



### CHAPTER xxxvi.

An Act to empower the urban district council of Rickmansworth to purchase the undertaking of the Rickmansworth Gas Company and to supply gas and for other purposes. A.D. 1903.  
[30th June 1903.]

**W**HEREAS part of the parish of Rickmansworth in the county of Hertford has been constituted an urban district (hereinafter called "the district") under the management of the Rickmansworth Urban District Council (hereinafter called "the Council"):

And whereas by the Rickmansworth Gas Order 1885 (confirmed by the Gas Orders Confirmation (No. 1) Act 1885) the Rickmansworth Gas Light and Coke Company Limited (hereinafter called "the Limited Company") were empowered to maintain and continue and from time to time alter and enlarge certain gasworks in the Schedule to the said Order described and to supply gas in the parish of Rickmansworth aforesaid:

And whereas the said parish of Rickmansworth in the said Order mentioned has been divided and the area of the said parish in addition to the district comprises the parishes of Rickmansworth Rural and Chorley Wood all of which are hereinafter referred to collectively as "the limits of supply":

And whereas the Limited Company have in exercise of the powers of the said Order continued and from time to time enlarged the said gasworks:

And whereas by the Rickmansworth Gas Act 1902 (hereinafter referred to as "the Act of 1902") the Limited Company were dissolved and the Rickmansworth Gas Company (hereinafter referred to as "the Company") were incorporated and authorised to supply gas within the limits of supply:

And whereas by section 83 of the Act of 1902 it is provided that if the Council should introduce a Bill into Parliament in the

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And whereas the Company have borrowed upon mortgage of the undertaking the sum of three thousand nine hundred and thirty-three pounds :

And whereas it is expedient that the Council should be authorised to purchase the undertaking of the Company :

And whereas the demand for gas within the limits of supply is increasing and it is necessary and expedient that provision should be made therefor :

And whereas it is expedient that the Council should be authorised to borrow the sums required for the purposes of this Act and that repayment thereof should be spread over terms of years :

And whereas an absolute majority of the whole number of the Council at a meeting held on the thirty-first day of July one thousand nine hundred and two after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the *Watford Observer* a local newspaper circulating in the district such notice being in addition to the ordinary notices required for summoning such meeting resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate :

And whereas such resolution was published twice in the *Rickmansworth News* a newspaper circulating in the district and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the Council at a further special meeting held in pursuance of a similar notice on the eighth day of January one thousand nine hundred and three being not less than fourteen days after the deposit of the Bill for this Act in Parliament :

And whereas the owners and ratepayers of the district by resolution in the manner provided in the Third Schedule of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal

and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :— A.D. 1903.

PART I.  
PRELIMINARY.

1. This Act may be cited as the *Rickmansworth Gas Act* Short title. 1903.

2. This Act is divided into Parts as follows (that is to say) :— Act divided into Parts.

- Part I. Preliminary.
- Part II. Sale and dissolution.
- Part III. Limits works and supply of gas.
- Part IV. Financial.
- Part V. Miscellaneous.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely) :— Incorporation of Acts.

The Lands Clauses Acts except section 127 of the Lands Clauses Consolidation Act 1845 :

The Gasworks Clauses Act 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit and except section 38 relating to accounts) and the Gasworks Clauses Act 1871 (except section 7 relating to shareholders section 8 relating to the appointment of a receiver and section 35 relating to accounts &c.) and with such exceptions as aforesaid the provisions of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 shall extend and apply to the gas undertaking of the Council and to any existing works mains or pipes of the Company transferred to the Council under this Act as if such undertaking had been authorised by and such works mains and pipes constructed laid down and placed by the Council under the powers of this Act.

4. In construing this Act the following words and expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say) :— Interpretation.

- “ The district ” means the urban district of Rickmansworth ;
- “ Council ” means the urban district council of the district ;
- “ Clerk ” means the clerk to the Council ;

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“District fund” and “general district rate” mean respectively the district fund and general district rate of the district ;

“The Company” means the Rickmansworth Gas Company ;

“The undertaking of the Company” includes all the gasworks engines mains pipes and machinery lands and buildings plant fixed and moveable and all other the real and personal property assets and effects of whatever nature and all the rights powers and privileges vested in or belonging to or had or enjoyed by the Company at the date of the transfer of the undertaking of the Company to the Council under the provisions of this Act except the books and papers relating exclusively to the shareholders in and the constitution of the Company and except the stock in trade stores cash balances investments of the Company’s reserve fund securities for money book debts rents rates and sums of money due or owing to the Company ;

Terms to which meanings are assigned by the Acts incorporated with this Act or any part of this Act or by the Public Health Acts have in this Act the same respective meanings unless varied by this Act or unless there is something in the subject or context repugnant to such construction and in the Acts so incorporated with this Act the expressions “the undertakers” “the promoters of the undertaking” shall for the purposes of this Act mean the Council.

