



**CHAPTER cxxxvii.**

An Act for incorporating and conferring powers on the A.D. 1907.  
Llandrindod Wells Gas Company and for other purposes.

[21st August 1907.]

**W**HEREAS there is no supply of gas within the urban district of Llandrindod Wells and other places adjacent thereto in the county of Radnor and it is expedient that a supply of gas should be afforded to the inhabitants of those places :

And whereas the persons in that behalf in this Act named with others are willing on being incorporated into a company with the necessary powers for such purposes to undertake the supply of gas to such places and it is expedient that they should be incorporated accordingly and authorised to acquire land and to construct gasworks as by this Act provided and that such other powers as are in this Act contained should be conferred on them for the better and more effectually carrying the purposes of this Act into effect :

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

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

A.D. 1907. — and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title. **1.** This Act may be cited for all purposes as the Llandrindod Wells Gas Act 1907.

Incorporation of Acts. **2.** The following Acts and parts of Acts are hereby incorporated with this Act (namely):—

The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts;

The Lands Clauses Acts; and

The Gasworks Clauses Acts 1847 and 1871 Provided that section 13 of the former Act 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 Company shall be alike in terms and amounts under like circumstances to all consumers" were added at the end of that section.

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

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

The expression "the council" means the urban district council of the urban district of Llandrindod Wells in the county of Radnor;

The expressions "the works" "the gasworks" and "the undertaking" shall respectively mean and include the gasworks and works connected therewith by this Act authorised to be constructed or maintained by the Company and the lands buildings estate right title property privileges and effects and the undertaking of the Company and every part thereof respectively.

Limits of Act. **4.** The limits of this Act shall be the urban district of Llandrindod Wells and the parishes of Llandrindod Rural Cefnlllys Rural Llanyre and Llanbadarn Fawr in the county of Radnor.

5. William Coulson Parkinson Charles Hunt Frederick A.D. 1907.  
Richard Smith Charles Ernest Murray and all other persons Company in-  
who have already subscribed to or shall hereafter become pro- corporated.  
prieters in the undertaking and their executors administrators  
successors and assigns respectively shall be and are hereby  
united into a company for the purposes of this Act and for  
those purposes shall be and are hereby incorporated by the  
name of "The Llandrindod Wells Gas Company" and by that  
name shall be a body corporate with perpetual succession and  
a common seal and with power to purchase take hold and  
dispose of lands and other property for the purposes of this Act.

6. The Company shall be established for the purpose of General pur-  
manufacturing and supplying gas for lighting heating motive poses of  
power and other purposes within the limits of this Act and Company.  
may provide produce sell dispose of and deal in gas coke tar  
and all other residual products resulting from the manufacture  
of gas and generally may carry on the business usually carried  
on by a gas company.

7. The capital of the Company shall be fifteen thousand Capital.  
pounds in one thousand five hundred shares of ten pounds each.

8. The Company shall not issue any share created under Issue of  
the authority of this Act nor shall any such share vest in the shares.  
person accepting the same unless and until a sum not being  
less than one-fifth of the amount of such share is paid in  
respect thereof.

9. One-fifth of the amount of a share shall be the greatest Calls.  
amount of a call and two months at least shall be the interval  
between successive calls.

10. If any money is payable to a shareholder or mortgagee Receipt in  
or debenture stockholder being a minor idiot or lunatic the case of per-  
receipt of the guardian or committee of his estate shall be a sons not sui  
sufficient discharge to the Company. juris.

11. The Company may subject to the provisions of this Power to  
Act borrow on mortgage of the undertaking any sum or sums borrow.  
not exceeding in the whole one-third part of the amount of  
the capital by this Act authorised to be raised and at the  
time actually issued by shares or stock but no part thereof  
shall be borrowed until the whole of the shares or stock at  
the time issued shall have been fully paid up and the Com-  
pany have proved to the justice who is to certify under the

A.D. 1907. — fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock and premium if any have been issued and fully paid up and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

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

Debenture stock.

**13.** The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Application of moneys.

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

Renewals.

