



CHAPTER cxlii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Coatbridge Gas Llynvi Valley Gas Bradfield Water Gravesend and Milton Water and Hungerford Water. [20th September 1909.] A.D. 1909.

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

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

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

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the Gas and Water Orders Confirmation Act 1909. Short title.

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

A.D. 1909.

SCHEDULE.

LIST OF ORDERS.

COATBRIDGE GAS.—Order authorising the Coatbridge Gas Company to reduce the illuminating power of their gas and for other purposes.

LLYNVI VALLEY GAS.—Order empowering the Llynvi Valley Gas Company to raise new capital and for other purposes.

BRADFELD WATER.—Order empowering the Undertakers of the Bradfield Waterworks to construct and maintain additional waterworks to extend their limits of supply to increase the capital of the undertaking and for other purposes.

GRAVESEND AND MILTON WATER.—Order empowering the Gravesend and Milton Waterworks Company to construct additional works to raise additional capital and amending the scale of charges for supply of water and for other purposes.

HUNGERFORD WATER.—Order authorising the maintenance and user of existing works and the acquisition of additional lands in the parish of Hungerford in the county of Berkshire and for other purposes.

COATBRIDGE GAS.

A.D. 1909.

Order authorising the Coatbridge Gas Company to reduce the illuminating power of their gas and for other purposes. Coatbridge.

1. This Order may be cited as the Coatbridge Gas Order 1909 and the Coatbridge Gas Act 1877 (in this Order referred to as "the Act of 1877") as amended by the Coatbridge Gas Order 1898 (in this Order referred to as "the Order of 1898") the Coatbridge Gas Order 1902 (in this Order referred to as "the Order of 1902") and this Order and the Order of 1898 the Order of 1902 and this Order may be cited as the Coatbridge Gas Act and Orders 1877 to 1909. Short title and citation of Act and Orders.

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

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

4. The Coatbridge Gas Company incorporated by the Act of 1877 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers." Undertakers.

5. As from the first quarter day after the commencement of this Order section 26 of the Order of 1898 shall be repealed and in lieu thereof the following provisions shall be in force and have effect. Price of gas.

The standard price to be charged by the Undertakers for gas supplied by them shall be two shillings and sixpence per thousand cubic feet:

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

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

And in respect of any year during the whole of which the price charged by the Undertakers shall have been one penny or more

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.
Coatbridge.

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

Quality of
gas.

6.—(1) Section 53 (Quality of gas) of the Act of 1877 is hereby repealed.

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

Testing
place.

7.—(1) Section 54 (Testing place) of the Act of 1877 is hereby repealed.

(2) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be a testing place which shall be provided free of charge to the Undertakers by the provost magistrates and councillors of the burgh of Coatbridge (herein-after called "the Town Council") within the municipal buildings of that burgh or at such other place as the Town Council shall prescribe and such testing place on being so provided shall be in lieu of the existing testing place provided by the Undertakers and the Undertakers by themselves or any of their servants authorised by them shall at all reasonable times have free access thereto. Provided that until the testing place prescribed by this subsection shall have been provided the existing testing place shall be the testing place for the purposes of the Gasworks Clauses Act 1871.

(3) The apparatus necessary for the testing of gas at the testing place to be provided as aforesaid shall be supplied by and shall remain the property of the Undertakers who shall at all times keep the same in proper order and repair.

(4) The Town Council notwithstanding anything contained in the Gasworks Clauses Act 1871 shall be at liberty to test the illuminating power and purity of the gas supplied by the Undertakers at all such reasonable times of the day and night on any day in the year as they may deem necessary at the testing place provided in accordance with this section.

Testing of
gas.

8.—(1) Section 55 (Burner) of the Act of 1877 is hereby repealed.

(2) For testing the illuminating power of the gas supplied by the Undertakers the burner to be used shall be that known as the

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

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

A.D. 1909.

Coatbridge.

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

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

Pressure of gas.

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

10. The Undertakers shall at any time within two years after the commencement of this Order if and when required by any consumer of gas supplied by the Undertakers other than a consumer by prepayment meter supply him and fix free of charge a sufficient number of burners suitable in all respects for the consumption of gas of the illuminating power prescribed by this Order in substitution for the burners in use at the commencement of this Order.

Undertakers to supply suitable burners gratis in exchange for those in use.

The Undertakers shall also as soon as reasonably practicable after the commencement of this Order and at the latest within a period of twelve months thereafter exchange the burners used by consumers of gas supplied by the Undertakers by means of prepayment meters for burners similarly suitable for the consumption of gas of the illuminating power prescribed by this Order.

Notice of the provisions of this section shall be given on each demand note of the Undertakers during the first-mentioned period of two years.

11.—(1) Any sums of money at any time since the commencement of the Order of 1898 erroneously carried to the credit of the reserve fund and the insurance fund together with any interest accrued thereon shall within five years from the commencement of this Order be transferred by the Undertakers in one or more sums from such funds or either of them as the case may be to profit and loss account and any sums of money at any time since the commencement of the Order of

Accounting.

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909. 1898 erroneously paid by the Undertakers by way of dividend in excess
Coatbridge. of the prescribed rates of dividend authorised by that Order shall within
five years from the commencement of this Order be deducted in one or
more sums from the net profits of the Undertakers applicable to the
payment of dividend.

(2) The Undertakers shall within three months from the commence-
ment of this Order submit to the Town Council a statement of the
sums of money erroneously applied as aforesaid and if the Town Council
dispute the accuracy of such statement a difference shall be deemed to
have arisen between the Undertakers and the Town Council and such
difference shall be referred to and determined by the Dean of the
Faculty of Procurators of Glasgow.

Limiting sum
to be carried
forward.

12. The amount which the Undertakers may lawfully carry forward
in any one year to the credit of the divisible profits of the under-
taking for the next following year shall not exceed the amount required
to pay one year's dividend at the authorised rates.

No penalty
in case of
unavoidable
cause.

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

Costs of
Order.

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

LLYNVI VALLEY GAS.

Llynvi Valley. *Order empowering the Llynvi Valley Gas Company to raise
new capital and for other purposes.*

Short title
and citation.

