



CHAPTER xlvii.

An Act for amalgamating the Wandsworth and Putney Gaslight and Coke Company the Mitcham and Wimbledon District Gaslight Company and the Epsom and Ewell Gas Company and for other purposes.

A.D. 1912.

[7th August 1912.]

WHEREAS by the Wandsworth and Putney Gas Act 1856 the Wandsworth and Putney Gaslight and Coke Company (in this Act called "the Wandsworth Company") were re-incorporated for the purpose of (amongst other things) making and supplying gas to the places and within the limits in the said Act described :

And whereas by the Mitcham and Wimbledon Gas Act 1867 the Mitcham and Wimbledon District Gaslight Company (in this Act called "the Wimbledon Company") were incorporated for the purpose (amongst others) of making and supplying gas to and within the limits defined in that Act :

And whereas by the Epsom and Ewell Gas Act 1877 the Epsom and Ewell Gas Company (in this Act called "the Epsom Company") were re-incorporated and were authorised (amongst other things) to manufacture and supply gas to the places and within the limits in the said Act described :

And whereas the respective limits of supply of the Wandsworth Wimbledon and Epsom Companies are for all practical purposes adjacent and the amalgamation of those companies would be of public and local advantage and it is expedient that provision be made as contained in this Act with reference to such amalgamation :

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

And whereas the existing and authorised share and loan capital of the companies to be so amalgamated are as set forth in the Third Schedule to this Act:

And whereas of the authorised ordinary capital of the three companies there remain to be issued sums amounting in the aggregate to four hundred and thirty-nine thousand two hundred and ninety-two pounds eleven shillings and elevenpence divided as follows (that is to say):—

Of the authorised capital of the Wandsworth Company the sum of one hundred and eighty-one thousand four hundred and two pounds entitled to a dividend of three pounds and ten shillings per centum per annum subject to increase or decrease according to the price of gas charged;

Of the authorised capital of the Wimbledon Company the sum of one hundred and ninety-seven thousand seven hundred and nine pounds twelve shillings and eightpence; and

Of the authorised capital of the Epsom Company the sum of sixty thousand one hundred and eighty pounds nineteen shillings and threepence entitled in each case to a dividend of five pounds per centum per annum subject to increase or decrease as aforesaid:

And whereas it is expedient that the Company should be authorised to raise the whole of such capital (hereinafter defined as “unallocated capital”) and that the same should be entitled to a dividend of three pounds and ten shillings per centum per annum subject to increase or decrease as hereinafter prescribed:

And whereas for the purposes of the undertaking it is expedient that the Company be authorised to lay down and maintain the lines of pipes hereinafter described:

And whereas a plan and section showing the line and levels of the lines of pipes by this Act authorised and also a book of reference to such plan were duly deposited with the clerk of the peace for the county of Surrey and are hereinafter respectively referred to as the deposited plan section and book of reference:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

[2 & 3 GEO. 5.] *Wandsworth Wimbledon and Epsom* [Ch. xlvii.]
District Gas Act, 1912.

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

A.D. 1912.

PRELIMINARY.

1. This Act may be cited as the Wandsworth Wimbledon and Epsom District Gas Act 1912.

Short title.

2. The following Acts and parts of Acts are (subject to the provisions of and so far as applicable to the purposes of this Act) hereby incorporated with and form part of this Act (namely):—

Incorporation of general Acts.

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

The Gasworks Clauses Acts 1847 and 1871 Provided that section 13 of the former Act shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the Company shall be alike in terms and amount under like circumstances to all consumers within the Wandsworth limits the Wimbledon limits and the Epsom limits respectively as the case may be" were added at the end of that section; and

The Lands Clauses Acts (except the provisions thereof 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).

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

Interpretation.