## PART II.

### SALE AND DISSOLUTION.

Company to  
sell their  
undertaking  
to Council.

5.—(1) Within three months after the passing of this Act the Council shall give to the Company notice in writing of their intention to purchase the undertaking of the Company and thereupon the Company shall sell to the Council and the Council shall purchase the undertaking of the Company subject to all their then existing debentures mortgages obligations and liabilities for such price or consideration and on and subject to such terms and conditions as may be agreed upon between the Company and the Council or as failing agreement shall be determined by arbitration in accordance with the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement and in the construction of the said provisions the

expression "the promoters of the undertaking" shall mean the Council and the expression "lands" shall mean the undertaking of the Company and the arbitrators or umpire shall in settling the amount to be paid by the Council to the Company allow ten per centum as compensation for compulsory purchase. Provided that the arbitrators or umpire shall not in settling such amount have regard to the fact that the Company obtained the Rickmansworth Gas Act 1902.

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(2) In addition to the sum to be paid by the Council to the Company under the foregoing provisions of this section the Council shall therewith pay to the Company the actual costs charges and expenses of obtaining the Rickmansworth Gas Act 1902 and shall also pay to the Company the costs charges and expenses incurred by them of and incident to the winding-up of the Company.

6.—(1) The purchase shall be completed and the purchase-money paid and the undertaking of the Company shall by virtue of this Act be transferred to and become vested in the Council on such date as may be agreed between the Council and the Company or failing such agreement on such date being within three months after the determination of the amount of the purchase-money as the Council may fix and the said date is in this Act referred to as "the date of transfer" Provided that if the Council shall not pay the said purchase-money on the date so agreed or fixed as aforesaid they shall pay interest thereon at the rate of four pounds per centum per annum until payment.

Transfer of undertaking.

(2) The production of a King's printer's copy of this Act duly stamped together with a receipt for the purchase-money purporting to be signed by three directors of the Company or by the cashier of the Bank of England shall (unless it be proved that such purchase-money has not been paid) be conclusive evidence in all courts and proceedings of the transfer to and vesting in the Council of the undertaking of the Company.

7. The receipt in writing of three of the directors of the Company for the purchase price or for any other sum of money to be paid to the Company by the Council shall effectually discharge the Council from the sum which in such receipt shall be acknowledged to have been so received and from being concerned to see to the application thereof and from being answerable or accountable for the loss misapplication or non-application thereof. Provided that if from any cause the Council are unable to obtain such receipt they may pay the money into the Bank of England in the name of the Paymaster-General for and on behalf of the Supreme

Receipt for purchase-money.

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Pending actions.

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

Contracts of Company to be binding upon Council.

9. Subject to the provisions of the section of this Act of which the marginal note is "Company to carry on undertaking till transfer" all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made and subsisting at the date of transfer and then in force shall be as binding and of as full force and effect in every respect against or in favour of the Council and may be enforced as fully and effectually as if instead of the Company the Council had been a party thereto.

Company's debts to be paid by Council.

10. All debentures mortgages obligations debts and liabilities of the Company existing at the date of transfer shall be paid and satisfied by the Council but subject as between the Council and the Company to the section of this Act the marginal note whereof is "Company to carry on undertaking till transfer."

Books &c. to remain evidence.

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

Company to carry on undertaking till transfer.

12. Until the transfer the undertaking of the Company shall be maintained and carried on by the Company as heretofore in the ordinary course of business but the Company shall not without the previous consent of the Council under the hand of the clerk make or enter into any contract agreement or obligation except such as shall be in the ordinary course of the maintenance of the works and the proper conduct of the undertaking and any expenditure incurred by the Company on capital account prior to the transfer with such consent of the Council as aforesaid shall upon the transfer be repaid to the Company by the Council and the Council shall also upon the

transfer repay any sums borrowed by the Company under the provisions of subsection (6) of section 83 of the Rickmansworth Gas Act 1902. A.D. 1903.  
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**13.** The Council shall take over the book debts rents rates and sums of money due or owing to the Company and the stock-in-trade and stores at the date of transfer belonging to the Company at a valuation and all rents rates profits and outgoings current at the date of transfer shall so far as may be necessary be apportioned between the Company and the Council. Such valuation and apportionment failing agreement shall be made by a valuer to be agreed upon between the Council and the Company or in default of agreement nominated by the Board of Trade on the application of either party. Stock-in-trade and stores.

