any main road situate in the township of Claughton shall be laid in such position as far as practicable in or at the side thereof and at such depth as the county council in writing under the hand of their surveyor may reasonably direct:
- (5) The Undertakers shall fill in and properly ram to the satisfaction of the county surveyor any trench or excavation made by them in any main road situate in the township aforesaid including the roadway over any of the three before-mentioned county bridges and approaches in the execution or in the repair of any of the works of the Undertakers and after they have done so the county council

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if such trench or excavation is made under the metalled surface of the roadway shall make good pave or repair the surface of the roadway and for the work so carried out by the county council they may recover the reasonable costs thereof from the Undertakers and on payment by the Undertakers of the costs aforesaid the county council shall thereupon indemnify the Undertakers from any further liability or expense whatever and whether statutory or otherwise in respect of the maintenance or subsidence of the said roadway or anything whatever in relation thereto :

- (6) Notwithstanding anything in this Order contained it shall be lawful for the county council at any time or times to alter the level of divert widen or improve any main road situate in the said township in or alongside which any such mains pipes or works are carried in the same manner as they might have altered the level of diverted widened or improved any main road if this Order had not been made and as if such mains pipes or works had not been laid in or alongside such main road without making any compensation to the Undertakers for any expense or loss to which the Undertakers may be put in consequence of such alterations of level diversion widening or improvement unless such expense be due to the neglect or default of the county council and in the event of any main road situate in the said township in or alongside which such mains pipes or works are laid being diverted widened or improved as aforesaid the Undertakers shall at their own expense and upon receiving sixty days' notice in writing from the county council as and when required by the said surveyor forthwith remove or alter the position of the said mains or pipes and the works by which the same are carried alongside any such main road and replace the same in the manner and to the extent required by the said surveyor and to his reasonable satisfaction :

Provided that before and during such alteration of level diversion widening or improvement of any such main road as aforesaid the county council shall afford at the cost of the Undertakers all reasonable facilities for temporarily carrying such mains or pipes along any such main road so as not to interrupt the continuous supply of gas or diminish the pressure :

- (7) If any difference shall arise at any time between the county council and the Undertakers touching this section or anything to be done or not to be done thereunder such



difference shall be settled by an arbitrator to be agreed upon by the county council and the Undertakers or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 shall apply to the arbitration.

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

Costs of Order.

The SCHEDULE referred to in the foregoing Order.

The foregoing Order shall after the making by the Board of Trade of an order in pursuance of the provisions in that behalf therein contained prescribing a standard price for gas supplied by the Undertakers with sliding scale as to profits and as from the specified date be read and construed subject to the modifications following:—

I.—Sections 30 to 34 (both inclusive) of the Gasworks Clauses Act 1847 shall not continue to be incorporated with or to form part of the foregoing Order and in construing the said Act for the purposes of the foregoing Order section 35 of the said Act shall be read and construed as though the words from “in case the whole” down to “have been paid” all inclusive had been omitted therefrom and as though the expression “the prescribed rate” included the authorised rates as defined by the foregoing Order together with any sum which under the provisions of this schedule might lawfully be carried to the special purposes fund.

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

II.—Notwithstanding anything contained in the foregoing Order the standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter shall be the price prescribed by such order of the Board of Trade as aforesaid per thousand cubic feet:

Price of gas with sliding scale as to dividend.

Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary capital of the Undertakers as follows:—

In respect of any year during any part of which the price charged by the Undertakers shall have been one penny or part of a penny above the standard price the dividend payable by the Undertakers shall in respect of each penny or part of a penny by which the price shall have been increased be reduced

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below the standard rates of dividend by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and three shillings and sixpence on every one hundred pounds of ordinary paid-up capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds; And in respect of any year during the whole of which the price charged by the Undertakers shall have been one penny or more below the standard price the dividend payable by the Undertakers may in respect of each penny by which the standard price has been reduced be increased above the standard rates of dividend by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and three shillings and sixpence on every one hundred pounds of ordinary paid-up capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds.

Power to  
create a  
special  
purposes  
fund.

III.—(1) The directors of the Undertakers may if they think fit in any year appropriate out of the revenue of the Undertakers as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum of the paid-up capital of the Undertakers including premiums to a fund to be called "the special purposes fund."

(2) The special purposes fund shall be applicable only to meet such charges as an accountant appointed for the purpose by the Board of Trade shall approve as being—

- (A) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or
- (B) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth of the paid-up capital of the Undertakers including premiums.

(4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Undertakers to which capital is properly applicable or may be used partly in the one way or partly in the other.

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section.



IV.—If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital and the dividend at the authorised rates on the ordinary capital of the Undertakers the excess shall be carried to the credit of the divisible profits of such undertaking for the next following year :

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*Garstang.*  
 Application of excess of profits over authorised rates of dividend.

Provided that the sum so carried forward shall not in any case exceed the amount required to pay one year's dividend at the authorised rates.

V.—Where in any year the dividend of the Undertakers on the ordinary share capital or stock of the Undertakers shall exceed the standard rate by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of such excess of dividend the Undertakers may in such year set apart such sum as they think fit and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the specified date in relation to the undertaking may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers shall be insufficient to enable the Undertakers in such year to pay the dividend at the authorised rates on the ordinary capital of the Undertakers and save as by this schedule specially provided no sum shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund.

Power to create a reserve fund and application thereof.

VI.—Nothing in this schedule contained shall alter vary or affect any contract or agreement duly made or any liability incurred or notice given before the specified date with respect to the gasworks of or the supply of gas by the Undertakers.

Saving of existing contracts.

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## HARPENDEN DISTRICT GAS.

*Order empowering the Harpenden District Gas Company to extend their limits of supply and to raise additional capital and for other purposes.*

*Harpenden.*

*Preliminary.*

1. This Order may be cited as the Harpenden District Gas Order 1914 and the Harpenden District Gas Act 1901 (in this Order referred

Short and collective titles.

[Ch. clxxvii.] *Gas Orders Confirmation* [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

A.D. 1914. to as "the Act of 1901") and this Order may be cited collectively as  
*Harpenden.* the Harpenden District Gas Act and Order 1901 and 1914.

Commence-  
ment of  
Order.

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

Incorporation of Acts.

3. So far as the same relate to the powers conferred by this Order the provisions of the Companies Clauses Consolidation Act 1845 with respect to the several matters following (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The consolidation of the shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act and Order by all parties interested;

and Part I. (relating to the cancellation and surrender of shares) and Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts the Gasworks Clauses Act 1847 (except sections 30 to 34 inclusive) and the Gasworks Clauses Act 1871 are except where expressly varied by this Order incorporated with and form part of this Order:

Provided that section 13 of the Gasworks Clauses Act 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 under like circumstances to all consumers " were added at the end of that section.