1. This Order may be cited as the Llynvi Valley Gas Order 1909
and the Llynvi Valley Gas Act 1868 (in this Order referred to as "the
Act of 1868") and this Order may be cited together as the Llynvi
Valley Gas Act and Order 1868 and 1909.

Commence-
ment of
Order.

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

Incorporation
of Acts.

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

The payment of subscriptions and the means of enforcing the payment of calls; A.D. 1909.

The forfeiture of shares for non-payment of calls;

Llynvi Valley.

The remedies of creditors of the Company against the shareholders;

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

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

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 the Companies Clauses Act 1869 the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by or are inconsistent with the Act of 1868 or this Order) and form part of this Order.

(2) For the purposes of such incorporation the term "special Act" in the said Acts shall mean this Order and the term "the Company" shall mean the Undertakers.

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

Undertakers.

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

New Capital.

6. In addition to the capital already authorised to be raised by the Undertakers (in this Order referred to as "the existing capital") they may— New capital.

(1) Raise any further sums not exceeding in the whole twenty thousand pounds by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively (in this Order referred to as "the new capital") but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any such share or stock issued under the authority of this Order vest in the person accepting the same unless and until the full price of such share or stock including any premium

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

Llynvi Valley.

obtained on the sale thereof as herein-after provided shall have been paid in respect thereof. Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of twenty thousand pounds; and

- (2) Borrow on mortgage in respect of the new capital by this Order authorised to be raised any sum or sums not exceeding in the whole one-third part of the amount of the new capital at the time actually issued by shares or stock including the premiums (if any) realised on the sale thereof but no part thereof shall be borrowed until the whole of the shares or stock in respect of which the power of borrowing is being exercised including the premiums (if any) realised on the sale thereof shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock including the premiums (if any) realised on the sale thereof have been fully paid up and upon production to such justice of the books of the Undertakers and of such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

New shares
or stock to
be sold by
auction or
tender.

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

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

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

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

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

(c) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds: A.D. 1909.

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

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

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

(4) Any shares or stock which have been offered in accordance with subsection (3) and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

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

8. All money raised under this Order including any premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise from the issue of any shares or stock under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as part of the capital of the Undertakers entitled to dividend. Application
of premium
arising on
sale of shares.

9. Except as herein-after in this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividend on the new capital than the standard rate of dividend of seven pounds in respect of every one hundred pounds actually paid up of so much of the new capital as may be issued as Limits of
dividend on
new capital.

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909. ordinary capital or six pounds in respect of every one hundred pounds
Llynvi Valley. actually paid up of so much of the new capital as may be issued as
preference capital.

Dividends on different classes of shares to be paid rateably. 10. In case in any year or in any half-year (if the Undertakers declare a dividend half-yearly) the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the standard rates of dividend on each class of ordinary shares or stock in the existing and new capital of the Undertakers a proportionate reduction shall be made in the dividend payable on each such class.

As to conversion of borrowed money into capital. 11. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the creation and issue of debenture stock or any part thereof respectively by the creation of shares or stock instead of by borrowing or to convert into capital any money borrowed under the provisions of this Order.

Except as otherwise provided new shares or stock to be subject to same incidents as other shares or stock. 12. Except as by this Order otherwise provided the new capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if the new capital were part of the existing capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital. Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Power to create debenture stock. 13. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 27 of the Act of 1868.

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

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

15. All mortgages granted by the Undertakers in pursuance of or in conformity with any Acts before the commencement of this Order and subsisting at the date of such commencement shall during the continuance of such mortgages and subject to the provisions of the Acts in pursuance of or in conformity with which the same were granted have priority over any mortgages granted under the authority of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.

A.D. 1909.
Llynvi Valley.
Existing mortgages to have priority.

16. Section 25 of the Act of 1868 (Appointment of receiver) is hereby repealed as from the commencement of this Order but without prejudice to any appointment heretofore made or to any proceedings pending at the commencement of this Order and in lieu thereof the mortgagees of the Undertakers may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. And in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one-tenth part of the total amount for the time being owing by the Undertakers on mortgage.

Appointment of receiver.

Price of Gas.

17. As from the first quarter day after the commencement of this Order section 39 (Price of gas) of the Act of 1868 shall be repealed and the following provision shall be in force and have effect (that is to say):—

Price of gas.

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

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 Edw. 7.]
Act, 1909.

A.D. 1909.
Llynvi Valley.
Testing gas.

18. As from the first quarter day after the commencement of this Order sections 40 41 42 and 43 of the Act of 1868 are hereby repealed and in lieu thereof the following provisions shall be in force and have effect:—

Testing place.

(1) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be a testing place which shall be provided by the Undertakers at their gasworks:

Pressure of gas.

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

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

Quality of gas.

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

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

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

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

Miscellaneous.

A.D. 1909.

19. The Undertakers may but only with the consent in writing of the owner of the soil of such street or road on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply such premises with gas and may lay down take up alter or renew in across or along such street or road such pipes and apparatus as may be requisite or proper for furnishing such supply.

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

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

Undertakers to pay interest on deposit.

21.—(1) The Undertakers may sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other fittings (in this section called "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 work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or such rents and charges and make such terms and conditions as may be agreed upon.

Power to supply gas fittings Fittings not to be 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 process of any court or any proceedings in bankruptcy against the person in whose possession the same may be Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Undertakers as the actual owners thereof.

22.—(1) All gas engines apparatus fittings and appliances let by the Undertakers on hire shall notwithstanding that they be fixed or fastened to any part of any such premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Undertakers Provided that such gas engines apparatus fittings and appliances have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

Gas engines &c. of Undertakers let on hire though fixed to premises to remain property of Undertakers.

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

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

Llynvi Valley.
Anti-fluctua-
tors for gas
engines.

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

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

Power to take
licences for
patents &c.

24. The Undertakers may subject to the provisions of this Order (but only for the purposes of the undertaking within the limits of supply and not so as to acquire any exclusive right therein) contract for take acquire and use any leave licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture storage supply utilisation or distribution of gas or the conversion manufacture or utilisation of any products obtainable in or arising from such manufacture or from the materials used therein.

Gas consu-
mers to give
notice to
Undertakers
before re-
moving.