**15.—(1)** The directors of the Company may if they think fit annually appropriate out of the revenue of the Company and as part of the expenditure on revenue account any sum not exceeding an amount equal to one per centum on the paid-up capital for the time being of the Company to be called "the renewal fund" to provide for the renewal and repair of their gasworks mains and pipes and may from time to time appropriate as occasion may require any portion of such fund to such purposes. Such fund shall be invested in any securities in which trustees are for the time being authorised to invest money and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same

may accumulate at compound interest until the fund so formed amounts to a sum equal to ten per centum on the paid-up capital for the time being of the Company Provided that when and so often as the said fund shall reach such sum the interest thereon shall be carried to the credit of the fund available for dividend Provided also that if such fund be at any time reduced below such sum it may thereafter be made up to such sum and so from time to time as often as such reduction shall happen Provided also that resort may from time to time be had to such fund for the purposes aforesaid notwithstanding the same may not have reached or may have been reduced below the full amount of ten per centum upon the capital of the Company aforesaid. A.D. 1907.

(2) The renewal fund shall be kept separate from and the payments thereto shall (if the directors think fit) be paid in addition to the payments to the reserve fund to be provided in accordance with section 31 of the Gasworks Clauses Act 1847 and section 35 of that Act in its application to the Company shall be read as if the words "and in case the renewal fund amounts to ten per centum upon the paid-up capital for the time being of the Company" had been inserted after the words "remains invested as aforesaid."

**16.** The first ordinary meeting of the Company shall be held within twelve months after the passing of this Act. First ordinary meeting.

**17.** The number of directors shall be five but the Company may vary the number provided that the number be not at any time more than seven or less than three. Number of directors.

**18.** The qualification of a director shall be the possession in his own right of not less than twenty shares. Qualification of directors.

**19.** The quorum of a meeting of directors shall be two. Quorum.

**20.** Charles Hunt Frederick Richard Smith Charles Ernest Murray and two persons to be nominated by them or the majority of them and consenting to such nomination shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act. Directors.

At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid or any of them or may elect a new body of directors or directors to supply the place of those

A.D. 1907. not continued in office the directors appointed by this Act or nominated as aforesaid being if they continue qualified eligible for election.

At the ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845.

The several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

Directors not to be disqualified &c.

**21.** No person shall be disqualified from becoming or continuing a director of the Company by reason of his or any partner of his being or becoming interested in any contract with the Company either in his own behalf or as a member of any other company corporation local authority or partnership but no such person shall as a director vote in respect of any question as to any such contract or the remuneration attached to any such office or place of trust or profit.

Interim dividend.

**22.** The directors may in any year without calling a meeting of shareholders for the purpose declare an interim half-yearly dividend out of the then ascertained profits of the Company provided that the amount of any interim half-yearly dividends so declared shall not exceed in any one half-year one half of the amount of the standard rates of dividend.

Closing of transfer books previous to declaring interim dividend.

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

Books to be balanced to 31st day of December.

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

**25.** Subject to the provisions of this Act the Company may enter upon take hold and use the lands and hereditaments shown on the deposited plan and described in the deposited book of reference and in addition the Company may for the purposes of their undertaking by agreement but not otherwise purchase take and hold any lands not exceeding in the whole five acres which the Company may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Act.

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Power to acquire lands.

**26.** Whereas access to the lands described in the schedule to this Act is obtained by means of a private carriage and occupation road shown on the deposited plan and thereon numbered 2 leading from Brookland Road past the sewerage works of the council which road was under an inclosure award dated the nineteenth day of May 1870 and made under the Acts for the inclosure exchange and improvement of land by John Mickleburgh set out as a private carriage and occupation road for the use of the persons interested for the time being in the inclosed lands numbered 38 on the tithe plan of the parish of Cefnlllys and allotment numbered 101 of which lands the lands described in the schedule to this Act formed part and it was provided by the said award that the said private carriage and occupation road should for ever thereafter be maintained and repaired by the owners and proprietors of the inclosed lands then belonging to Edward Middleton-Evans and numbered 38 on the said tithe plan :

User of road to gas lands.