For the purposes of such incorporation the term "special Act" in the said Acts respectively shall be construed to mean this Order and the term "the Company" shall mean the Undertakers.

Interpreta-  
tion.

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



Order the same respective meanings unless there be something in the subject or context repugnant to such construction And the expression "the authorised rates" means the rates of dividend authorised by the Act of 1901 and this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of the Act of 1901 and the expression "the undertaking" shall mean the undertaking of the Undertakers authorised by the Act of 1901 and extended by this Order.

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Harpenden.

*Undertakers.*

5. The Harpenden District Gas Company incorporated by the Act of 1901 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Undertakers.

*Extension of Limits of Supply.*

6. The limits of supply of the Undertakers are hereby extended so as to include so much and such part of the parish of Wheathampstead in the rural district of St. Albans in the county of Hertford as is not already within the limits for the supply of gas of the Undertakers (which part of the said parish is in this Order called "the additional limits of supply") and the Undertakers shall have and may exercise within the additional limits of supply all and the like powers privileges and authorities and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have may exercise and are subject to within the limits of supply as defined by the Act of 1901.

Extension of  
limits of  
supply.

*Capital.*

7. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1901 they may—

Additional  
capital.

(1) Raise any further sums not exceeding in the whole twenty-two thousand pounds (in this Order referred to as "the additional capital") by the creation and issue of new ordinary stock or shares or new preference stock or shares or wholly or partially by one or more of those modes respectively Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of twenty-two thousand pounds; and

(2) Borrow on mortgage of the undertaking such sum as together with the sums which they have at the time borrowed under the powers of the Act of 1901 shall not exceed one-third part of the capital by the Act of 1901 and this Order

A.D. 1914.

*Harpenden.*

authorised to be raised and at the time actually issued by shares or stock including the premiums (if any) realised on the sale thereof but no part thereof shall be borrowed until the whole of the stock or shares in respect of which the power of borrowing is being exercised including the premiums (if any) realised on the sale thereof shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act 1845 before he so certifies that such stock or shares including the premiums (if any) realised on the sale thereof have been fully paid up.

As to conversion of borrowed money into capital.

8. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the issue of debenture stock or any part thereof by the creation of stock instead of borrowing or to convert into capital the amount borrowed under the provisions of this Order.

Except as otherwise provided new stock and shares to be subject to same incidents as other stock.

9. Except as by this Order otherwise provided the additional capital and the new stock and shares therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if the additional capital were part of the share capital of the Undertakers already raised before the commencement of this Order of the same class or description and the shares or stock in the additional capital were shares or stock in that capital.

Additional capital to be sold by auction or tender.

10.—(1) All stock and shares forming part of the additional capital shall be issued in accordance with the provisions of this section.

(2) All stock and shares so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers shall from time to time determine Provided as follows:—

(A) Notice of the intended sale shall be given in writing to the clerk of the local authority of every district within the limits of supply of the Undertakers and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the said limits:

(B) A reserve price shall be fixed by the directors of the Undertakers and notice thereof shall be sent by the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till



after the day of auction or last day for the receipt of tenders as the case may be :

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*Harpenden.*

- (c) No lot offered for sale shall comprise stock or shares of greater nominal value than one hundred pounds :
- (d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid :
- (E) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any stock or shares which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Undertakers in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Undertakers and to the consumers of gas supplied by the Undertakers in such proportions as the directors of the Undertakers may think fit or to one or more of these classes of persons only Provided in the case of an offer to holders of shares or stock that if the aggregate amount of stock or shares applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any stock or shares which have been offered in accordance with the foregoing provisions of this section and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such stock or shares then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Undertakers shall send a report thereof to the Board of Trade stating the total amount of the stock and shares sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the stock and shares.

11. All moneys raised under this Order including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise from the issue of any stock or shares under the provisions of this Order by way of premium shall not be considered as part of the capital of the Undertakers entitled to dividend.

Application  
of moneys.

A.D. 1914.

*Harpenden.*  
Power to  
create debenture stock.

12. The Undertakers may create and issue debenture stock instead of and to the same amount as the whole or any part of the money borrowed or authorised to be borrowed on mortgage by this Order subject to the provisions of Part III. of the Companies Clauses Act 1863. But notwithstanding anything therein contained the interest of all debenture stock created and issued by the Undertakers under the authority of this Order shall rank *pari passu* with the interest of all mortgages granted by the Undertakers under the authority of this Order.

Existing mortgages to have priority.

13. All mortgages granted by the Undertakers in pursuance of the Act of 1901 shall during the continuance of such mortgages have priority over any mortgages granted under the authority of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.

Priority of money raised on mortgage or debenture stock over certain other claims.

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

Appointment of receiver.

15. Section 37 (Appointment of a receiver) of the Act of 1901 is hereby repealed as from the commencement of this Order but without prejudice to any appointment which may have been made or to the continuance of any proceedings pending under the provisions of that section. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole.

Limits of dividend on capital.

16. Except as by the Act of 1901 provided the Undertakers shall not in any year declare or make out of their profits any larger dividend on the additional capital than six pounds in respect of every



one hundred pounds of such additional capital actually paid up as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of such additional capital as may be issued as preference capital. A.D. 1914.  
*Harpenden.*

17. The Undertakers shall not without the consent of the Board of Trade pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or in respect of any debenture stock issued or raised under the authority of this Order. Limit of interest on borrowed moneys.

18.—(1) The directors of the Undertakers may if they think fit in any year appropriate out of the revenue of the Undertakers as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum of the paid-up capital of the Undertakers including premiums to a fund to be called "the special purposes fund." Power to create a special purposes fund.

(2) The special purposes fund shall be applicable only to meet such charges as an accountant appointed for the purpose by the Board of Trade shall approve as being—

(A) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or

(B) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for general maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the paid-up capital of the Undertakers including premiums.

(4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Undertakers to which capital is properly applicable or may be used partly in one way or partly in the other.

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section.

(6) The money or securities standing to the credit of the insurance fund of the Undertakers at the commencement of this Order shall be credited to the special purposes fund and section 31 of the Act of 1901 authorising the formation of an insurance fund is hereby repealed.

19. If the clear profits of the undertaking of the Undertakers in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital and the dividends at the authorised Application of excess of profits over authorised rates of dividend.

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(No. 3) Act, 1914.

A.D. 1914. rates on the ordinary capital of the Undertakers the excess shall be  
*Harpenden.* carried to the credit of the divisible profits of such undertaking for  
the next following year and section 32 of the Act of 1901 is hereby  
repealed. Provided that the sum standing to the credit of such divisible  
profits shall not at any time exceed the amount required to pay one  
year's dividend at the authorised rates.