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

(2) Notice of the effect of this enactment shall be endorsed on every demand note for gas rent.

Notice of dis-
continuance.

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

Power to
refuse to sup-
ply persons
in debt for
other pre-
mises.

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

Period of error
in defective
meters.

28.—(1) In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

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.

A.D. 1909.
Llynvi Valley.

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

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

No penalty in case of unavoidable cause.

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

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

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

Power to erect &c. cottages for officers and servants.

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

Costs of Order.

SCHEDULE.

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

- (i) Sections 30 to 34 (both inclusive) of the Gasworks Clauses Act 1847 shall not continue to be incorporated with or to form

Sections 30 to 34 of Gasworks Clauses

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

Llynvi Valley.

Act 1847 to
cease to be
incorporated.

Price of gas
with sliding
scale as to
dividend.

part of the foregoing Order and in construing the said Act for the purposes of the foregoing Order section 35 of the said Act shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the standard rate of dividend or such rate as reduced or increased in accordance with the provisions of this Order together with any sum which under the provisions of this schedule might lawfully be carried to the special purposes fund:

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

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

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

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

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

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

A.D. 1909.
Llynvi Valley.
 Power to create a special purposes fund.

The special purposes fund shall be applicable only to meet such charges as a chartered accountant or incorporated accountant being the auditor of the Undertakers or appointed for the purpose by the Board of Trade shall approve as being—

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

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

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

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

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

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

Application of excess of profits over authorised rates of dividend.

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

(v) When in any year the prescribed rates on the ordinary share capital or stock of the Undertakers exceed the standard rate by reason of the price charged by the Undertakers for gas in such year being below the standard price then

Power to create a reserve fund and application thereof.

A.D. 1909.

Llynvi Valley.

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

Saving of existing contracts.

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

BRADFIELD WATER.

Bradfield. Order empowering the Undertakers of the Bradfield Waterworks to construct and maintain additional waterworks to extend their limits of supply to increase the capital of the undertaking and for other purposes.

Short title and citation.

1. This Order may be cited as the Bradfield Water Order 1909 and the Bradfield Water Order 1904 (in this Order referred to as "the Order of 1904") and this Order may be cited as the Bradfield Water Orders 1904 and 1909.

Commencement of Order.

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

Incorporation of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and the Waterworks Clauses Acts 1847 and 1863 are except where the same are expressly varied by this Order hereby incorporated

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

with and form part of this Order and the said provisions of the last mentioned Acts shall apply as well to the pipes and works of the Undertakers laid down or constructed before the commencement of this Order as to any pipes or works which may be laid down or constructed under the authority of this Order.

A.D. 1909.
Bradfield.

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

Interpretation.

In this Order the expressions "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order.

5. Herbert Watney of Buckhold Pangbourne Berkshire his heirs executors administrators or assigns shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" Provided that if at any time the undertaking is assigned to any body company or person such body company or person shall from the date of such assignment thereof be the Undertakers for the purposes of this Order in lieu of the person or persons above mentioned but no such assignment shall have any validity or effect until after the approval of the Board of Trade to such assignment has been signified in writing signed by a secretary or assistant secretary of the said Board Provided also that nothing in this Order contained shall prevent the Undertakers borrowing money on the security of mortgages of the undertaking not exceeding the amount by this Order prescribed or shall make the consent or approval of the Board of Trade necessary to the validity of any such mortgage.

Undertakers.

Limits of Supply.

6. The Undertakers may supply water and shall have and may exercise subject to the provisions of this Order within the following new limits (herein-after referred to as "the new limits") (that is to say) within the parish of Stanford Dingley and the portions of the parishes or places of Yattendon Frilsham and Ashampstead all in the county of Berkshire more particularly shown and edged red upon the maps deposited with the Board of Trade and with the clerk of the peace for the county of Berkshire for the purposes of this Order all and the like powers privileges and authorities for or in relation to the supply of water including the levying of rents rates and charges and shall be subject to all and the like duties and obligations in respect thereof as they now have and are subject to within the limits of supply as defined by the Order of 1904 and the expression "the limits of supply" in the Order of 1904 shall from and after the commencement of this

Extension of limits of supply.

[Ch. cxlii.] *Gas and Water Orders Confirmation Act, 1909.* [9 EDW. 7.]

A.D. 1909. Order be deemed to include the new limits and the expression "the limits of supply" in this Order means the district within which the Undertakers are by virtue of the Order of 1904 and this Order authorised to supply water.

Bradfield.

Where Undertakers not furnishing sufficient supply local authority or company may supply.

7. If at any time after the expiration of five years from the commencement of this Order the Undertakers are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of this Order in any part of the district of any local authority included within the new limits the local authority of such district may provide a supply in the whole or any part of their district within those limits in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purposes of supplying water in any part of such district to which the Undertakers are not furnishing or prepared on demand to furnish a sufficient supply of water as if in either case there were no Undertakers authorised by this Order to supply water therein.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Acquisition of Lands.

Further powers to acquire lands by agreement.

8. In addition to any other lands which the Undertakers are under the Order of 1904 authorised to take or purchase the Undertakers may by agreement purchase take on lease acquire and use such of the lands shown on the deposited plans as they may require for the purposes of their water undertaking and they may by agreement purchase take on lease acquire and use and hold for the purposes of this Order and for the general purposes of the water undertaking authorised by the Order of 1904 and this Order any lands and any easements rights or privileges (not being an easement right or privilege of water in which persons others than the grantors have an interest) in over or under any lands which they may require for the purposes of the said undertaking Provided that they shall not create or permit a nuisance on any lands so held by them and that they shall not at any time hold for such purposes more than three acres of land in addition to the lands which they are by the Order of 1904 authorised to hold for those purposes Provided also that no building shall be erected on such lands except such as are required for or are connected with the purposes of the undertaking.

Persons under disability may grant easements &c. to Undertakers.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of the said Acts grant to the Undertakers any easement right or privilege (not being an easement right or privilege of water in which

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

persons other than the grantors have an interest) in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

A.D. 1909.

Bradfield.

Works.