Be it enacted that the Company may use the said road shown on the deposited plan and thereon numbered 2 for the purpose of access at all times and with or without horses carts or other vehicles to the lands described in the schedule to this Act and may from time to time lay down and maintain gas mains pipes and apparatus in or under such road and as from the date when the Company commence to supply gas the said road shall be maintained and repaired by the council and the Company shall repay to the council on the first day of January in every year one moiety of the expense incurred by the council in maintaining and repairing the said private carriage and occupation road.

**27.** Subject to the provisions of this Act the Company may upon the lands described in the schedule to this Act erect

Powers as to construction and

A.D. 1907. maintenance of gasworks. maintain alter improve enlarge extend and renew or discontinue gasworks retorts gasometers receivers mains pipes stopcocks machinery and other works and apparatus and conveniences and may do all such acts as may be proper for making and storing gas and for supplying gas within the limits of this Act and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar and all other residual products or refuse of any materials employed in or resulting from the manufacture of gas.

Period for compulsory purchase of lands.

**28.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Power to utilise pipes for ancillary purposes.

**29.** The Company may lay down place repair alter remove and renew subways mains pipes culverts wires and other apparatus within the limits of supply for the purpose of procuring conducting or disposing of any oil and 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 so far as applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

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

**30.** The Company may upon the application of the owner or occupier of any premises abutting on or being erected in any street laid out but not dedicated to public use supply such premises with gas and may lay and from time to time take up alter relay or renew in across or along such streets such pipes mains and works as may be requisite or proper for the 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 mutatis mutandis to and for the purposes thereof.

For protection of Llandrindod Wells Urban District Council.

**31.** The following provisions for the protection of the Llandrindod Wells Urban District Council (in this section referred to as "the council") shall unless otherwise agreed between the Company and the council have effect:—

(1) The Company shall not permit any trench made by them in any road street or highway for the time being maintainable by the council to be open for more than one hundred yards in length at any place where only



one cart can pass at the side of such trench or for more than one hundred and fifty yards in length where only two carts can pass at the same time :

- (2) Where any main pipe of the Company is required to be laid or constructed beneath the surface of any such road street 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 or highway and the upper surface of such main pipe Any difference as to the possibility of so laying or constructing any such main pipe shall be determined by arbitration as herein-after in this section provided :
- (3)—(A) Before the Company commence to use the lands described in the schedule to this Act for any of the purposes of the section of this Act whereof the marginal note is "Powers as to construction and maintenance of gasworks" the Company shall construct to the reasonable satisfaction of the council a sewer not less than six inches in diameter capable of conveying the effluents (if any) from their gasworks to the sewage works of the council and the Company shall not permit any effluent or any other matter to be discharged save by means of such sewer ;  
(B) If the Company discharge into the sewage works of the council any effluent from the Company's works which requires to be treated the Company shall pay to the council on the first day of January in every year such reasonable sum as the council may require to cover the cost of receiving and treating the same :
- (4) The chimney for the conveying away of smoke or effluvia from the gasworks shall be raised to such a height above the level of the ground as may be agreed upon between the council and the Company or failing agreement may be determined by arbitration as herein-after in this section provided :
- (5) Any difference by this section required to be determined by arbitration shall be determined by an engineer to be appointed (in default of an agreement between the Company and the council) by the President for the time being of the Institution of Civil Engineers on the application of either party.

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For protec-  
tion of Lon-  
don and  
North West-  
ern Railway  
Company.

**32.** The following provisions for the protection of the London and North Western Railway Company (herein-after referred to as "the railway company") shall be in force and have effect:—

In laying down or 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 submitted to and in such manner as shall be previously reasonably approved by him and in all things by and at the expense of the Company who also shall restore and make good the roads over any such bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company 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 traffic over such railways or at any station thereon And if such 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 bridge or level crossing the Company shall make compensation in respect thereof to the said railway company the amount of such compensation unless agreed upon to be determined by arbitration in the manner herein-after provided:

Any dispute or difference which may arise between the railway company and the Company 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 Company or either of them.