*Price of Gas.*

Price of gas  
in additional  
limits.

20. The price to be charged by the Undertakers for gas supplied  
by them within the additional limits of supply shall be the same as  
the price for the time being charged by them under like circumstances  
within the limits of supply as defined by the Act of 1901.

*Testing Place.*

Testing  
place.

21. For the purposes of the Gasworks Clauses Act 1871 the  
prescribed testing place shall be the testing place provided by the  
Undertakers at their works.

*Quality of Gas.*

Quality.

22.—(1) The quality of the gas supplied by the Undertakers shall  
with respect to its illuminating power be such as to produce at the  
testing place when burned at the rate of five cubic feet per hour a  
light equal in intensity to the light produced by fourteen sperm  
candles of six to the pound each consuming one hundred and twenty  
grains of sperm per hour and shall be in all respects in accordance  
with the provisions of the Gasworks Clauses Act 1871.

(2) For testing the illuminating power of the gas the burner to  
be used shall be that known as the Metropolitan Argand No. 2 the  
photometer shall be the bar photometer the standard light shall be  
that supplied by Harcourt's ten-candle pentane lamp and in making  
the test the burner shall be so used as to obtain from the gas when  
burned at the rate aforesaid the greatest amount of light. Provided  
that the Board of Trade may on the application of the Undertakers  
or the local authority approve the use of any other burner photometer  
or standard light which may appear to the Board of Trade to be  
equally or more suitable for the testing.

(3) The Undertakers shall within three months from the com-  
mencement of this Order provide all the apparatus required by this  
Order for the testing of gas and shall at all times keep the same  
in proper order and repair.

(4) Sections 72 and 73 of the Act of 1901 are hereby repealed.

*Pressure of Gas.*

Pressure of  
gas.

23.—(1) All gas supplied by the Undertakers to any consumer of  
gas shall be supplied at such pressure as to balance a column of water



[4 & 5 GEO. 5.]      *Gas Orders Confirmation*      [Ch. clxxvii.]  
(No. 3) Act, 1914.

not less than eight-tenths of one inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer. A.D. 1914.  
Harpenden.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Order subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied. The Undertakers shall afford to the examiner all reasonable facilities for making the test.

(3) Section 70 of the Act of 1901 is hereby repealed.

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

(2) 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 quantity of gas supplied through such prepayment meter and the maximum charge shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of sixpence per one thousand cubic feet supplied in manner aforesaid or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

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

(5) 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.

25. The provisions of section 56 (For protection of Hertfordshire County Council) of the Act of 1901 shall extend and apply to and enure for the protection of and benefit of the county council of the administrative county of Hertford in relation to the exercise by the Undertakers of the powers conferred by this Order within the additional limits of supply in the same manner and to the same extent as if such provisions were expressly re-enacted in this Order with respect thereto. For protec-  
tion of Hert-  
fordshire  
County  
Council.

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*Harpenden.*  
For protec-  
tion of Great  
Northern  
Railway  
Company.

26. The following provisions for the protection of the Great Northern Railway Company (hereinafter called "the railway company") shall unless with the previous consent of the railway company in writing apply and have effect:—

- (1) All mains and pipes laid or proposed to be laid by the Undertakers under the powers of this Order over or under any bridge of the railway company shall be carried over or under the same in such a way as not to interfere with the structure of any such bridge and all other mains and pipes laid or proposed to be laid or maintained by the Undertakers under the powers of this Order which shall cross any railway of the railway company shall be carried under the same in a culvert or culverts of sufficient dimensions to admit of such mains and pipes being relaid or repaired without interference with the railway the top of any such culvert in no case being nearer the bottom of the rails of the railway than three feet:
- (2) In laying and maintaining any mains pipes culverts or other works over upon or across or under any work or property of the railway company the Undertakers shall with all reasonable despatch execute and maintain their works under the directions and superintendence and to the reasonable satisfaction of the engineer of the railway company and at such times as he shall reasonably direct and (except in cases of emergency arising from defects in any of the mains pipes culverts and other works) in accordance with plans sections and specifications to be previously submitted to and approved by the said engineer or in case he shall not signify his approval thereof within twenty-eight days after the same shall have been so submitted then according to such plans sections and specifications as may be approved by an arbitrator to be appointed under subsection (5) of this section and the Undertakers shall pay and make good to the railway company all loss damages and expenses including all extra expenses of superintendence watching lighting signalling and protecting their property which the railway company shall sustain or be put to by or in consequence of the laying maintenance or user of the said mains pipes culverts and other works or by or in consequence of the bursting of or any other accident to any main or pipe of the Undertakers Provided always that if the said engineer shall refuse or neglect for the space of seven days (or in cases of emergency forthwith) after being requested so to do by the Undertakers to superintend any of the works in this section referred to the Undertakers may



proceed with such works without the superintendence of the  
said engineer: A.D. 1914.

*Harpenden.*

(3) If at any time it is found necessary in order to enable the railway company to carry out any alterations or extensions of their railway or works that the position of such mains pipes or culverts shall be altered the Undertakers shall on receiving notice in writing from the railway company so to do at the cost of the Undertakers with all reasonable despatch alter the position of the same so far as may be necessary to enable the railway company to carry out such alterations or extensions and the provisions of this section shall apply to the said mains pipes or culverts in their altered position:

(4) If the railway company give to the Undertakers notice that they themselves desire to construct so much of the works or to carry out so much of the alterations of such mains pipes or culverts as will affect any railway or work belonging to them the railway company may themselves execute such works and alterations and recover the reasonable cost thereof from the Undertakers Provided that the actual laying in the trenches and the jointing of any mains or pipes of the Undertakers shall be executed by the Undertakers if the Undertakers' engineer so desires:

(5) Any difference arising between the Undertakers and the railway company under this section shall be determined by an engineer to be appointed failing agreement by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to any such reference.

*Miscellaneous.*

27. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1888 they may from time to time determine the remuneration of the secretary.

Directors may determine secretary's remuneration.

28. The Undertakers may purchase or take on lease houses cottages and buildings for persons in their employ and offices show rooms and buildings for the purposes of their undertaking and may erect fit up maintain and let any of such buildings upon any lands for the time being belonging or leased to the Undertakers.

Power to purchase or take on lease houses &c. for officers and servants.

29. Notwithstanding anything in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand from the Undertakers a supply or the continuance of a supply of gas for premises having a supply either of gas or electricity from an installation other than that of the Undertakers unless he shall previously have agreed to pay the Undertakers such minimum annual sum as

Supply of gas where consumer has separate supply.