10. The Undertakers may upon the lands upon which the same are respectively situate if and so long as they are possessed of the said lands maintain continue alter enlarge renew and improve the windmill engine and machinery erected by them at and in connexion with the well described under the letter (d) in section 11 of the Order of 1904 and also the following waterworks (that is to say):—

Maintenance
and construc-
tion of works.

Work No. 1.—A well and well house as now existing situated in the parish of Bradfield in the field numbered 236 on the 25-inch Ordnance Map (2nd edition 1899) of that parish:

Work No. 2.—A line of pipes as now existing situated in the parish of Bradfield commencing at the well (Work No. 1) and terminating at the corn mill in the said parish:

Work No. 3.—A line of pipes as now existing situated in the parish of Bradfield commencing at the well described under the letter (d) in section 11 of the Order of 1904 and terminating in the north-west corner of the field numbered 111 on the said map:

Work No. 4.—A tank or reservoir as now existing situated in the parish of Bradfield in the field numbered 166 on the 25-inch Ordnance map (2nd edition 1899) of that parish:

The Undertakers may also upon the lands shown on the deposited plans if and when the same shall have been acquired by them make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the works herein-after described. The new works authorised by this Order are situate in the parishes of Bradfield Yattendon and Ashampstead in the county of Berkshire and are as follows:—

Work No. 5.—A line of pipes to be situated in the parishes of Yattendon Ashampstead and Bradfield commencing in the north-west corner of the field numbered 111 herein-before described and forming a junction with the line of pipes (Work No. 3) and terminating at the tank (Work No. 6) herein-after described:

Work No. 6.—A tank to be situated wholly in the parish of Yattendon in that portion of the field numbered 5 on the 25-inch Ordnance map (2nd edition 1899) of that parish which lies to the south of the public footpath crossing the said field:

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909. Together with all such cuts channels catchwaters tunnels adits pipes
Bradfield. conduits culverts drains sluices bye-washes water-towers overflows
waste-water channels gauges filter-beds tanks banks walls bridges
embankments piers approaches engines machinery and appliances as
may be necessary or convenient for conveying and distributing water
within the limits of supply from any of the before-mentioned works or
any of the works sanctioned by the Order of 1904 and forming part
of the undertaking.

Limiting
powers to
abstract
water.

11. The Undertakers shall not sink any well upon or construct
any works for taking or intercepting water from any land acquired by
them for the purposes of the water undertaking after the commencement
of this Order unless the works and the lands upon which the same are
to be constructed are specified in this Order or some other Provisional
Order or Act of Parliament.

Lateral and
vertical
deviation.

12. In constructing the works authorised by this Order the Under-
takers may deviate laterally to any extent within the limits of lateral
deviation shown on the deposited plans but in no case beyond the
width of any road shown on the deposited plans and the Undertakers
may deviate vertically from the levels shown on the deposited sections
to any extent not exceeding three feet upwards or ten feet downwards
Provided always that the Undertakers may in constructing such works
or any of them in or upon the lands shown on the deposited plans
and which for the time being belong to or are leased to or have been
acquired by them under the provisions of this Order deviate beyond
such limits laterally and vertically to such extent as they may think
necessary Provided that the Undertakers shall not raise any aqueduct
or line of pipes above the surface of the ground unless the same be
so shown on the deposited sections and then only to the extent so
shown.

Limit of
time for con-
struction of
works.

13. The works authorised by this Order shall be commenced con-
structed and completed within the time and subject to the conditions
prescribed by section 11 of the Gas and Water Works Facilities Act
1870 Provided that subject to the restrictions and provisions of this
Order the Undertakers may alter enlarge renew deepen and improve
their tanks wells pipes filters filter beds machinery and other works in
such way and manner as may be requisite or advisable for supplying
water within the limits of supply.

Differences
with road
authority or
railway or
other com-
pany.

14. If any difference arises between the Undertakers and any road
authority railway canal or other company whose lands or works the
Undertakers have power to cross under the authority of this Order for
the purposes of meeting the demands for water within the limits of
supply as to the mode of laying down repairing altering or enlarging
their conduits mains pipes or works in over or upon such lands or

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

A.D. 1909.

Bradfield.

15. Nothing in this Order shall authorise the Undertakers to take any water from the River Thames (which expression in this section includes any tributary thereof) or from any defined surface channel discharging into the River Thames without the consent in writing of the Conservators of the River Thames.

For protection of Conservators of River Thames.

Supply.

16. The water supplied by the Undertakers within the new limits shall be constantly laid on under pressure but need not at any time be delivered at a greater height than can be reached by gravitation from the tank (Work No. 6) authorised by this Order.

Limits of pressure.

17. With reference to a supply of water by the Undertakers to Bradfield College the following provisions shall have effect (that is to say):—

As to supply to Bradfield College.

(1) For the purposes of the Order of 1904 and this Order Bradfield College shall be deemed to comprise the buildings and premises that may from time to time be in the use and occupation of the chartered corporation known as the warden and council of St. Andrew's College Bradfield or of its warden and be used for the purposes of such college or in connexion therewith though not otherwise strictly within the aforesaid description:

(2) Notwithstanding anything contained in the Order of 1904 or in this Order the Undertakers shall not be bound to supply Bradfield College or any buildings or premises comprised therein with water otherwise than by measure Provided that if the Undertakers refuse to supply Bradfield College or any of such buildings or premises otherwise than by measure they shall on the application of the occupier or other person having charge thereof supply the buildings and premises included in such refusal with sufficient water for domestic and other purposes at the following rates (that is to say):—

(A) If such buildings and premises are situated at such a level that they can be supplied by gravitation from Hog Copse tank at a rate not exceeding sevenpence halfpenny per thousand gallons during any year in which the quantity supplied from Hog Copse tank to all the buildings and premises supplied therefrom by measure under this subsection does not exceed two million gallons

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.
Bradfield.

and at a rate not exceeding sixpence halfpenny per thousand gallons during any year in which the quantity supplied from Hog Copse tank to all the buildings and premises supplied therefrom by measure under this subsection exceeds two million gallons ;

(B) If such buildings and premises are situated at such a level that they cannot be supplied by gravitation from Hog Copse tank at a rate not exceeding fifteen pence per thousand gallons during any year in which the quantity supplied from the higher source to all the buildings and premises supplied therefrom by measure under this subsection does not exceed one million gallons and at a rate not exceeding twelve pence per thousand gallons during any year in which the quantity supplied from the higher source exceeds one million gallons to all the buildings and premises supplied therefrom by measure under this subsection :

- (3) Any moneys payable to the Undertakers under this section for water supplied by measure shall be recoverable in the same manner as rates due to the Undertakers for water.