The expression "the Company" means the Wandsworth Wimbledon and Epsom District Gas Company incorporated by this Act;

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

The expressions "Wandsworth 'A' stock" "Wandsworth 'B' stock" and "Wandsworth 'C' stock" mean respectively the stocks created and issued by the Company under the powers and provisions of this Act in substitution respectively for the "A" consolidated stock the "B" consolidated stock and the additional capital stock (distinguished in the books of the Wandsworth Company as "C" stock) severally created and issued under the powers and provisions of the Wandsworth and Putney Gas Act 1900;

The expression "Wimbledon stock" means the stock created and issued by the Company under the powers and provisions of this Act in substitution for the consolidated ordinary stock created and issued under the powers and provisions of the Mitcham and Wimbledon Gas Act 1907;

The expression "Epsom stock" means the stock created and issued under the powers and provisions of this Act in substitution for the stock created and issued under the powers and provisions of the Epsom and Ewell Gas Act 1906;

The expression "the Wandsworth Company" means the Wandsworth and Putney Gaslight and Coke Company;

The expression "the Wimbledon Company" means the Mitcham and Wimbledon District Gaslight Company;

The expression "the Epsom Company" means the Epsom and Ewell Gas Company;

The expressions "the Wandsworth limits" "the Wimbledon limits" "the Epsom limits" mean respectively the limits of supply as authorised of the Wandsworth Wimbledon and Epsom Companies;

The expression "the amalgamated companies" means the Wandsworth Wimbledon and Epsom Companies;

The expression "the amalgamation" means the amalgamation by this Act authorised;

The expression "the undertaking" means the undertaking by this Act authorised.

AMALGAMATION OF COMPANIES.

Amalgama-
tion of com-
panies.

4. As from the first day of January one thousand nine hundred and thirteen (in this Act referred to as "the date of

[2 & 3 GEO. 5.] *Wandsworth Wimbledon and Epsom* [Ch. xlvii.]
District Gas Act, 1912.

A.D. 1912.

amalgamation") the several persons who immediately before the date of amalgamation were members of any of the amalgamated companies and all other persons who have subscribed to or who shall become proprietors in the undertaking of the Company and their executors administrators successors and assigns respectively shall be and are hereby united into a company for the purposes hereinafter mentioned and shall be and are hereby incorporated by the name of "The Wandsworth Wimbledon and Epsom District Gas Company" and by that name shall be a body corporate with perpetual succession and a common seal and with power to take hold and dispose of lands and other property for the purposes of this Act.

5. The Company shall be established for the purpose of manufacturing storing and supplying gas for lighting heating motive power and other purposes within the limits of supply as defined by this Act and may convert manufacture and sell all residual products resulting from the manufacture of gas by them and generally may carry on any business usually carried on by gas companies but the Company shall not purchase or use in any process of manufacture any materials other than those required for the making and supply of gas by them or for the working up of their own residual products or for the construction maintenance and repair of their gasworks plant and buildings or for the maintenance and repair of gas fittings.

General purposes of Company.

6. Subject to the provisions of this Act all the lands gasworks erections buildings waterways rights and easements which immediately before the date of amalgamation were vested in any of the amalgamated companies or any person in trust for any of the amalgamated companies or to which any of the amalgamated companies were in any wise entitled and all mains and pipes plant apparatus stock matters and things which have been purchased or provided by any of them and were immediately before the date of amalgamation the property of any of the amalgamated companies and all moneys securities credits effects and other property whatsoever which immediately before the date of amalgamation belonged to any of the amalgamated companies or to any trustee on behalf of any of them and the benefit of all contracts and engagements entered into by or on behalf of any of the amalgamated companies and the respective undertakings of each of the amalgamated companies shall on and from the date of amalgamation be by virtue of this Act vested in the Company to the same extent and for the same

Present property of amalgamated companies vested in Company.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. estate and interest as the same were previously to the date of amalgamation vested in any of the amalgamated companies or any trustee on behalf of any of them and may according to the provisions of this Act be held and enjoyed sued for and recovered maintained altered discontinued removed dealt with and disposed of by the Company as they think fit.

Repeal of
Acts.

7. As from the date of amalgamation the Acts and Order specified in the Fourth Schedule hereto (in this Act referred to as "the scheduled Acts") shall be and the same are hereby repealed to the extent mentioned in the second column of that schedule.

Nothing to
affect pre-
vious rights
and liabilities.