A.D. 1914. will give to them a reasonable return on the capital expenditure and will cover other standing charges incurred by them to meet the possible maximum demand for those premises and the minimum annual sum to be so paid shall be determined in default of agreement in manner provided by the Arbitration Act 1889.

*Harpenden.*

Power to enter premises and remove fittings.

30. The power to enter premises and to remove pipes meters fittings or apparatus conferred upon the Undertakers by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Undertakers shall not require to take a supply of gas from the Undertakers or to hire from the Undertakers all or any of the pipes meters fittings or apparatus belonging to the Undertakers and let by them on hire to any former occupier of such premises.

Authentication and service of notices by Undertakers.

31. Any notice to be served by the Undertakers on a person supplied with gas shall be sufficiently authenticated by the signature of the secretary or other officer of the Undertakers for the time being authorised in writing by the directors being affixed thereto in writing or by a stamp or if it be a notice to pay any charge in respect of a supply of gas or gas fittings or appliances by the name either of the secretary or such other officer as aforesaid being affixed thereto in writing or in print or by a stamp and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

Notice to discontinue supply of gas.

32. A notice to the Undertakers from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Undertakers or be given personally by the consumer at such office.

Costs of Order.

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



## ST. IVES (HUNTS) GAS.

A.D. 1914.

*Order extending the limits of supply of the St. Ives (Hunts) Gas Company Limited empowering the Company to acquire additional lands to construct additional gasworks and to raise additional capital and for other purposes.*

*St. Ives.**Preliminary.*

1. This Order may be cited as the St. Ives (Hunts) Gas Order 1914 and the St. Ives (Hunts) Gas Order 1889 (hereinafter referred to as "the Order of 1889") the St. Ives (Hunts) Gas Order 1903 (hereinafter referred to as "the Order of 1903") and this Order may be cited together as the St. Ives (Hunts) Gas Orders 1889 to 1914.

Short and  
collective  
titles.

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

Commence-  
ment of  
Order.

3. The following Acts are (except where the same are expressly varied by the Order of 1889 or this Order) incorporated with and form part of this Order (that is to say):—

Incorpora-  
tion of Acts.

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

The Gasworks Clauses Act 1847 (except sections 30 to 34)  
Provided that—

(1) Section 13 for the purposes of incorporation with the Order of 1889 and this Order 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 under like circumstances to all consumers" were added at the end of that section; and

(2) Section 35 shall for the purposes of incorporation with this Order and of its application to the Undertakers be read and construed as if the words from "in case the whole" down to the words "have been paid" were omitted therefrom and as though the expression "the prescribed rate" meant the prescribed rates of dividend as defined by this Order:

The Gasworks Clauses Act 1871.

A.D. 1914.

*St. Ives.*  
Interpreta-  
tion.

4. In this Order—

The several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith and by the Gas and Water Works Facilities Act 1870 have the same respective meanings unless there be something in the subject or context repugnant to such construction ;

The expression “the existing limits” means the limits within which the Undertakers are authorised to supply gas by the Order of 1889 ;

The expression “the new limits” means the limits within which the Undertakers are authorised to supply gas by the section of this Order of which the marginal note is “Extension of limits of supply” ;

The expression “the limits of supply” means and includes the existing limits and the new limits ;

The expression “the undertaking” means the undertaking authorised by the Order of 1889 the Order of 1903 and this Order and shall include the gasworks and works connected therewith by the Order of 1889 and this Order authorised to be maintained or constructed ;

The expression “the prescribed rates” means the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of section 7 of this Order.

*Undertakers.*

Undertakers.

5. The St. Ives (Hunts) Gas Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as the Undertakers.

*Extension of Limits.*

Extension of  
limits of  
supply.

6.—(1) From and after the commencement of this Order the limits of the Undertakers for the supply of gas shall extend to and include in addition to the existing limits the following parishes (that is to say) :—

(a) In the county of Huntingdon—

The parishes of Wyton Houghton Holywell-with-Needingworth Bluntisham-with-Earith Colne Pidley-cum-Fenton Somersham and Warboys in the rural district of St. Ives :

(b) In the county of Cambridge—

The parishes of Over Fen Drayton and Swavesey in the rural district of Swavesey.



(2) Subject to the provisions of this Order the Undertakers shall have and may exercise within the new limits all and the like powers rights privileges and authorities for and in relation to the supply of gas and be subject to all and the like duties and obligations in respect thereof as they now have and are subject to within the existing limits.

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St. Ives.

(3) The Undertakers may continue maintain and use any mains pipes and other works laid down or constructed before the commencement of this Order within the new limits as if the same had been laid down or constructed under the powers of this Order and the provisions of this Order and of the Acts incorporated therewith shall apply to the said mains pipes and works in all respects as if the same had been laid down or constructed under the authority of this Order.

*Price of Gas.*

7.—(1) The price to be charged by the Undertakers for gas supplied by them within the borough of St. Ives to persons who shall consume the same by ordinary meter shall be four shillings and sixpence per thousand cubic feet (which price is hereinafter referred to as "the standard price") but it shall be lawful for the Undertakers to increase or reduce the price charged by them as aforesaid above or below the standard price subject to a reduction or increase in the dividends payable by the Undertakers on their ordinary capital as follows:—

Prices of gas  
Sliding scale.

In respect of any year during any part of which the price charged by the Undertakers as aforesaid within the borough of St. Ives shall have been one penny or part of a penny above the standard price the dividend payable by the Undertakers shall in respect of each penny or part of a penny by which the standard price shall have been increased be reduced below the standard rate of dividend by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and by three shillings and sixpence on every one hundred pounds of such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds;

And in respect of any year during the whole of which the price charged by the Undertakers as aforesaid within the borough of St. Ives shall have been one penny or more below the standard price the dividend payable by the Undertakers may in respect of each penny by which the standard price shall have been reduced be increased above the standard rate of dividend by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and by

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(No. 3) Act, 1914.

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three shillings and sixpence on every one hundred pounds of such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds:

Provided that if in any year the dividends payable shall comprise a fractional amount less than one half per centum the directors may in their discretion add the same to the reserve fund or may defer the payment of such fractional amount until the payment of the next or some succeeding dividends and shall in their discretion either add such fractional amount to and pay the same with succeeding dividends accordingly or add the same to the reserve fund.