Additional Capital.

Additional
capital.

18. Notwithstanding the limitation prescribed by the Order of 1904 it shall be lawful for the Undertakers to increase their capital for the purposes of the water undertaking authorised by the Order of 1904 and this Order by the sum of eleven thousand five hundred pounds (herein-after referred to as "the additional capital") Provided always that unless any increase thereto be hereafter authorised by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament the capital of the Undertakers for the purposes of the water undertaking shall not exceed nineteen thousand pounds.

Paid-up
capital in
undertaking.

19. If and so long as the undertaking is carried on by an individual or individuals and not by a duly constituted company in the construction of this Order the expression "actually paid up" and in the construction of the provisions of the Waterworks Clauses Act 1847 with respect to the amount of profits to be received by the Undertakers when the waterworks are carried on for their benefit the expression "paid-up capital in the undertaking" shall be deemed to mean so much of the aforesaid capital of the Undertakers for the purposes of the undertaking not exceeding nineteen thousand pounds as has actually been expended on or is actually being used for the purposes of the undertaking.

A.D. 1909.

Bradfield.

20. The Undertakers shall not in any year make out of their profits any larger dividend on the additional capital than seven pounds in respect of every one hundred pounds actually paid up of such capital.

Limits of dividend on capital.

21. The amount of all money borrowed by the Undertakers and secured by mortgage of the undertaking shall not exceed in the whole one-fourth of the amount of the actually paid-up capital and no higher rate of interest than five per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any money borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

Limit of borrowing powers.

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

Costs of Order.

GRAVESEND AND MILTON WATER.

Order empowering the Gravesend and Milton Waterworks Company to construct additional works to raise additional capital and amending the scale of charges for supply of water and for other purposes.

Gravesend and Milton.

1. This Order may be cited as the Gravesend and Milton Water Order 1909 and the Gravesend and Milton Waterworks Act 1846 (in this Order referred to as "the Act of 1846") and the Gravesend and Milton Waterworks Act 1897 (in this Order referred to as "the Act of 1897") and this Order may be cited together as the Gravesend and Milton Acts and Order 1846 to 1909.

Short and collective titles.

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

Commencement of Order.

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 Order) are except where expressly varied by this Order hereby incorporated with this Order (namely):—

Incorporation of Acts.

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

The Waterworks Clauses Acts 1847 (except section 68 of that Act) and 1863 (except section 12 of the last-mentioned Act):

[Ch. cxlii.] *Gas and Water Orders Confirmation Act, 1909.* [9 EDW. 7.]

A.D. 1909.
*Gravesend
and Milton.*

The provisions of the Companies Clauses Consolidation Acts 1845 to 1889 with respect to the several matters following (that is to say):—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested:

And Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and the Companies Clauses Act 1869.

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

Interpreta-
tion.

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

In this Order the expressions "deposited plans" and "deposited sections" mean respectively the plans and sections deposited for the purposes of this Order.

Undertakers.

Undertakers.

5. The Gravesend and Milton Waterworks Company shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

Purchase of Lands.

A.D. 1909.

6. The Undertakers may by agreement purchase take on lease acquire hold and use such of the lands shown on the deposited plans as they may require for the purposes of their water undertaking and for the protection of their water supply from pollution and they may by agreement purchase or take on lease hold and use any other lands and any easements rights or privileges (not being easements rights or privileges to take water in which persons other than the grantors have an interest) in over or affecting any lands which they may require for such purposes Provided always that they shall not create or permit a nuisance on any lands acquired by them under this Order and that they shall not at any time hold for such purposes more than forty acres of land under the authority of this Order.

*Gravesend
and Milton.*
Power to
acquire lands.

7. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of the said Acts grant to the Undertakers any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons
under dis-
ability may
grant ease-
ments &c.
to Under-
takers.

Construction of Waterworks.

8. In addition to the waterworks which the Undertakers are by the Act of 1846 authorised to construct and maintain the Undertakers may on the land shown on the deposited plans and so long as they are possessed of the said land or so long as they may be entitled to do so under any agreement make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described and other works and conveniences connected therewith and may enlarge renew and improve the same The works authorised by this Order will be wholly situate in the county of Kent and are as follows:—

Power to
construct
additional
waterworks.

Work No. 1.—A well and pumping station (to be called “the Meopham well”) situate in the eastern portion of the field numbered 35 upon the Ordnance map of the parish and urban district of Northfleet (scale $\frac{1}{2500}$ Sheet 18 (2) Kent Second Edition 1908) at a point 6 chains or thereabouts south of the north-easternmost corner of that field;

Work No. 2.—An adit (No. 1) commencing at the said well and running in a westerly direction from such well for a distance of 17 chains or thereabouts and terminating in or under the

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

*Gravesend
and Milton.*

field numbered 39 upon the said Ordnance map of the said parish and urban district;

Work No. 3.—An adit (No. 2) commencing at the said well and running in an easterly direction from such well for a distance of 13 chains or thereabouts and terminating in or under the field numbered 34 upon the said Ordnance map of the said parish and urban district;

Work No. 4.—A covered service reservoir situate in the northern portion of the field numbered 35 upon the said Ordnance map of the said parish and urban district at a point 4 chains or thereabouts measured in a south-easterly direction from the north-westernmost corner of that field;

Work No. 5.—A line of pipes (No. 1) situate in or under the field numbered 35 upon the said Ordnance map of the said parish and urban district commencing at the said well and terminating at the said covered service reservoir;

The above works will be situate wholly in the parish and urban district of Northfleet;

Work No. 6.—A line of pipes (No. 2) situate in the said parish and urban district and in the parishes of Gravesend and Milton-next-Gravesend in the borough of Gravesend commencing in the said parish and urban district at or in the said Meopham well and pumping station (Work No. 1) and terminating in the Sandy Bank Road in the west side of the existing Windmill Hill pumping station of the Undertakers situate in the said parish of Milton-next-Gravesend in the said borough at a point 1 chain or thereabouts measured south of the north-west corner of the said Windmill Hill pumping station;