**14.** As from the date of transfer the Rickmansworth Gas Act 1902 shall be repealed (except so far as may be necessary to give effect to the provisions of this Act). Repeal of Company's Act.

**15.**—(1) From and after the date of transfer the Company shall subsist only for the purpose of distributing its assets and for winding up the affairs of the Company and carrying into effect the purposes of this Act so far as they relate to the Company and the directors of the Company who are in office at the date of transfer and the survivors and survivor of them shall continue without re-election to hold the office of directors of the Company and they or a majority of them shall have full power and authority to take all necessary proceedings for carrying into effect the several purposes of this section and as soon as possible after the date of transfer the directors of the Company shall proceed to wind up the affairs of the Company and after discharging all liabilities of the Company which are not to be taken over or provided for by the Council shall pay and distribute its assets in paying the directors officers and servants of the Company such remuneration as the shareholders may in general meeting by resolution prescribe and subject thereto to and among the several persons who at the date of transfer are the registered stockholders of the Company or their respective executors administrators and assigns equally in proportion to the amounts of stock standing in their respective names in the books of the Company at the date of transfer. Winding-up of Company.

(2) The transfer registers of the Company shall be closed from the date of transfer and any transfer of stock which is not duly registered in the register of transfers of the Company prior to the date of transfer shall as between the Company and the directors and the party claiming under the same be of no effect.

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Compensation to secretary and manager of Company.

**16.** If at any time the Council shall dismiss the present secretary or manager of the Company except for misconduct or incompetence or shall reduce his salary they shall pay him compensation such compensation to be agreed between him and the Council or failing agreement determined by arbitration.

Payment into court by directors.

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

Cancellation of sale on failure to complete.

**18.** If the purchase of the undertaking of the Company under the provisions of this Act is not completed and the purchase-money paid within five months after the determination of the amount of the said purchase-money the Company may if they think fit by notice in writing to the Council declare the sale to be cancelled and thereupon the provisions of this Act with respect to the sale and transfer of the said undertaking shall become of no effect but all costs charges and expenses incurred by the Company with respect to the said sale and transfer and with respect to the ascertainment of the amount of the purchase-money as well as the costs charges and expenses of obtaining the Rickmansworth Gas Act 1902 shall in such case be paid by the Council.

## PART III.

## LIMITS WORKS AND SUPPLY OF GAS.

Gas limits.

**19.** The limits of the Council for the supply of gas (in this Act referred to as "the gas limits") shall be the urban district of Rickmansworth and the parishes of Rickmansworth Rural and Chorley Wood in the county of Hertford.

Powers as to construction and maintenance of gasworks.

**20.** Subject to the provisions of this Act the Council may from time to time maintain continue alter improve enlarge extend and renew or discontinue the existing gasworks upon the lands described in the Schedule to this Act and on those lands or any part or parts thereof construct erect lay down make maintain



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alter improve enlarge extend and renew or discontinue additional gasworks and works for the manufacture conversion utilisation storage and distribution of materials used in or residual products resulting from the manufacture of gas and may also provide construct lay down maintain alter improve enlarge extend and renew all necessary retorts scrubbers condensers exhausters gasometers receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying gas and may make store and supply gas accordingly and may manufacture sell provide supply and deal in lime coke tar pitch asphaltum ammoniacal liquor oil and all other products or residuals of any materials employed in or resulting from the manufacture of gas.

**21.** The Council may purchase take hold and use patent rights or licences or authorities (not being exclusive) under any letters patent for the use of any invention relative to the manufacture conversion utilisation or distribution of gas and such materials and residual products as hereinbefore mentioned.

Power to hold licences under letters patent.

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

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

**23.** The Council may lay down place repair alter remove and renew mains pipes and culverts within the limits of this Act for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from any 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 to the laying down and placing repairing altering or removing and protection of such mains pipes and culverts.

Power to lay down and use pipes for ancillary purposes.

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For pro-  
tection of  
London and  
North West-  
ern Railway  
Company.

**24.** The following provisions for the protection of the London and North Western Railway Company (in this section referred to as “the railway company”) shall be in force and have effect:—

In laying down and executing or in effecting the repairs and renewals of any mains pipes or other works upon across over under or in any way affecting the railways lands or property now or hereafter belonging to or used or occupied by 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 plans to be submitted to and in such manner as shall previously be reasonably approved by him and in all things by and at the expense of the Council who also shall restore and make good the roads over any such bridges level crossings and approaches which the railway company is or may be liable to maintain and which may be disturbed or interfered with by or owing to any operation of the Council and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of the traffic over such railways or at any station thereon and if any injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works the Council shall make compensation in respect thereof to the railway company.