(2) The prices to be charged by the Undertakers for gas supplied by them within the remainder of the limits of supply outside the borough of St. Ives to consumers who shall burn the same by ordinary meter shall not exceed the prices for the time being charged by the Undertakers to consumers under like circumstances within the borough of St. Ives by more than the following respective amounts namely:—

Within the parishes of Fen Stanton Hemingford Grey and Hemingford Abbots sevenpence per one thousand cubic feet;

Within the parishes of Wyton Houghton Holywell-with-Necdingworth and Fen Drayton tenpence per one thousand cubic feet;

Within the parishes of Bluntisham-with-Earith Colne and Swavesey one shilling and one penny per one thousand cubic feet;

Within the parish of Over one shilling and threepence per one thousand cubic feet;

Within the parish of Somersham one shilling and fivepence per one thousand cubic feet;

Within the parishes of Warboys and Pidley-cum-Fenton one shilling and sevenpence per one thousand cubic feet.

Notwithstanding anything in this section contained the Undertakers may charge in any one or more parishes outside the borough of St. Ives a price or prices less than the prices which they are authorised to charge in such parish or parishes provided that such reduced prices shall not at any time be less than the price charged during the same time within the borough of St. Ives.

*Additional Lands and Gasworks.*

Additional  
lands.

8.—(1) In addition to any other lands which the Undertakers have purchased or are authorised to purchase under the Order of 1889 they may for the purposes of the undertaking purchase by agreement and hold the following lands (that is to say):—

(A) The lands in the parish of Fen Stanton described in Part I. of the Schedule to this Order annexed;



(B) The lands in the parish of Somersham described in Part II. of the said Schedule;

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*St. Ives.*

(c) Any further lands not exceeding five acres in extent:

Provided that the Undertakers shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purposes of manufacturing gas or residual products except the lands described in the Schedule to the Order of 1889 and the lands described in the Schedule to this Order annexed.

(2) The purchase of so much of the lands described in the Schedule to this Order annexed as may have been purchased by the Undertakers prior to the commencement of this Order is hereby confirmed.

9. Notwithstanding anything in section 20 (Additional lands) of the Order of 1889 the Undertakers so long as they are possessed of the lands herein-after respectively referred to may maintain and continue alter extend improve and renew or discontinue the gasworks and works in connexion therewith existing at the commencement of this Order upon the lands described in Part II. of the Schedule to this Order annexed and may upon such lands and upon the lands described in Part I. of that Schedule erect maintain alter extend improve and renew new or additional 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 on any of the said lands convert and manufacture residual products resulting from the manufacture of gas.

Power to  
construct  
additional  
gasworks &c.

10. From and after the commencement of this Order section 20 (Additional lands) of the Order of 1889 shall be read and have effect as if the words "or of storing gas" were omitted from that section but nothing herein contained shall authorise the Undertakers to store gas on any lands (other than the lands described in the Schedule to the Order of 1889 or the Schedule annexed to this Order) except subject to the provisions of section 5 of the Gasworks Clauses Act 1871.

Storage of  
gas.

11. The Undertakers may purchase or take on lease houses cottages and other buildings for persons in their employ and offices showrooms and other buildings for the purposes of the undertaking and may erect fit up maintain and let any such building upon any lands for the time being belonging or leased to the Undertakers.

Dwelling-  
houses for  
employees  
offices &c.

#### *New Capital.*

12. The limitation prescribed by the Order of 1903 with respect to the amount of the share capital of the Undertakers for the purposes of the undertaking shall not prevent the Undertakers from raising for such

New capital.

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purposes further share capital (in this Order referred to as "the new capital") not exceeding twelve thousand five hundred pounds including any premiums that may be obtained on the sale of any shares under the provisions of this Order. Provided that the share capital of the Undertakers for the purposes of the undertaking shall not exceed in the whole thirty thousand pounds unless the Undertakers are hereafter authorised to raise further share capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

New capital  
to be sold by  
auction or  
tender.

13.—(1) All shares or stock forming part of the new capital shall be issued in accordance with the provisions of this section.

(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers shall by special resolution determine. Provided as follows:—

(A) Notice of the intended sale shall be given in writing to the town clerk of the borough of St. Ives and to the clerks of every rural district council having jurisdiction in the limits of supply and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

(B) A reserve price shall be fixed and notice thereof shall be sent by the directors of the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened until after the day of auction or last day for the receipt of tenders as the case may be:

(C) No lot offered for sale shall comprise shares of greater nominal value than one hundred pounds:

(D) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum. In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:

(E) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of shares or stock of the Undertakers in such manner as may be



prescribed in a resolution passed by the directors of the Undertakers and to the employees of the Undertakers and to the consumers of gas supplied by the Undertakers in such proportion as the directors of the Undertakers may think fit or to one or more of these classes of persons only. Provided that in case of an offer to holders of shares or stock if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amount applied for by them respectively.

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(4) Any shares or stock which have been offered in accordance with the foregoing provisions of this section and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Undertakers shall send a report thereof to the Board of Trade stating the total amount of the shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the shares or stock as the case may be.

14. Except as by section 7 of this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividends (in this Order referred to as "the standard rates of dividend") than the following:—

Limits of  
dividend on  
share capital.

On the original capital of ten thousand pounds authorised by the Order of 1889 ten pounds upon every one hundred pounds of such original capital;

On the additional capital of two thousand five hundred pounds authorised by the Order of 1889 seven pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as ordinary capital and six pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as preference capital;

On the capital of five thousand pounds authorised by the Order of 1903 seven pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as ordinary capital and five pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as preference capital;

On the new capital seven pounds in respect of every one hundred pounds actually paid up of so much of such new capital as may

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*St. Ives.*

be issued as ordinary capital and five pounds in respect of every one hundred pounds actually paid up of so much of such new capital as may be issued as preference capital.

Dividends on different classes of shares or stock to be paid proportionately.

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

Limit of borrowing powers.

16. The Undertakers may borrow on mortgage of their undertaking (in addition to the sums which they are already empowered to borrow under the Order of 1889 and the Order of 1903) the following sums (that is to say):—

- (i) A further sum not exceeding one thousand two hundred and fifty pounds in respect of the capital authorised by the Order of 1889 and the Order of 1903; and
- (ii) Any sum or sums not exceeding in the whole one-third of the amount of the new capital at the time actually raised by the issue of shares or stock including any premium that may be obtained on the sale of any shares or stock under the provisions of this Order;

and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

*Other Financial Provisions.*

Application of existing funds.

17. The Undertakers may from time to time apply to the purposes of this Order to which capital is properly applicable any moneys which they have already raised or are authorised to raise under the Order of 1889 and the Order of 1903.

Application of money.

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

Power to create a special purposes fund.

19.—(1) The directors may if they think fit in any half-year appropriate out of the revenue of the Undertakers as part of the expenditure on revenue account any sum not exceeding an amount equal to one half per centum of the paid-up capital of the Undertakers including premiums to a fund to be called "the special purposes fund."



(2) The special purposes fund shall be applicable only to meet such charges as an accountant appointed for the purpose by the Board of Trade shall approve as being—

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St. Ives.