8. Except as by this Act otherwise expressly provided everything before the date of amalgamation done or suffered by or with reference to any of the amalgamated companies or the members thereof as such shall be as valid as if the amalgamated companies had not been amalgamated and the scheduled Acts had not been wholly or partially repealed and such amalgamation and repeal and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered and to all rights liabilities claims and demands both present and future which if the amalgamated companies and each of them were not amalgamated and the said undertakings were not vested in the Company and the scheduled Acts were not wholly or partially repealed and this Act were not passed would be incident to or consequent on any and every thing so done or suffered and with respect to all such rights liabilities claims and demands the Company and their proprietors and property shall to all intents and purposes represent the amalgamated companies and each of them and the members thereof as such and the property of the amalgamated companies and each of them as the case may be.

Contracts
prior to Act
to be binding.

9. Except as is by this Act otherwise specially provided all purchases sales conveyances grants assurances deeds contracts bonds and agreements entered into or made before the date of amalgamation by to or with any of the amalgamated companies or any trustees or persons acting on behalf of any of the amalgamated companies or by to or with any other person to whose rights and liabilities any of the amalgamated companies have succeeded and now in force shall (save so far as the same relates to any matter or thing not transferred to or vested in the Company under this Act) be as binding and of as full force and effect in every respect against or in favour of the Company and may be enforced as fully and effectually as if instead of

any of the amalgamated companies or the trustees or persons acting on behalf of any of the amalgamated companies the Company had been a party thereto. A.D. 1912.

10. Nothing in this Act contained shall release discharge or suspend any action suit or other proceeding which was pending by or against any of the amalgamated companies or any member thereof in relation to the affairs of any of the amalgamated companies or to which any of the amalgamated companies or any member thereof in relation to such affairs were parties immediately before the date of amalgamation and any such action suit or other proceeding (save so far as the same relates to any matter or thing not transferred to or vested in the Company under this Act) may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained prosecuted or continued by or in favour of or against any of the amalgamated companies or any member thereof if this Act had not been passed the Company and the proprietors thereof being in reference to the matters aforesaid in all respects (save as aforesaid) substituted for any of the amalgamated companies and their members respectively. Actions &c. not to abate.

11. Notwithstanding anything contained in this Act all certificates (until cancelled under the provisions of this Act) and all sales transfers and dispositions heretofore made or executed for and with respect to any shares or stock in any of the amalgamated companies shall remain in full force and continue to be available in all respects as if this Act had not been passed. Certificates &c. to remain in force.

12. All documents books and writings which if the said amalgamation had not taken place would have been receivable in evidence shall be admitted as evidence in all courts and elsewhere notwithstanding such amalgamation. Books &c. continued evidence.

13. The books kept by any of the amalgamated companies for entering the names and designations of the members thereof with the numbers of their shares and the proper distinguishing number of each share or the amount of stock to which such members shall respectively be entitled shall until some other register of shareholders shall be provided by the Company continue to be kept for the same purpose by the Company and be Present register of members to be continued.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. — taken and considered as the register of shareholders required to be kept by the Companies Clauses Consolidation Act 1845.

As to officers
of amalga-
mated com-
panies.

14.—(1) The Company shall subject as hereinafter provided take over and employ such of the officers of any of the amalgamated companies who shall be in the employ of any of those companies at the date of amalgamation as the Company may require and as shall be willing to enter the service of the Company. The officers so taken over shall continue to hold their respective offices and employments on the same terms and conditions as they held the same under any of the amalgamated companies at such date until duly determined by the Company and shall receive from the Company not less than the salaries and agreed emoluments which they were receiving from any of the said companies at the thirtieth June one thousand nine hundred and eleven.

(2) If the Company shall not require the services of any such officer of any of the amalgamated companies or if any such officer having a length of continuous service with any of those companies of fourteen years or upwards shall not be willing to enter the service of the Company the Company shall pay to him by way of compensation for loss of office such an amount as may be agreed between the directors of the Company and such officer or failing such agreement as may be determined by an arbitrator to be agreed upon between the Company and such officer or in default of agreement appointed on the application of the Company or of such officer by the President of the Institute of Chartered Accountants or the President of the Society of Incorporated Accountants and Auditors and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such determination.