For pro-  
tection of  
Grand Junc-  
tion Canal  
Company.

**25.** Notwithstanding anything contained in this Act or in the Acts incorporated herewith the Council shall not without the previous consent in writing of the company of proprietors of the Grand Junction Canal (in this section referred to as “the canal company”) lay or maintain any mains pipes or other works across over under or along the Grand Junction Canal or the towing-path thereof or other property of the canal company otherwise than by means of public bridges across the same and in such manner that the mains pipes and works shall be laid inside the parapets of such bridges and that no injury or interference with the permanent structure brickwork or timbers of any such bridge and no interruption with the traffic on the canal or towing-path shall be occasioned and the canal company may at any time after the

passing of this Act upon giving to the Council three months previous notice in writing of their intention so to do remove alter or renew any bridge across over or along which any mains pipes or works may be laid in the same manner as they might have done if this Act had not been passed and such mains pipes and works had not been so laid without making compensation to the Council for any expense or loss occasioned to them thereby and in the event of any such alteration or renewal the Council shall at their own expense alter the position of their mains pipes or works and relay the same upon the altered or renewed bridge in the same manner and subject to the same restrictions as in the case of the original bridge Provided always that all works of the Council in relation to the laying down maintaining altering or relaying of any mains pipes or other works across over or along any such bridges as aforesaid shall be executed under the supervision and to the satisfaction of the engineer to the canal company and according to plans approved by him.

**26.** Notwithstanding anything contained in this Act the following provisions for the protection of the county council of the administrative county of Hertford (in this section referred to as "the county council") shall unless otherwise agreed between the Council and the county council have effect :—

For protec-  
tion of Hert-  
fordshire  
County  
Council.

- (1) The Council shall not permit any trench made by them in any main road street bridge or other highway for the time being maintainable by the county council to be open for more than fifty yards in length at any place where only one cart can pass at the side of such trench or for more than one hundred yards where only two carts can pass at the same time :
- (2) Where any pipe conduit or other work of the Council is required to be laid or constructed beneath the surface of any such road street bridge or highway as aforesaid the same shall if possible be laid or constructed at such a depth that not less than two feet shall intervene between the surface of such road street bridge or highway and the upper surface of such pipes conduit or work Any difference as to the possibility of so laying or constructing any such pipe conduit or work shall be determined by arbitration as hereinafter in this section provided :
- (3) If the county council shall for the purpose of altering any such road street bridge or highway as aforesaid or rebuilding or altering any such bridge at any time require the position

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or level of any pipe conduit or other work of the Council laid in under or through any such road street or bridge as aforesaid to be altered the Council shall at its own expense on receiving notice in writing under the hand of the clerk of the county council so to do alter the same as reasonably required by such notice and under the superintendence of the officer of the county council and any additional expense in relation to the alteration or rebuilding of any such bridge as aforesaid or the approaches thereto to which the county council may be put by reason of necessity for providing for any pipe conduit or other work of the Council shall be paid by the Council to the county council.

The Council shall also pay to the county council all reasonable expense actually incurred by them in relation to the superintendence by this section authorised Any difference as to the reasonableness of any requirement contained in any such notice or as to the amount of any sum to be so paid by the Council to the county council shall be determined by arbitration as hereafter in this section provided :

- (4) The county council shall not be liable to the Council for any damage which may be done to any of the pipes conduits or other works of the Council laid or constructed after the passing of this Act by the use upon any such road street bridge or highway as aforesaid of any steam roller or other engine :
- (5) Any difference by this section required to be determined by arbitration shall be determined by an engineer to be appointed (in default of agreement between the parties) by the President of the Institution of Civil Engineers on the application of either party.

Differences  
with railway  
and other  
companies.

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

#### SUPPLY OF GAS.

Limiting  
price of gas.

28. The price to be charged by the Council for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed four shillings and seven pence per one thousand cubic feet within the district and five shillings beyond.

**29.** The Council may if they think fit allow discounts or rebates on the amounts due in respect of gas rents in consideration of prompt payment of such charges or of large consumption upon such scale and subject to such conditions and regulations as the Council may prescribe Provided that notice of the effect of this enactment be endorsed on every demand note in respect of such charges and that such discounts or rebates shall be of equal amount under like circumstances to all consumers of gas and shall not exceed in the case of discounts for prompt payment ten per centum and in the case of discounts for large consumption fifteen per centum.

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Discounts.

**30.** All gas supplied by the Council to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six-tenths of an inch and from sunset to midnight 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 and any gas examiner appointed under the Gasworks Clauses Act 1871 may subject to the terms of his appointment test the pressure at which the gas is supplied and may for that purpose open any street road passage or place vested in or under the control of any local or road authority and the provisions of the Gasworks Clauses Act 1871 with reference to testing of gas and to penalties shall mutatis mutandis apply to such testing of pressure and two hours' previous notice shall be given to the Council of the time and place at which such testing shall be conducted.