**33.** The price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed four shillings and sixpence per thousand cubic feet. A.D. 1907.  
Limit of  
price.

**34.**—(1) The Company 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 Company shall not charge for the hire of any prepayment meter and fittings to be used therewith any sum other than a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged 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 meters and fittings and the cost of collection and other costs incurred by the Company in connexion with the meter and fittings.

(3) The maximum charge for the hire of a prepayment meter without fittings shall be at the rate of sixpence per one thousand cubic feet of gas.

(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.

**35.** The maximum charge for the hire of any meter other than a prepayment meter shall be at the rate of fifteen per centum per annum on the cost of the meter. Charge for  
meters.

**36.** The prescribed number of candles shall be not less than fourteen. Quality of  
gas.

**37.** It shall not be lawful for the Company at any time to supply gas containing carburetted water gas or Dowson gas without the consent in writing of the council under their common seal. Consent of  
Council to be  
given to supply  
of carburetted  
water gas &c.

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Testing  
place.

**38.** For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be a testing place which shall be provided by the Company on the lands described in the schedule to this Act before supplying or within three months after beginning to supply gas under the authority of this Act.

Testing for  
quality.

**39.**—(1) The quality of the gas supplied by the Company 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 120 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 Company 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 Company shall before supplying or within three months after beginning to supply gas under this Act provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same in proper order and repair.

Pressure.

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

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

**41.** No penalty shall be incurred by the Company for A.D. 1907.  
insufficiency of pressure defect of illuminating power or excess Saving as to  
of impurity in the gas supplied by them in any case in respect penalties.  
of which it is proved that such insufficiency defect or excess  
was produced by any circumstance beyond the control of the  
Company Provided that the want of sufficient funds shall not be  
held to be a circumstance beyond the control of the Company.

**42.** If any person is required by the Company to give to Company to  
them security for any supply of gas or for the payment of the pay interest  
price or rent of a meter and such security is made by way of on money  
deposit the Company shall pay interest after the rate of four deposited as  
pounds <sup>\*</sup>per centum per annum on every sum of ten shillings security for  
deposited by way of such security for every six months during gas meter  
which the same remains in their hands. &c.

**43.**—(1) The Company may sell let for hire or otherwise Power to  
deal in fix repair and remove but shall not manufacture engines supply gas  
stoves ranges pipes and other fittings for lighting for motive fittings &c.  
power for the warming and ventilating of houses, and buildings for heating  
for the cooking of food and for all other purposes for which gas and other  
can or may be used and may provide all materials and do all purposes  
work necessary or proper in that behalf and with respect thereto and fittings  
may demand and take such remuneration or rents and charges not to be  
and make such terms and conditions as may be agreed upon. subject to  
distress.

(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 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 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 Company as the actual owners thereof.

**44.**—(1) All gas-engines apparatus fittings and appliances Engines &c.  
let by the Company on hire shall notwithstanding that they be of Company  
fixed or fastened to any part of any premises in which they may let on hire  
be situate or to the soil under any such premises at all times though fixed  
continue to be the property of and removable by the Company to premises  
Provided that such gas-engines apparatus fittings and appliances to remain  
have upon them respectively a distinguishing metal plate affixed property of  
to a conspicuous part thereof or a distinguishing brand or other Company.

A.D. 1907. mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

(2) Nothing in this section shall affect the amount of assessment for rating of any premises upon which any such gas-engines apparatus fittings and appliances are or shall be fixed.

Gas consumers to give notice to Company before removing.

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

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

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

Notice to discontinue supply of gas.

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

Period of error in defective meters.

**48.** 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 Company shall be paid by or to the Company 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 Company.

Anti-fluctuators for gas-engines.