(3) In this section the expression "officer" means any person who at the date of amalgamation is a secretary engineer manager accountant collector or other salaried officer of any of the amalgamated companies but does not include any auditor of any of those companies.

As to divi-
dends on
shares and
stocks of
amalgamated
companies.

15.—(1) The Company shall as soon as reasonably practicable after the date of amalgamation pay to the persons who immediately before the date of amalgamation held any ordinary or preference shares or stocks of any of the amalgamated companies dividends (subject in each case to deduction of income tax) on

such stocks and shares for that part of the year one thousand A.D. 1912.
nine hundred and twelve in respect of which no dividends
(other than interim dividends) have been paid by any of those
companies respectively.

(2) Any dividends paid by the Company under the provisions of this section to any stockholders or shareholders of any of the amalgamated companies shall be at the rates at which (having regard to the available profits earned by each of those companies in respect of the said period) dividends would have been payable if this Act had not been passed.

(3) For the purpose of the payment of dividends under the provisions of this section the several persons whose names shall appear in the books of any of the amalgamated companies at the date of amalgamation to be the proprietors of stocks or shares therein respectively shall unless the contrary be proved to the satisfaction of the directors of the Company be considered to be the stockholders or shareholders of the amalgamated companies and the receipt in writing of such persons or of their executors administrators or assigns or of the committee or guardian of the estate of any such person who shall be an idiot lunatic or minor shall be an effectual discharge to the Company and the directors thereof for the money therein expressed to be received and shall exonerate such directors from any obligation in respect of the payment of dividends affecting the stock share or interest in respect whereof that money is paid.

(4) Where the directors of the Company are for six months after the date of amalgamation unable to ascertain the person to whom any moneys are payable under the provisions of this section or where any money so payable is payable to a person by or on behalf of whom an effectual receipt cannot be given or on account of any other reasonable cause such directors may pay such money into the Supreme Court under any Act for the time being in force for the relief of trustees and every such payment into court shall effectually discharge such directors and the Company from all further liability with respect to such moneys.

CAPITAL.

16. The capital of the Company shall be one million Capital.
three hundred and sixty-two thousand four hundred and

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 Geo. 5.]
District Gas Act, 1912.

A.D. 1912. seventy-one pounds seventeen shillings and threepence divided as follows :—

(1) Nine hundred and twenty-three thousand one hundred and seventy-nine pounds five shillings and fourpence (hereinafter referred to as “the allocated paid-up capital”) representing the amount of the paid-up capital (including premiums amounting in the whole to the sum of seventy-nine thousand four hundred and sixty-eight pounds five shillings and fourpence) of the amalgamated companies :

(2) Four hundred and thirty-nine thousand two hundred and ninety-two pounds eleven shillings and elevenpence (hereinafter referred to as “the unallocated capital”) representing the balance of the authorised but unissued capital of the amalgamated companies and such unallocated capital may be raised and issued in manner hereinafter mentioned.

Division of
allocated
paid-up
capital.

17. The allocated paid-up capital excluding premiums shall be divided as follows (that is to say) into—

(a) Three hundred and ninety-three thousand seven hundred and eleven pounds ordinary stock (in this Act respectively called and allocated as “Wandsworth ‘A’ ‘B’ and ‘C’ stock”);

(b) Three hundred and fifty-two thousand pounds ordinary stock (in this Act called “Wimbledon stock”); and

(c) Ninety-eight thousand pounds ordinary stock (in this Act called “Epsom stock”).

Allocation of
allocated
paid-up
capital

18. Forthwith after the date of amalgamation the Company shall issue and allocate the allocated paid-up capital as follows (that is to say) :—

(1) The Wandsworth “A” stock shall be divided among and vested in the several persons who immediately before the date of amalgamation were registered as holders of the thirty thousand pounds “A” consolidated stock in proportion to the amount of such stock held by such holders respectively :

(2) The Wandsworth “B” stock shall be divided among and vested in the several persons who immediately before the date of amalgamation were registered as holders of two hundred and fifty-five thousand six

hundred and thirty-six pounds "B" consolidated stock in proportion to the amount of such stock held by such holders respectively: A.D. 1912.