Work No. 7.—An elevated tank or water tower situate in the said parish of Milton-next-Gravesend in the said borough in the northern portion of the piece of ground bounded respectively on the north by Windmill Hill on the south by the road formerly called West Hill but now Leith Park Road on the east by Sandy Bank Road and on the west by West Hill House and shown upon the Ordnance map of the said parish of Milton-next-Gravesend (scale $\frac{1}{2500}$ Sheet X-7 Kent 1897);

Work No. 8.—A line of pipes (No. 3) situate in the said parish of Milton-next-Gravesend in the said borough commencing at the termination of Work No. 6 (line of pipes No. 2) and terminating at or in the said elevated tank or water tower (Work No. 7);

together with all necessary cuts channels catchwaters aqueducts pipes culverts tunnels drains sluices bye-washes weirs gauges wells adits

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

boreholes tube-wells filter beds softening plant water-towers tanks
dams walls approaches pumps engines machinery works and appliances
and (subject to the consent of any road authority and person affected)
telegraphs and telephones as may be necessary or convenient in con-
nection with the before-mentioned works or any or either of them
Provided that such telegraphs or telephones shall only be put up or
laid down between Work No. 1 and the said existing Windmill Hill
Pumping Station :

A.D. 1909.
*Gravesend
and Milton.*

Provided also that any telegraphs and telephones made and main-
tained under the provisions of this Order shall not be used for the
purpose of transmitting telegrams in contravention of the exclusive
privilege conferred upon the Postmaster-General by the Telegraph Acts
1863 to 1908 and shall be so made and maintained as not to interfere
with any telegraphic line of the Postmaster-General.

9. The Undertakers may undertake to pay to the Postmaster-
General any loss he may sustain by reason of the establishment or
maintenance at their request of any post or telegraph office or of
any additional facilities (postal or other) in connexion with the works
authorised by this Order and any expenses incurred by the Undertakers
under such undertaking may be defrayed out of any revenue or funds
of the Undertakers.

For pro-
tection of
Postmaster-
General.

10. In constructing the works authorised by this Order the
Undertakers may deviate laterally to any extent within the limits of
lateral deviation shown on the deposited plans but in no case beyond
the width of any road shown on the deposited plans and they may
deviate vertically from the levels shown on the deposited sections to
any extent not exceeding three feet upwards or seven feet downwards
Provided always that the Undertakers may deviate vertically to any
extent in constructing any wells adits or tube-wells bored and driven
in connexion with the pumping station described in the section of this
Act whereof the marginal note is "Power to construct additional water-
works" and that no conduit or line of pipes shall be raised above the
surface of the ground unless so shown on the deposited sections and
then only to the extent so shown.

Limits of
deviation.

11. All the works hereinbefore referred to shall for all purposes
form part of the water undertaking of the Undertakers.

Works to form
part of water
undertaking.

12. The works authorised by this Order shall be commenced
constructed and completed within the time and subject to the conditions
prescribed by section 11 of the Gas and Water Works Facilities Act
1870 Provided always that subject to the provisions and restrictions
of this Order the Undertakers may improve alter enlarge renew
deepen and extend their pumping station engines machinery reservoirs
tanks wells adits tube-wells conduits mains pipes connexions filters
filter beds and other works in such way and manner as may be requisite
or advisable for supplying water within their limits of supply.

Period for
completion
of works.

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

*Gravesend
and Milton.*
Limiting
powers to
abstract
water.

13. The Undertakers shall not sink any well upon or construct any works for taking or intercepting water from any lands acquired by them after the commencement of this Order unless the works and the lands upon which the same are to be constructed are specified in some Act of Parliament or Provisional Order.

Additional Capital.

Additional
capital.

14. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1846 and the Act of 1897 (in this Order referred to as "the existing capital") they may—

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

(2) Borrow on mortgage in respect of the further new capital by this Order authorised to be raised any sum or sums not exceeding in the whole one-third part of the amount of the further new capital at the time actually issued by shares or stock including the premiums (if any) realised on the sale thereof but no part thereof shall be borrowed until the whole of the shares or stock in respect of which the power of borrowing is being exercised including the premiums (if any) realised on the sale thereof shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock and premiums (if any) have been fully paid up and upon production to such justice of the books of the Undertakers and of such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

As to con-
version of
borrowed
money into
capital.

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

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

16. Except as by this Order otherwise provided the further new capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if the further new capital were part of the existing capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital.

A.D. 1909.

*Gravesend
 and Milton.*

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

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

Further new capital to be sold by auction or tender.

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

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

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

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

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

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

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary shares or stock of the Undertakers in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Undertakers and to the consumers

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909. of water supplied by the Undertakers in such proportions as the
Gravesend Undertakers may think fit or to one or more of these classes of persons
and Milton. only Provided in the case of an offer to holders of shares or stock
that if the aggregate amount of shares or stock applied for shall
exceed the aggregate amount so offered as aforesaid the same shall be
allotted to and distributed amongst the applicants as nearly as may
be in proportion to the amounts applied for by them respectively.

(4) Any shares or stock which have been offered for sale in
accordance with subsections (2) and (3) and are not sold shall be
again offered for sale by public auction or by tender in accordance
with the provisions of this section and any such shares or stock then
remaining unsold may be otherwise disposed of at such price and
in such manner as the directors may determine for the purpose of
realising the best price obtainable.

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

Application
of premium
arising on
issue of
shares or
stock.

18. Any sum of money which may arise from the issue of any
shares or stock under the provisions of this Order by way of premium
after deducting therefrom the expenses of and incident to such issue
shall not be considered as part of the capital of the Undertakers
entitled to dividend.

Limits of
dividend on
capital.

19. The Undertakers shall not in any year declare or make out
of their profits any larger dividends on the further new capital than
seven pounds in respect of every one hundred pounds actually paid
up of so much of the further new capital as may be issued as
ordinary capital or six pounds in respect of every one hundred pounds
actually paid up of so much of the further new capital as may be
issued as preference capital.