- (A) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or
- (B) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the paid-up capital of the Undertakers including premiums.

(4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Undertakers to which capital is properly applicable or may be used partly in the one way and partly in the other.

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section.

20. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the dividend at the prescribed rates on the preference capital and the ordinary capital of the Undertakers the excess shall be carried to the credit of the divisible profits of the undertaking for the next following year. Provided that the sum standing to the credit of such divisible profits shall not at any time exceed the amount required to pay one year's dividend at the prescribed rates on the preference capital and the ordinary capital.

Application of excess of profits over prescribed rates of dividend.

21. Where in any year the dividend of the Undertakers on the ordinary capital of the Undertakers shall exceed the standard rates of dividend by reason of the price charged by the Undertakers for gas to persons who shall consume the same by ordinary meter within the borough of St. Ives in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of such excess of dividend the Undertakers may in such year set apart such sum as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of the Undertakers existing at the commencement of this Order may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that

Reserve fund.



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*St. Ives.*

the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers shall be insufficient to enable the Undertakers in such year to pay the dividend at the prescribed rates on the ordinary capital of the Undertakers and save as in this Order provided no sum shall in any year be carried by the Undertakers to any reserve fund.

*Quality Testing and Pressure.*

Quality of  
gas.

22. The prescribed number of candles shall not be less than fourteen.

Testing for  
quality.

23.—(1) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be the testing place provided by the Undertakers at their works.

(2) The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming one hundred and twenty grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(3) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Undertakers or the local authority approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing.

(4) The Undertakers shall provide at the testing place all the apparatus required by this Order for the testing of gas and shall at all times keep the same in proper order and repair.

Pressure of  
gas.

24.—(1) All gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than eight-tenths of an inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Order subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied The



Undertakers shall afford to the examiner all reasonable facilities for making the test. A.D. 1914.  
*St. Ives.*

*Miscellaneous.*

25. The following sections of the Order of 1889 and of the Order of 1903 are hereby repealed (that is to say):—

Repeal of  
certain  
sections of  
Orders of  
1889 and  
1903.

## ORDER OF 1889.

- Section 14 Limits of dividend.
- Section 15 Prescribed rates to be paid proportionately.
- Section 17 If profits exceed the amount limited excess may be invested and form an insurance fund.
- Section 18 Application of excess of profits over prescribed rates.
- Section 19 Reserve fund.
- Section 25 Quality of gas.
- Section 26 Fixing maximum price of gas with sliding scale as to dividend.
- Section 27 Pressure of gas.
- Section 28 Testing of gas.

## ORDER OF 1903.

- Section 10 Limits of dividend on new capital.
- Section 11 Dividends on different classes of shares or stock to be paid proportionately.

26. The Undertakers may but only with the consent of the owner of the soil of such street on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply such premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation with the Order of 1889 and this Order. Power to lay pipes in streets not dedicated to public use.

27. The Undertakers having first obtained the consent in writing of the local authority of the district may lay down repair take up alter relay and renew mains pipes and culverts within the limits of supply 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 their business 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 Power to lay pipes for ancillary purposes.

[Ch. clxxvii.]      *Gas Orders Confirmation*      [4 & 5 GEO. 5.]  
(No. 3) Act, 1914.

A.D. 1914. the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

*St. Ives.*

Amending section 30 of Order of 1889.

28. From and after the commencement of this Order section 30 (Undertakers to pay interest on deposit) of the Order of 1889 shall be read and have effect as if the words "four pounds" were inserted therein in lieu of the words "five pounds."

As to construction and placing of pipes &c. between mains and meters.

29. In order to enable the Undertakers to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

- (1) The Undertakers may specify the size and material of the pipes with the fittings thereof which either in the first instance or on the occasion of any renewal are to be laid by the consumer on his own premises between the Undertakers' mains and the meter so far as the same are intended to be covered over:
- (2) The Undertakers may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:
- (3) The specification shall be published twice in some newspaper or once in each of two newspapers circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Undertakers:
- (4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Undertakers' main but within the outside wall of the building:
- (5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Undertakers and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Undertakers. Any officer of the Undertakers duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Undertakers' specification or if the meter is not placed as required by this section the Undertakers may refuse to supply gas to the premises until the provisions of this section have been complied with:



(6) Any person to whom the Undertakers refuse a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Undertakers' specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

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*St. Ives.*

30. Every consumer of gas supplied by the Undertakers who uses a gas engine shall if required to do so by the Undertakers use an effective anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and if any consumer shall make default in complying with the provisions of this section the Undertakers may cease to supply him with gas. The Undertakers shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Undertakers if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

Power to require use of anti-fluctuators for gas engines.

31. The power to enter premises and to remove pipes meters fittings or apparatus conferred upon the Undertakers by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Undertakers shall not require to take a supply of gas from the Undertakers or to hire from the Undertakers all or any of the pipes meters fittings or apparatus belonging to the Undertakers and let by them on hire to any former occupier of such premises.

Power to enter premises and remove fittings.

32. At least twenty-four hours' notice shall be given to the Undertakers by every gas consumer either personally at the office of the Undertakers or in writing before he shall quit any premises supplied with gas by meter by the Undertakers and in default of such notice the consumer so quitting shall be liable to pay to the Undertakers the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Undertakers to supply gas to such premises whichever shall first occur. Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Undertakers.

Gas consumers to give notice to Undertakers before removing.

33. If a person requiring a supply of gas from the Undertakers has previously quitted premises at which gas was supplied to him by the Undertakers without paying to them all gas charges and meter rent due from him to the Undertakers they may refuse to furnish to him a supply of gas until he pays the same.

Power to refuse supply to persons in debt for other premises.



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*St. Ives.*

Notice to  
discontinue  
supply of gas.

34. A notice to the Undertakers from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post, to the office of the Undertakers or be given by the consumer personally at the office of the Undertakers.

Period of  
error in  
defective  
meters.

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

Under-  
takers may  
contract  
with local  
authority  
&c. for  
supply in  
bulk.

36. The Undertakers may contract with any local authority company or persons authorised to supply gas under parliamentary powers in any district adjacent to the limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Undertakers to lay any pipes or interfere with any street beyond the limits of supply.

Supply of gas  
when con-  
sumer has  
separate  
supply.

37. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand from the Undertakers a supply or the continuance of a supply of gas for premises having a supply of gas from an installation other than that of the Undertakers or a supply of electricity unless he shall have previously agreed to pay the Undertakers such minimum annual sum as will give to them a reasonable return on the capital expenditure and standing charges incurred by them to meet the possible maximum demand for those premises and the minimum annual sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

For pro-  
tection of  
Cambridge-  
shire and  
Hunting-  
donshire  
county  
councils.