Pressure of gas.

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

Quality of gas.

**32.** Within six months from the date of transfer a testing place shall be provided at some convenient part of the gasworks of the Council or within two hundred yards from any part thereof or at the offices of the Council.

Testing place.

**33.** The prescribed burner shall be Sugg's London Argand burner No. 1 with a six-inch by one-and-three-quarter-inch glass chimney but if at any time and so long as the gas flame rises above the top of that glass a six-inch by two-inch chimney shall be used or any other burner or chimney approved for this purpose by the Board of Trade upon the application of the Council.

Burner.

**34.** No penalty shall be incurred by the Council for neglect or refusal to supply gas for insufficiency of pressure defect in illuminating power or for excess of impurity in the gas supplied by

Penalty not to be incurred in certain cases.

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

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

- (1) The Council may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer between the Council's mains and the meter and (so far as the same are intended to be covered over) on the consumer's premises :
- (2) The Council 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 circulating in the district and a copy thereof shall be kept exhibited in the office of the Council :
- (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 Council's 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 Council and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Council Any officer of the Council 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 Council's specification or if the meter is not placed as required by this section the Council may refuse to supply gas to the premises until the provisions of this section have been complied with :
- (6) Any person to whom the Council refuses 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 Council's 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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**36.** Every consumer of gas supplied by the Council who uses a gas engine shall if required to do so by the Council use an 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 Council may cease to supply him with gas. The Council 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 Council if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer.

Anti-fluctua-  
tors for gas  
engines.

**37.**—(1) The Council may sell let for hire or otherwise deal in fix repair and remove but shall not manufacture engines stoves ranges pipes and other fittings for lighting for motive power for the warming and ventilating of houses and buildings for the cooking of food and for all other purposes for which gas can or may be used and may provide all materials and do all 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 between the Council and the persons to or for whom the fittings are sold let fixed up repaired or removed.

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

(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 to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Council as the actual owners thereof.

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

Gas con-  
sumers to  
give notice to  
Council  
before re-  
moving.

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Notice of discontinuance.

**39.** A notice to the Council 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 offices of the Council.

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

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

Period of error in defective meters.

**41.** In the event of any meter used by a consumer of gas being tested in the 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 and the amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Council shall be paid by or to the Council to or by the consumer as the case may be and shall be recoverable in the like manner as gas rates are recoverable by the Company.

Supply of gas in bulk.

**42.** The Council may contract with any local authority company corporation or persons beyond the gas limits (but only with the consent in writing of the local authority of and of any company authorised by special Act or Provisional Order confirmed by Parliament to supply gas within the district within which the supply is to be given) for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding seven years as shall be agreed upon.

Provision for sale of portions of gas-works.

**43.** If at any time after the passing of this Act any local authority whose district is beyond the district of the Council but as to the whole or any part thereof within their limits for the supply of gas shall give not less than six months' notice in writing to the Council of their desire to purchase such portion of the gas undertaking of the Council as is contained within the district of such local authority and shall obtain the consent of the Local Government Board to such purchase and shall apply to Parliament



or the Local Government Board for power to purchase such portion of the gas undertaking of the Council (except the mains and pipes or other apparatus or works which shall be necessary for supplying with gas any other part of the gas limits) and to supply gas within such district then it shall not be lawful for the Council to oppose such application (except as to the details thereof) and if such powers of purchase and supply be granted the Council shall sell and such local authority shall purchase the portion of the gas undertaking of the Council (except as aforesaid) within the district of such local authority at such price being a sum in gross and upon such terms and conditions as shall be fixed in default of agreement by arbitration under the provisions of the Lands Clauses Acts Any such purchase shall be deemed to be a purpose of the Public Health Act 1875 except so far as the same may be otherwise provided for by Parliament The Council shall apply the proceeds of any sale under this section in the same manner as they are required to apply money received from sales of land under this Act Provided that after the completion of such purchase all obligations on the part of the Council to supply gas within the district of the purchasing authority shall cease and determine.

A.D. 1903.

## PART IV.

## FINANCIAL.

44. The Council may from time to time borrow at interest on the security of the revenue of their gas undertaking and of the district fund and general district rate—

Power to borrow.