- (3) The Wandsworth "C" stock shall be divided among and vested in the several persons who immediately before the date of amalgamation were registered as holders of one hundred and eight thousand and seventy-five pounds ordinary "C" stock in proportion to the amount of such stock held by such holders respectively:
- (4) The Wimbledon stock shall be divided among and vested in the several persons who immediately before the date of amalgamation were registered as holders of the three hundred and fifty-two thousand pounds consolidated ordinary stock issued by the Wimbledon Company in proportion to the amount of such stock held by such holders:
- (5) The Epsom stock shall be divided among and vested in the several persons who immediately before the date of amalgamation were registered as holders of the ninety-eight thousand pounds ordinary stock issued by the Epsom Company in proportion to the amount of such stock held by such holders:
- (6) Upon the passing of this Act there shall be created by virtue of this Act such amounts respectively of stocks to be distinguished as aforesaid as shall be required to give effect to the provisions of this section:
- (7) All stock so created and vested under or by virtue of this Act shall be deemed to be fully paid up and shall be held in the same rights on the same trusts and subject and liable to the same powers provisions declarations agreements charges liens incumbrances and liabilities as immediately before the date of amalgamation affected the stock in any of the amalgamated companies as the case may be in respect of which the stock so created is so vested and shall be dealt with applied and disposed of accordingly and so as to give effect to and not revoke any agreement deed or other instrument or any testamentary disposition disposing of or affecting any stock in any of the amalgamated companies and every such agreement deed or other instrument or testamentary disposition

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2. & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

shall take effect with reference to the whole or a proportionate part as the case may be of the stock created under or by virtue of this Act substituted therefor and trustees executors or administrators and all other holders in any representative or fiduciary capacity of any stock in any of the amalgamated companies are hereby expressly authorised and required to accept any stock as aforesaid allocated to and vested in them pursuant to the provisions of this Act and any sum in cash paid to them under the provisions of this Act and to hold dispose of or otherwise deal with the same as they might have held disposed of or otherwise dealt with the stock in each of the amalgamated companies respectively for which such stock created under or by virtue of this Act is substituted and are hereby indemnified in respect of all acts bonâ fide done by them in pursuance of the provisions of this Act.

Liability of
Company
for debentures &c. of
amalgamated
companies.

19. All debentures and debenture bonds of the amalgamated companies existing at the date of amalgamation shall be paid and satisfied by the Company and shall until so paid and satisfied be a charge on the undertaking to the same extent and with the same incidents as if in respect of such debentures and debenture bonds the Company and the undertaking were respectively substituted for the amalgamated companies and their undertakings.

Exchange of
certificates.

20. The Company shall call in and cancel the existing certificates of stock in each of the amalgamated companies and issue in lieu thereof certificates for the stock to which the holders of such stock are by this Act respectively entitled but no holder of any such stock shall be entitled to any certificate of proprietorship under this Act until he shall have delivered up to the Company to be cancelled the existing certificate of proprietorship of stock of any of the amalgamated companies issued to him before the date of amalgamation or shall have proved to the reasonable satisfaction of the Company the loss or destruction thereof but if any holder of any existing stock of the amalgamated companies neglect or omit to send or deliver to the Company his existing certificate or certificates for the period of one year after notice in writing sent by post to the address of such holder appearing in the shareholders' address book

of that company by whom such existing certificate was issued the Company may retain any dividend declared or made payable upon or in respect of the stock substituted under the provisions of this Act for the stock so held by him until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the Company to have been lost or destroyed and an indemnity is given against any claim in respect of such lost or destroyed certificate to the satisfaction of the directors of the Company. A.D. 1912.