Prescribed
rates to be
paid pro-
portionately.

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

Power to
create debenture
stock.

21. The Undertakers may create and issue debenture stock subject
to the provisions of Part III. of the Companies Clauses Act 1863 and
of section 19 of the Act of 1897.

Existing
mortgages to
have priority.

22. All mortgages granted by the Undertakers under the authority
of the Act of 1846 or the Act of 1897 before the commencement of

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

this Order and subsisting at the date of such commencement shall during the continuance of such mortgages and subject to the provisions of the said Acts have priority over all mortgages granted under the authority of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers and notwithstanding anything in the said Acts contained all debenture stock at any time created and issued by the Undertakers after the commencement of this Order whether under the said Acts or this Order shall rank *pari passu*.

A.D. 1909.

—
*Gravesend
and Milton.*

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

Limit of
interest on
moneys
borrowed.

24. Section 18 of the Act of 1897 (For appointment of receiver) is hereby repealed as from the commencement of this Order but without prejudice to any appointment heretofore made or to any proceedings pending at the commencement of this Order and in lieu thereof the mortgagees of the Undertakers 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-tenth part of the total amount for the time being owing by the Undertakers on mortgage.

Appointment
of a receiver.

25. All moneys raised under this Order including premiums shall be applied only to the purposes of the Act of 1846 the Act of 1897 and this Order to which capital is properly applicable.

Application
of moneys
raised under
this Order.

Miscellaneous.

26. As from the twenty-fifth day of December one thousand nine hundred and nine so much of section 56 of the Act of 1846 as prescribes the rates and charges which the Undertakers may demand for a supply of water for domestic purposes shall be repealed and in lieu thereof the following provisions shall be in force and have effect (that is to say):—

Rates of
supply for
domestic
purposes.

Where the rateable value of the premises so supplied with water does not exceed five pounds at a rate not exceeding eight shillings and eightpence per annum;

Where such rateable value exceeds five pounds and does not exceed eight pounds at a rate not exceeding eleven shillings per annum;

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

*Gravesend
and Milton.*

Where such rateable value exceeds eight pounds and does not exceed twelve pounds at a rate not exceeding fifteen shillings per annum;

Where such rateable value exceeds twelve pounds and does not exceed sixteen pounds at a rate not exceeding nineteen shillings per annum;

Where such rateable value exceeds sixteen pounds and does not exceed twenty pounds at a rate not exceeding one pound four shillings per annum;

Where such rateable value exceeds twenty pounds and does not exceed twenty-five pounds at a rate not exceeding one pound ten shillings per annum;

Where such rateable value exceeds twenty-five pounds and does not exceed thirty pounds at a rate not exceeding one pound fifteen shillings per annum;

Where such rateable value exceeds thirty pounds and does not exceed thirty-five pounds at a rate not exceeding two pounds per annum;

Where such rateable value exceeds thirty-five pounds and does not exceed forty pounds at a rate not exceeding two pounds five shillings per annum;

Where such rateable value exceeds forty pounds and does not exceed forty-five pounds at a rate not exceeding two pounds ten shillings per annum;

Where such rateable value exceeds forty-five pounds and does not exceed fifty pounds at a rate not exceeding two pounds fifteen shillings per annum;

Where such rateable value exceeds fifty pounds and does not exceed fifty-five pounds at a rate not exceeding three pounds per annum;

Where such rateable value exceeds fifty-five pounds and does not exceed sixty pounds at a rate not exceeding three pounds five shillings per annum;

Where such rateable value exceeds sixty pounds and does not exceed sixty-five pounds at a rate not exceeding three pounds ten shillings per annum;

Where such rateable value exceeds sixty-five pounds and does not exceed seventy pounds at a rate not exceeding three pounds fifteen shillings per annum;

[9 EDW. 7.] *Gas and Water Orders Confirmation* [Ch. cxlii.]
Act, 1909.

Where such rateable value exceeds seventy pounds and does not exceed seventy-five pounds at a rate not exceeding four pounds per annum;

A.D. 1909.

*Gravesend
and Milton.*

Where such rateable value exceeds seventy-five pounds and does not exceed eighty pounds at a rate not exceeding four pounds five shillings per annum;

Where such rateable value exceeds eighty pounds and does not exceed eighty-five pounds at a rate not exceeding four pounds ten shillings per annum;

Where such rateable value exceeds eighty-five pounds and does not exceed ninety pounds at a rate not exceeding four pounds fifteen shillings per annum;

Where such rateable value exceeds ninety pounds at a rate per centum per annum not exceeding five pounds;

And so in proportion for any shorter period in each case:

And in addition to the foregoing the Undertakers may charge in respect of every water-closet beyond the first (in respect of which no additional sum shall be charged) on any premises within the limits of the Act of 1846 an additional sum not exceeding ten shillings per annum to be paid quarterly in advance and to be recoverable in all respects with and as the water rate:

Provided that the Undertakers shall not be compellable to furnish any such supply as aforesaid for any less sum than eight shillings and eight pence in any one year nor for a less period than twelve months:

The rateable value of any such premises as aforesaid shall be ascertained by the valuation list in force at the commencement of the quarter in which the rate accrues or if there is no such list in force by the last rate made for the relief of the poor:

Provided that where the water rate is chargeable on the rateable value of a part only of any hereditament entered in the valuation list such rateable value shall be a fairly apportioned part of the rateable value of the whole tenement ascertained as aforesaid the apportionment in case of dispute to be determined by a court of summary jurisdiction:

Provided also that as from the said twenty-fifth day of December section fifty-seven of the Act of 1846 shall be read and construed as if the words "rateable value" had been inserted therein instead of the words "rackrent or value":

Provided also that where the sum chargeable on the rateable value of the premises for the time being under this Order exceeds the sum that would prior to the passing of this Order have been chargeable by the Undertakers on the rackrent of the premises for the time being

[Ch. cxlii.] *Gas and Water Orders Confirmation Act, 1909.* [9 EDW. 7.]

A.D. 1909. the Undertakers shall only be entitled to demand such a sum as would be equal to the rate on the rackrent of the premises for the time being under the provisions of the Act of 1846.

Gravesend and Milton.

For protection of Mid Kent Water Company.