- (1) For the purchase of the undertaking of the Company and for paying any sums payable by the Council to the Company under this Act or in discharge of its liabilities (other than current liabilities) and for defraying the costs and expenses incident to such purchase and to the transfer of the undertaking to the Council (other than the costs of this Act) such sum (hereinafter in this Act referred to as "the purchase price") as may be required ;
- (2) For the extension and improvement of the gasworks and otherwise in connection with their gas undertaking and for working capital such sums not exceeding six thousand pounds and two thousand pounds as the Local Government Board may sanction ;
- (3) For payment of the costs charges and expenses referred to in the sections of this Act whereof the marginal notes are

A.D. 1903.

“Costs of opposing the Rickmansworth Gas Bill 1902” and “Costs of Act” such sums as shall be ascertained as in those sections provided :

Provided always that in case further moneys may be required for any of the aforesaid purposes the Local Government Board may from time to time at the request of the Council authorise them to borrow such further sums for all or any of such purposes as the Local Government Board may from time to time think fit and the provisions of this Act shall *mutatis mutandis* apply to the further sums so borrowed.

In calculating the amount which the Council may borrow under the provisions of any other enactment the amount which the Council may borrow under or for the purposes of this Act shall not be reckoned and the power of the Council of borrowing and re-borrowing for the purposes of this Act shall not be in any way restricted by any of the provisions or regulations of the Public Health Acts.

Provisions as to mortgages.

45. The provisions of sections 236 237 238 and 239 of the Public Health Act 1875 with respect to mortgages to be executed by a local authority shall apply in the case of all mortgages granted by the Council under this Act as if they were with necessary modifications re-enacted in this Act.

Protection of lenders from inquiry.

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

As to repayment of borrowed money.

47. All moneys borrowed by the Council under the authority of this Act without the sanction of the Local Government Board may be borrowed for any periods not exceeding the periods hereinafter respectively mentioned (in this Act referred to as “the prescribed period”) (that is to say) :—

- (1) For the purchase price thirty years from the date or dates of borrowing the same ;
- (2) For costs five years from the date or dates of borrowing the same :

And all moneys borrowed by the Council under the authority of this Act with the consent of the Local Government Board may be borrowed for such term not exceeding sixty years as the Local Government Board may prescribe.

Mode of repayment of

48. The Council shall pay off all moneys borrowed by them under the authority of this Act by yearly or half-yearly instalments

or by means of a sinking fund or partly by one and partly by the other of those methods Provided that when the payment shall not be made by equal instalments the instalment or instalments payable in each year together with the interest payable in such year in respect of the principal moneys owing of which such instalment or instalments form part shall in every year amount to the same sum but it shall not be obligatory on the Council to commence such repayment by instalments or to set apart or appropriate any moneys to or for a sinking fund in respect of moneys borrowed under subsection (1) of the section of this Act of which the marginal note is "Power to borrow" until after the expiration of one year from the time or times of borrowing such moneys.

A.D. 1903.  
 borrowed  
 money.

**49.** The Council in case they borrow any moneys on mortgage under this Act repayable by means of a sinking fund shall subject to the provisions of the section of this Act of which the marginal note is "As to repayment of borrowed money" within twelve months after borrowing the same and thenceforth annually on the same or some earlier day set apart as a sinking fund for the payment of such moneys out of the funds and rates on the security of which such moneys shall have been borrowed such equal annual sum or sums as will with accumulations by way of compound interest after a rate not exceeding three per centum be sufficient to pay within such a period as they may think fit (not exceeding the prescribed period) the amount of the principal moneys so borrowed All sums so set apart and the income thereof shall from time to time be invested in any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money (except any security of the Council) and any mortgage bond debenture stock or other security authorised by or under any Act of Parliament passed or to be passed of any other local authority as defined by section 34 of the Local Loans Act 1875 (other than the Council) except annuities rentcharges and securities payable to bearer.

Sinking  
 fund.

If and as often as the income derived from such investments is not equal to the income which would be derived therefrom at the rate per centum on which the equal annual payments to the sinking fund are based any deficiency shall be made good out of the funds and rates which are liable for the equal annual payments and if and as often as the income derived from such investments is in excess of the income which would be derived therefrom at the rate per centum on which the equal annual payments to the sinking fund are based any such excess may be applied as part of such equal annual payments.

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The Council may at any time apply the whole or any part of the sinking fund in or towards the repayment or payment off of moneys for which such sinking fund is set aside in such order and manner as they deem proper Provided that in such case they pay into the sinking fund in each year afterwards and accumulate as hereinbefore prescribed until the whole of such moneys are discharged a sum equal to the interest produced by the sinking fund or part thereof so applied at the rate per centum on which the equal annual payments to the sinking fund are based Provided also that whenever and so long as the securities in which such sinking fund is invested shall be not less in value at the market price of the day than the principal moneys then outstanding and to be paid off by means of such fund the Council may in lieu of investing the said yearly income apply the same in payment of interest on such principal moneys and may during such periods discontinue the payments to such sinking fund of the yearly sums required to be paid thereto.