38. Notwithstanding anything contained in this Order or any enactment incorporated therewith the following provisions for the protection of the county council of the administrative county of Cambridge and the county council of the administrative county of Huntingdon respectively (which county councils and their respective surveyors and clerks are in this section referred to as "the county council" "the county surveyor" and "the county clerk" respectively) shall unless otherwise agreed between the Undertakers and the county



[4 & 5 GEO. 5.]      *Gas Orders Confirmation*      [Ch. clxxvii.]  
(No. 3) Act, 1914.

council have effect with reference to the exercise of any powers of this Order affecting any road or bridge vested in or repairable by the county council :—

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St. Ives.

- (i) The plan required by section 9 of the Gasworks Clauses Act 1847 shall be on a scale not less than  $\frac{1}{2500}$  and shall be accompanied by a description of the proposed works in the case of a road and by a section on a scale not less than four feet to one inch in the case of a bridge and shall (except in cases of emergency) be delivered to the county surveyor not less than fourteen days in the case of a bridge and seven days in the case of a road before the said works are commenced. The Undertakers shall not interfere with the structural part of any bridge or with any culvert drain or catchpit vested in or repairable by the county council without the previous consent in writing of the county surveyor and then only on such terms and conditions as he may consider necessary or desirable for the protection of the county council:
- (ii) All works of the Undertakers (including pipes conduits service pipes sewers pillars lamps and other works) so far as they affect any road or bridge vested in or repairable by the county council shall be executed by the Undertakers so as not to stop traffic and so far as reasonably practicable as not in any way to impede or interfere with traffic. At all times sufficient unobstructed roadway shall be left unopened for at least one cart to pass along the road and no trench shall be open for more than seventy-five yards in length where only one cart can pass at a time or for more than one hundred and fifty yards in length where only two carts can pass at the same time. All pipes and other works shall be laid as far as practicable at the sides of any road and clear of the metalled portion:
- (iii) The county council shall not be liable for or in respect of any damage or injury done to any of the works of the Undertakers by reason of such works having been laid at a depth below the surface of the road or of any bridge insufficient for its protection from injury arising from the use on the said road of any steam roller not exceeding twelve tons in weight or other engine or from the traffic using the road:
- (iv) The Undertakers shall give to the county surveyor notice in writing of the filling in reinstatement and making good of any road or bridge broken up under the powers

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of this Order forthwith after the completion of such work and the county council may for a period of twelve months after such completion execute any repairs necessary to any road or bridge in consequence of such breaking up by the Undertakers and the reasonable cost of such repairs shall be paid on demand to the county council by the Undertakers :

- (v) In the event of the Undertakers desiring to open or break up any road for the purpose of making connections to a main already laid or for repairs the county council shall be at liberty at the option of the county surveyor to execute the work of reinstatement at the reasonable expense of the Undertakers :
- (vi) If the county council shall for the purpose of repairing altering or widening any road or bridge vested in or repairable by them or of rebuilding any bridge at any time require the position or level of any of the pipes or other works of the Undertakers laid or placed in under through or by the side of any such road or bridge or attached to any bridge to be altered either temporarily or permanently the Undertakers shall on receiving notice in writing under the hand of the county clerk alter the same with all reasonable expedition under the superintendence of the county surveyor and the Undertakers shall provide any necessary support (whether permanent or temporary) to any pipes or other works requiring support. The reasonable and necessary expense of the Undertakers of such alteration shall in the case of the repairing altering widening or rebuilding of a bridge be borne and paid by the Undertakers and in the case of the repairing altering or widening of a road shall be paid by the county council to the Undertakers. Any additional expense in relation to any such repairing altering widening or rebuilding as aforesaid to which the county council may be put by reason of the necessity for providing for any of the pipes or other works of the Undertakers shall be paid by the Undertakers to the county council. Provided that during the repairing altering widening or rebuilding of any such bridge the county council shall afford all reasonable facilities for temporarily carrying such pipes or works across any stream or river so as not to interrupt the continuous supply of gas or to diminish the pressure of such supply through such pipes or works and the Undertakers shall reimburse the county council all reasonable expenses incurred by the county council in affording such facilities :



- (vii) Provided that in case any such repairing altering widening or rebuilding of any bridge as is mentioned in subsection (vi) of this section shall be required solely for the accommodation of any light railway trolley vehicle system or tramway belonging to the county council the county council shall repay to the Undertakers the expense which the Undertakers reasonably incur in altering the position or level of or providing any permanent or temporary support to any pipes or works of the Undertakers which are laid or placed in under through or by the side of or attached to such bridge and the facilities to be afforded under the said subsection (vi) shall be afforded by the county council at their own expense :
- (viii) If the Undertakers shall neglect to do or complete any work or act required by this section to be done by the Undertakers then and in any such case the county council may do such work or act themselves with all reasonable expedition and the Undertakers shall repay to the county council the reasonable cost of doing any such work or act and all proper costs charges and expenses incurred in connection therewith or occasioned by such neglect as aforesaid The county council shall not be liable to pay to the Undertakers any compensation for injury to any of the works of the Undertakers or for any loss to the Undertakers which may be caused by or arise out of the doing by the county council of any such work as aforesaid in a proper and reasonable manner or by or out of the exercise of any of the powers for the time being vested in the county council as a road or bridge authority in a proper and reasonable manner :
- (ix) If at any time the Undertakers shall abandon their undertaking then any pipes or other works which shall at the time of such abandonment be in or under any road or bridge vested in or repairable by the county council shall become and be the absolute property of the county council and the county council may remove them if they so desire :
- (x) The Undertakers shall at all times keep the county council effectually indemnified against all actions losses costs damages claims and demands in any way arising out of or by reason or on account of anything unlawfully or negligently done or omitted to be done by the Undertakers in respect of or in connection with the works or matters arising under this Order.

A.D. 1914.

St. Ives.

A.D. 1914.

*St. Ives.*

For protec-  
tion of pro-  
prietor of  
River Ouse  
Navigation.

39.--(1) Any mains pipes or other works which under the authority of this Order the Undertakers may lay down or execute under or across the River Ouse otherwise than on a bridge not repairable by the proprietor of the River Ouse Navigation shall be so laid down and executed and any subsequent works of maintenance and repair thereto shall be carried out under the superintendence and to the reasonable satisfaction of the engineer of Leonard Taylor Simpson or other the proprietor of the River Ouse Navigation and in accordance with plans and sections previously submitted to such engineer and approved by him or settled by an arbitrator under the provisions of this section but in all things at the expense of the Undertakers and so as not to cause any injury to any lock works lands or property of the said Leonard Taylor Simpson or such other proprietor as aforesaid or any impediment or interruption to the passage or conduct of traffic on the said river Provided that if the said engineer shall fail to signify to the Undertakers his approval or disapproval of any plans and sections submitted to him under this section for a period of ten days after the submission thereof he shall be deemed to have approved thereof and in the event of his disapproval of any such plans or sections the same shall be submitted to and settled by an arbitrator to be appointed as hereinafter mentioned.