27. The following provision for the protection of the Mid Kent Water Company (herein-after in this section called "the Mid Kent Company") shall unless otherwise agreed upon between the Undertakers and the Mid Kent Company have effect (that is to say):—

The Undertakers shall not oppose any application which the Mid Kent Company may hereafter make to Parliament or the Board of Trade for power to sink any well or wells which shall be situate at a distance of not less than one mile from the well being part of Work No. 1 by this Order authorised.

For protection of Gravesend and Northfleet Electric Tramways Limited.

28. For the protection of the tramways of leased to worked or run over by the Gravesend and Northfleet Electric Tramways Limited their successors and assigns (in this section referred to as "the Company") the following provisions shall in reference to the laying by the Undertakers of water mains by this Order authorised between the existing terminus of the tramway in Old Road in the parishes of Gravesend and Milton-next-Gravesend in the county of Kent and the west end of Leith Park Road in the said parish of Milton-next-Gravesend have effect:—

(1) Where the Undertakers require to dig or sink any trench or work across or under or within four feet six inches of either rails of the said tramways within the area in this section mentioned the Undertakers shall unless it is otherwise agreed between them and the Company or in case of sudden emergency give to the Company not less than seven days' notice before commencing to dig or sink such trench or work as aforesaid and the Company shall be entitled to superintend the work and the Undertakers shall conform to such reasonable requirements as may be made by the Company for protecting within the said area such tramways and any part of the road maintained or repaired by the Company from injury or subsidence and they shall also make good any damage that may be caused thereto by the digging or sinking of such trench or work:

(2) Any question which may arise under this section shall be determined by arbitration. In default of agreement the arbitrator to be appointed by the Board of Trade on the application of either party.

Costs of Order.

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

HUNGERFORD WATER.

A.D. 1909.

*Order authorising the maintenance and user of existing works
and the acquisition of additional lands
in the parish of Hungerford in the county of Berkshire
and for other purposes.*

Hungerford.

1. This Order may be cited as the Hungerford Water Order 1909 and the Hungerford Water Order 1901 (in this Order referred to as "the Order of 1901") and this Order may be cited as the Hungerford Water Orders 1901 and 1909. Short title
and citation.

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

3. The Hungerford Waterworks Company Limited shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers." Undertakers.

4. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) and of the Waterworks Clauses Acts 1847 and 1863 (except where the same are expressly varied by this Order) are hereby incorporated with and form part of this Order. Incorporation
of Acts.

5. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings. Interpreta-
tion.

In this Order the expression "deposited plan" shall mean the plan deposited for the purposes of this Order.

6. The Undertakers may hold and use the piece of land described in Part I. of the schedule hereto and may thereon maintain and continue alter enlarge renew and improve the well pumping station reservoir lines of pipes and works thereon constructed (herein-after referred to as "the existing works") and they may within the limits of supply therefrom supply and sell water in accordance with the Order of 1901 and all the provisions of the Order of 1901 shall apply thereto as fully and effectually as if they had been authorised by the Order of 1901 and the said works shall for all purposes form part of the undertaking. Confirming
purchase of
lands and
construction
thereon of
works.

7. Sections 11 and 13 of the Order of 1901 the marginal notes whereof are respectively "Power to acquire lands" and "Power to construct waterworks and supply water" are hereby repealed. Repeal.

[Ch. cxlii.] *Gas and Water Orders Confirmation* [9 EDW. 7.]
Act, 1909.

A.D. 1909.

Hungerford.
Lands for
construction
of wells &c.

8. The Undertakers may by agreement purchase and hold the land shown on the deposited plan and described in Part II. of the schedule hereto for the purposes of the undertaking and when the same has been acquired by them they may make and maintain thereon wells shafts adits tunnels outfalls sluices discharge pipes drains aqueducts culverts channels dams mains pipes standpipes apparatus buildings pumping stations engines pumps and other works and conveniences connected therewith and may enlarge renew and improve the same and they may take and sell water therefrom subject to the provisions of the Order of 1901 and of this Order.

Limits of
pressure.

9. Section 19 (Limits of pressure) of the Order of 1901 is hereby repealed and in lieu thereof the following provision shall be in force and have effect:—

The water supplied by the Undertakers shall be constantly laid on under pressure but need not at any time be delivered at a greater height than can be reached by gravitation from the reservoir authorised by section 7 of this Order.

Additional
lands by
agreement.

10. The Undertakers may by agreement take purchase and hold for the general purposes of their undertaking any additional lands within the limits of supply not exceeding in the whole five acres in extent and any easements rights or privileges (not being easements rights or privileges to take water in which any persons other than the grantors have an interest) in over or under such lands. Provided that the Undertakers shall not upon any such lands create or permit any nuisance and that no buildings shall be erected on such lands except such as are required for or are connected with the purposes of the undertaking.

Limiting
Undertakers'
powers of
abstracting
water.

11. The Undertakers shall not sink any well upon or construct any works for taking or intercepting water from any lands acquired by them (except the lands mentioned in the schedule to this Order) unless the works and the lands on which the same are to be constructed are specified in this or some other Provisional Order or Act of Parliament.

Costs of
Order.

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

SCHEDULE.

A.D. 1909.

Hungerford.

PART I.

LAND UPON WHICH THE EXISTING WORKS HAVE BEEN CONSTRUCTED.

A piece of land containing 1 acre 2 roods 20 perches or thereabouts situate in the parish of Hungerford in the county of Berkshire and forming part of the field numbered 298 in that parish on the $\frac{25}{100}$ Ordnance map Berkshire Sheet No. XXXIII.-15 2nd Edition 1900.

PART II.

LAND PROPOSED TO BE ACQUIRED FOR WELLS &c.

A piece of land containing 8 acres 1 rood 5 perches or thereabouts situate in the parish of Hungerford in the county of Berkshire and forming part of the fields numbered respectively 298 321 and 322 in that parish on the $\frac{25}{100}$ Ordnance map Berkshire Sheet No. XXXIII.-15 2nd Edition 1900.

Printed by EYRE and SPOTTISWOODE, Ltd.,

FOR

ROWLAND BAILEY, Esq., M.V.O., the King's Printer of Acts of Parliament.

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