Return  
respecting  
sinking fund  
to Local  
Government  
Board.

50.—(1) The clerk shall within twenty-one days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may be prescribed by that Board and if required by that Board verified by statutory declaration of such clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by

writ of Mandamus to be obtained by the Local Government Board out of the High Court.

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(2) If it appears to the Local Government Board by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Local Government Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the High Court.

**51.**—(1) If the Council pay off any moneys borrowed by them under this Act otherwise than by instalments appropriations or annual repayments or by means of a sinking fund or out of the proceeds of the sale of land or other property or out of fines or premiums on leases or out of other moneys received on capital account not being borrowed moneys they may from time to time reborrow the same but all moneys so reborrowed shall be repaid within the prescribed period and shall be deemed to form the same loan as the moneys originally borrowed and the obligations of the Council with respect to the repayment of the loan and to the provision to be made for such repayment shall not be affected by reason of such reborrowing.

Power to reborrow.

(2) Notwithstanding any limitation of the Council's powers of borrowing in this Act or in any general Act contained the Council may borrow temporarily for the purpose of paying off any sum which may be lawfully reborrowed under (1) of this section Provided that any sum so borrowed shall not exceed the sum to be paid off and shall be applicable and be applied to and for that purpose only.

**52.** The Council if they think fit may borrow the moneys which they are by this Act authorised to borrow or any part thereof under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another.

Power to borrow under Local Loans Act 1875.

A.D. 1903. — Any moneys borrowed in manner by this section authorised for any of the purposes of this Act shall be a charge upon and shall be paid out of the same funds rates and revenues as they would be charged upon and paid out of if raised by mortgage under this Act and such funds rates and revenues shall in each case be the local rate within the meaning and for the purposes of the Local Loans Act 1875.

Every such loan shall be discharged within the prescribed period.

The section of this Act of which the marginal note is "Sinking fund" shall apply to any sinking fund provided by the Council for the repayment of any moneys borrowed by them under the Local Loans Act 1875 in lieu of the provisions of section 15 of that Act.

Application  
of gas  
revenue.

**53.** The Council shall apply all money from time to time received by them in respect of their gas undertaking except money borrowed and money derived from the sale of surplus lands or other moneys received on capital account as follows (that is to say) :—

First In payment of the working and establishment expenses and cost of maintenance of their gas undertaking :

Secondly In payment of the interest on moneys borrowed by the Council for the purposes of their gas undertaking :

Thirdly In providing the requisite appropriations instalments or payments to sinking funds in respect of moneys borrowed by the Council as aforesaid :

Fourthly—(1) In providing if they think fit a renewal fund to be called "the gasworks renewal fund" for the renewal and repair of their gasworks mains and pipes by setting aside such moneys as they from time to time think reasonable which fund shall be applicable as occasion may require for such renewals and repair provided that the said fund shall at no time exceed the sum of two thousand pounds; and

(2) In providing if they think fit a reserve fund to be called "the gasworks reserve fund" for their gas undertaking by setting aside such money as they from time to time think reasonable provided that such fund at no time exceeds one-tenth of the amount of the capital account of the gas undertaking of the Council for the time being which fund shall be applicable from time to time to answer any deficiency at any time happening in the income of the Council from their gas undertaking or to meet any extraordinary claim or demand at any time arising against the Council in respect of that undertaking :

All moneys carried to the gasworks renewal fund or the gasworks reserve fund shall with the resulting income thereof be invested in securities in which the council are by this Act authorised to invest sinking funds formed under this Act Provided that if either of such funds is at any time reduced it may thereafter be again restored to the maximum amount prescribed by this section and so from time to time as often as such reduction happens :

A.D. 1903.

Fifthly In constructing improving and extending (if the Council think fit) their gas undertaking :

And the Council shall carry to the district fund any balance remaining in any year after retaining or setting aside such a sum as may in the opinion of the Council be required for carrying on their gas undertaking and paying the current expenses connected therewith and shall also carry to the district fund the annual proceeds of the renewal and reserve funds when the respective funds amount to the maximum amount hereinbefore provided.

**54.** Any deficiency in the revenues or receipts of the Council on account of their gas undertaking shall be made good out of the district fund and the next general district rate to be made by the Council shall be increased so far as may be necessary to recoup to the district fund the amount so made good out of that fund.

As to deficiency in receipts.

**55.** All money borrowed under the provisions of this Act shall be appropriated to purposes for which it is authorised to be borrowed and shall except money borrowed for working capital be expended exclusively on works or objects on which capital may properly be expended.