**49.** Every consumer of gas supplied by the Company who uses a gas-engine shall if required to do so by the Company use an effective anti-fluctuator or other apparatus for controlling

and regulating the supply of gas to such engine and shall at all times at his own expense keep such anti-fluctuator or apparatus in proper order and in default of his so doing or keeping such anti-fluctuator or apparatus in proper repair the Company may cease to supply gas to such consumer The Company shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator or apparatus at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator or apparatus be found in proper order but otherwise at the expense of such consumer.

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**50.** The Company may contract with any local authority company or persons beyond the Company's limits of supply (but only with the consent in writing of any local authority company or person supplying gas under parliamentary powers in that district) 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.

Company may contract with local authority &c. for supply in bulk.

**51.** Proceedings for the recovery of any demand 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 any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of demands.

**52.** The Company may purchase or take on lease dwelling-houses for persons in their employ and may erect and maintain dwelling-houses for such persons upon the lands for the time being belonging to or leased by the Company.

Dwelling-houses for persons in Company's employ.

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

Power to take out licences for use of patents.

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Future purchase of undertaking by council.

**54.**—(1) If within six months after the expiration of a period of twenty-one years after the passing of this Act the council serve notice on the Company requiring the Company to sell to them the undertaking in accordance with the provisions of this section the Company shall sell the undertaking to the council and the council shall purchase the undertaking from the Company accordingly.

(2) Any such sale and purchase shall be for such price or consideration being a sum in gross and on such terms and conditions as may be agreed upon between the Company and the council or as failing such agreement shall be determined by arbitration in accordance with the provisions of the Lands Clauses Acts with reference 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 Provided that for the purpose of any such arbitration the sale and purchase shall be deemed to be a sale and purchase by compulsion and not by agreement And in addition to the sum to be paid by the council to the Company under the foregoing provisions of this section the council shall pay to the Company the costs and expenses (not exceeding fifty pounds) incurred by them of and incident to the winding-up of the Company and compensation to any officers and servants in the regular employment of the Company for whom no regular office or employment on the same terms shall be found by the council in respect of any loss of office or diminution of salary or income the amount of such costs and expenses and compensation in default of agreement to be determined by arbitration as aforesaid Provided that no officer or servant who has been in the employment of the Company for twenty years or upwards shall lose his right to compensation as aforesaid by reason of his declining to enter the service of the council.

(3) When the undertaking has been sold under this Act and the purchase price or consideration paid or satisfied the undertaking and all lands buildings works materials and plant so purchased as aforesaid shall vest in the council freed from all debts mortgages or similar obligations of the Company or attaching to the undertaking and the powers of the Company in relation to the manufacture and supply of gas within the limits or area of supply shall absolutely cease and determine and shall vest in the council and the provisions of this Act save



such as refer to the capital and constitution of the Company shall subject to the terms of the provisional order herein-after referred to have effect as if the council had been therein named instead of the Company. A.D. 1907.

(4) The purchase of the undertaking shall be deemed to be a purpose of the Public Health Acts for which the council may borrow money under those Acts.

(5) In the event of such notice to purchase the undertaking of the Company being given by the council as aforesaid the council may in accordance with the powers of the Public Health Acts apply to the Local Government Board for a provisional order authorising a gas undertaking under and subject to the provisions of the Gas and Waterworks Facilities Act 1870 and any Act amending the same and the limits within which any such provisional order may operate and apply shall be the whole or such part of the limits within which this Act shall be in operation at the time when such notice is given as the Local Government Board may in such provisional order determine anything in the Public Health Acts to the contrary notwithstanding.

**55.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Company to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose (which consent the said commissioners are hereby authorised to give). Crown rights.

**56.** All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Costs of Act.

A.D. 1907.

The SCHEDULE referred to in the foregoing Act.

GAS LANDS.

All that piece or parcel of land situate in the parish of Cefnlllys Urban in the urban district of Llandrindod Wells in the county of Radnor situate on the west side of the London and North Western Railway and being the enclosure or field numbered 213 on the  $\frac{1}{2500}$  ordnance map Radnorshire Sheet XXIII. 5 (published in 1904) and containing in the whole by admeasurement 6 acres or thereabouts.

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