(2) Any dispute between the Undertakers on the one hand and the said Leonard Taylor Simpson or other the proprietor of the River Ouse Navigation or the said engineer on the other hand and any plans and sections of which the said engineer shall have disapproved shall be referred to and settled by an arbitrator to be appointed in default of agreement between the parties by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to such reference.

For pro-  
tection of  
Great  
Eastern  
Railway  
Company.

40. Notwithstanding anything in this or any other Order contained the following provisions for the protection of the Great Eastern Railway Company (hereinafter called "the railway company") shall be in force and have effect and be binding on the Undertakers:—

(1) In laying down and in executing any works in connection with the laying down or the repair and renewal of any mains pipes or other works which the Undertakers may by this Order be authorised to lay down and execute upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings of or repairable by the railway company the same shall be done under the superintendence and to the reasonable satisfaction of



the principal engineer of the railway company and only (except in cases of emergency arising from defects in any of the pipes or other works) according to plans and sections to be previously submitted to and reasonably approved by him and in all things by and at the expense of the Undertakers who shall also restore and make good the roads over such bridges level crossings and approaches which the railway company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Undertakers Provided always that if such principal engineer shall not approve or disapprove any such plans or sections so submitted to him within fourteen days after the same are delivered or shall refuse or neglect for the space of seven days after being requested so to do by the Undertakers to superintend the work the Undertakers may proceed with the work without the approval of the plans and sections and without the superintendence of the said engineer respectively :

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*St. Ives.*

- (2) All such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of the traffic over such railways or at any station thereon and if any injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works under or near to any such bridge level crossing or other property the Undertakers shall make compensation in respect thereof to the railway company the amount of such compensation together with full costs to be recoverable from the Undertakers by all and the same means as any simple contract debt is recoverable :
- (3) Any dispute or difference which may arise between the railway company and the Undertakers with reference to the provisions of this section or in any way arising there-out or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

41. The provisions of the section of this Order the marginal note whereof is "For protection of Great Eastern Railway Company" shall extend and apply to the Great Northern and Great Eastern Joint Committee as if that Joint Committee had been referred to in the said section in addition to the Great Eastern Railway Company.

For protection of Great Northern and Great Eastern Joint Committee.

A.D. 1914.

*St. Ives.*Differences  
with road  
authority or  
railway or  
other com-  
panies.

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

*Costs of Order.*Costs of  
Order.]

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

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The SCHEDULE referred to in the foregoing Order.

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## ADDITIONAL GAS LANDS.

## PART I.

*In the Parish of Fen Stanton.*

A plot of land abutting on the south-west side of the existing gasworks of the Undertakers in that parish and the premises in the occupation of the Star Brewery Company Limited and being the enclosure numbered on the Ordnance map scale 1/2500 (2nd edition 1901) 323 in the parish of Fen Stanton and containing by admeasurement 2 acres 2 roods and 17 perches.

## PART II.

*In the Parish of Somersham.*

Lands forming the site of the existing gasworks of the Undertakers in that parish which lands are bounded on the north by High Street Somersham and on the east south and west by lands belonging or reputed to belong to Messrs. C. S. Lindsell and Son and contain by admeasurement 1,116 square yards or thereabouts.

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## SWANSEA GAS.

A.D. 1914.

*Swansea.*

*Order to empower the Swansea Gas Light Company to construct and maintain further works for the manufacture and storage of gas and to repeal the Swansea Gas Order 1912.*

1. This Order may be cited as the Swansea Gas Order 1914.

Short title.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed.

Commence-  
ment of  
Order.

3. The provisions of the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 are hereby incorporated with this Order except where the same are expressly varied by the Swansea Gas Acts and Orders 1861 to 1910 and the Swansea Gas Act 1911.

Incorporation of Acts.

4. The several words terms and expressions to which by any Act incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Interpreta-  
tion.

5. The Swansea Gas Light Company shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Undertakers.

6.—(1) The Undertakers may upon the lands described in the Schedule to this Order annexed and upon any lands upon which they are by any Act or Order authorised to make and store gas and to convert and manufacture residual products resulting from the manufacture of gas or any part thereof erect maintain alter enlarge renew improve and use gasworks with all such erections and buildings as they may think fit and may make and store gas coke tar lime ammoniacal liquor and other residual products arising directly or indirectly from the manufacture of gas and manufacture convert and otherwise deal in such products and may do all such acts and things as they may consider necessary and proper for or in connection with the purposes aforesaid or any of them.

Power to use  
lands for  
manufacture  
of gas &c.

(2) The Undertakers may at or for use at any works erected upon the said lands—

- (a) Work up and convert the residual products arising directly or indirectly from the manufacture of gas by them;
- (b) Purchase whether from other gas undertakers or elsewhere and use the materials required to work up and convert such residual products;
- (c) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith manufacture other products of the same kind as the Undertakers are manufacturing from their own residual products Provided

A.D. 1914.

Swansea.

that the quantity of any residual product so purchased by the Undertakers in any year shall not exceed one-third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them;

- (d) Purchase from other gas undertakers or elsewhere and use the materials required to work up and convert the residual products so purchased;

but the Undertakers shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Undertakers or purchased from other gas undertakers is merely subsidiary.

Repeal of  
Swansea Gas  
Order 1912.

Application  
of funds.

Costs of  
Order.

7. The Swansea Gas Order 1912 (confirmed by the Gas and Water Orders Confirmation Act 1912) is hereby repealed.

8. The Undertakers may apply for the purpose of carrying into effect the provisions of this Order any money which they have already raised or are authorised to raise under the powers of the Swansea Gas Acts and Orders 1861 to 1910 and the Swansea Gas Act 1911.

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

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The SCHEDULE referred to in the foregoing Order.

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GAS LANDS.

A piece or parcel of land being a part of the Forest Farm belonging or reputed to belong to His Grace the Duke of Beaufort containing twenty-five acres two roods thirty poles or thereabouts situate in the parish and county borough of Swansea in the county of Glamorgan bounded on the north and east by and adjoining land belonging or reputed to belong to the said Duke of Beaufort on the south by a further part of the Forest Farm aforesaid on the west by the Morryston Branch of the Midland Railway and on the north-west by land belonging or reputed to belong to the said Duke of Beaufort.

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