Application of money borrowed.

**56.** The Council shall not be bound to see to the execution of any trust whether express or implied or constructive to which any loan or security for loan given or adopted under the authority of this Act by them may be subject but the receipt of the person in whose name any loan or security for loan stands in the register of mortgages shall from time to time be a sufficient discharge to the Council in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the Council have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their register and the Council shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss misapplication or non-application of any such money.

Council not to regard trusts.

A.D. 1903.  
Expenses of  
execution of  
Act.

57. Any expenses of the Council in the execution of this Act with respect to which no other provision is made may be defrayed by the Council out of the district fund and general district rate.

PART V.

MISCELLANEOUS.

As to dwell-  
ings of  
persons in  
employ of  
Council.

58. Subject to the provisions of the section of this Act the marginal note of which is "Appropriation of lands for purposes of Act" the Council may erect and maintain dwelling-houses upon the lands for the time being belonging to or leased by them for the purposes of their gas undertaking for persons employed by them for the purposes of their gas undertaking.

Appropriation of lands  
for purposes  
of Act.

59. The Council may subject to the sanction of the Local Government Board and under such conditions as they may prescribe from time to time appropriate and use for any of the purposes of this Act any lands for the time being vested in them as a district council which are not wanted for the purposes for which such lands were originally acquired and may purchase take and hold by agreement in addition to the lands described in the Schedule to this Act any lands and hereditaments not exceeding five acres or any easement right or privilege therein thereunder thereover or thereupon (not being an easement right or privilege of water in which persons other than the grantors are interested) which shall be deemed necessary by the Council. But nothing in this section shall authorise the Council to create or permit a nuisance on any such lands and no lands shall be used by the Council for the purposes of manufacturing gas or residuals except the lands described in the said Schedule.

Power to  
retain sell  
&c. lands.

60. Subject to the provisions of the Lands Clauses Consolidation Act 1845 as incorporated with this Act the Council may retain hold and use for such time as they may think fit and may from time to time sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they think fit and either in consideration of a gross sum or of an annual rent or of any payment in any other form any lands or interest in lands acquired by them under this Act and may sell exchange or dispose of any rents received on any sale exchange lease or other disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.



**61.** The Council shall apply all money received by them in respect of any sales exchanges or disposition of lands under this Act or by way of fine or premium on any lease of any such lands in or towards paying off moneys borrowed and for the time being owing under this Act or if there shall be no moneys owing under this Act such proceeds shall be applied in or towards paying off any other moneys for the time being owing by the Council Provided that such proceeds when used to pay off the borrowed moneys shall not be applicable to the payment of instalments appropriations or annual repayments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board.

A.D. 1903.  
Application  
of moneys  
from sale &c.  
of land.

**62.**—(1) The Council shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction  
on taking  
houses of  
labouring  
class.

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

(3) For the purposes of this section the expression “house” means any house or part of a house occupied as a separate dwelling and the expression “labouring class” means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

**63.**—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such

Inquiries  
by Local  
Government  
Board.

A.D. 1903. inquiry have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

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

Recovery of demands under fifty pounds.

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

Application of penalties.

**65.** All penalties recovered under this Act or under any bye-law thereunder shall except in the case of penalties recovered against the Council be paid to the treasurer of the Council and be by him carried to the credit of the gas undertaking.

Costs of opposing the Rickmansworth Gas Bill 1902.

**66.** The costs charges and expenses of and incidental to the opposition of the Council to the Rickmansworth Gas Bill 1902 as taxed by the taxing officer of the House of Commons may be repaid by the Council to the district fund out of moneys to be borrowed under the powers of this Act for the purposes of costs.

Costs of Act.

**67.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act (including the costs charges and expenses preliminary to and of and connected with the compliance with the provisions of the Borough Funds Act 1872 with respect to the Bill for this Act) or otherwise in relation thereto as taxed and ascertained by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Council out of the district fund and general district rate or out of moneys borrowed under the powers of this Act.

The SCHEDULE referred to in the foregoing Act.

A.D. 1903.

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DESCRIPTION OF LANDS ON WHICH GASWORKS MAY BE  
MAINTAINED AND ERECTED.

Freehold lands belonging or reputed to belong to and in the occupation of the Company containing by admeasurement 1 acre 1 rood 31 poles or thereabouts situate in the urban district of Rickmansworth in the county of Hertford at or near the town wharf close to the town of Rickmansworth bounded on the north by land belonging or reputed to belong to Walter Hudson on the east by land belonging or reputed to belong to William Wright and on the south and west by land belonging or reputed to belong to the Grand Junction Canal Company.

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