21. In every case where under the foregoing provisions of this Act a holder of stock in any of the amalgamated companies would be entitled to be registered as the holder of any fractional part of a pound of any substituted stock the Company in lieu of registering such holder and issuing to him a certificate as holder of any fractional part of one pound of any such stock shall pay to such holder such a sum in cash as shall be equal to the value of such fractional part at the market price on the date of amalgamation and shall register such holder and issue to him a certificate of the amount of such substituted stock to which he shall be entitled as aforesaid excluding such fractional part and the receipt of such holder for the sum in cash so paid as aforesaid shall be a sufficient discharge to the Company in respect of such fractional part. The Company may either cancel all or any of such stock in respect of which cash is paid or reissue the same to any willing purchaser thereof in amounts of one pound or multiples thereof but not otherwise and any loss or expense which may be incurred in connection with such reissue shall be borne by the Company. As to fractional parts of one pound of stock.

22. The Company may raise the sum of four hundred and thirty-nine thousand two hundred and ninety-two pounds eleven shillings and elevenpence (being the amount of unissued authorised capital of the amalgamated companies) by the creation and issue at their option of new ordinary stock (in this Act called "unallocated capital") or of new preference stock or wholly or partially by one or other of those modes but the Company shall not issue any stock created under the authority of this Act of less nominal value than one pound or multiples of one pound. Provided that it shall not be lawful for the Company to create and issue under the powers of this section any greater nominal amount of capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the Power to raise unallocated capital of amalgamated companies.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. sum of four hundred and thirty-nine thousand two hundred and ninety-two pounds eleven shillings and elevenpence.

New stock
to be sold by
auction or
tender.

23.—(1) All stock created under the powers of the section of this Act of which the marginal note is "Power to raise unallocated capital of amalgamated companies" shall be issued in accordance with the provisions of this section.

(2) All 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 and terms of sale as the Company shall from time to time determine Provided as follows:—

(a) Notice of the intended sale shall be given in writing to the clerk of the London County Council the clerk of the Surrey County Council the town clerk of the metropolitan borough of Wandsworth the town clerk of the metropolitan borough of Battersea the town clerk of the borough of Wimbledon and to the clerk of any district council any part of whose district is 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 Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:

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

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

(e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the

Company within three months after the date of the auction or of the acceptance of the tender as the case may be. A.D. 1912.

(3) Any stock which has been so offered for sale and not sold may be offered at the reserve price to the holders of ordinary stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of gas supplied by the Company in such proportions as the Company may think fit or to one or more of these classes of persons only Provided in the case of an offer to holders of stock that if the aggregate amount of 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 stock which has been offered for sale in accordance with subsection (2) or with subsections (2) and (3) and not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such stock 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 Company shall send a report thereof to the Board of Trade stating the total amount of the stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the stock.

24. Except as is otherwise by this Act provided the unallocated capital authorised to be created by the Company under this Act shall be part of the general capital of the Company and the new stock therein and the holders thereof respectively shall be entitled to the like rights of voting and any other rights qualifications and privileges in proportion to the amount of their stock and be subject to the like provisions and liabilities as the holders of the allocated paid-up capital. Privileges &c. of holders of unallocated capital.

LIMITATION OF PROFITS.

25. Except as is by this Act provided the profits of the undertaking to be divided among the stockholders in any half-year shall not exceed the following rates being the several rates authorised in respect of the undertakings respectively of each Profits of Company limited.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. of the amalgamated companies (and are in this Act referred to as "the standard rates of dividends") (namely):—

(1) As regards the allocated paid-up capital as follows:—

(a) On the Wandsworth "A" stock and the Wimbledon and Epsom stocks the rate of five pounds per centum per annum in respect of every one hundred pounds actually paid up or credited as paid up thereon;

(b) On the Wandsworth "B" stock and the Wandsworth "C" stock respectively the rate of three pounds ten shillings per centum per annum in respect of every one hundred pounds actually paid up or credited as paid up thereon:

(2) As regards the unallocated capital:—

The rate of three pounds ten shillings per centum per annum in respect of every one hundred pounds of stock actually paid up thereon. Provided that any increase or reduction of such dividend through the operation of the provisions of the section of this Act whereof the marginal note is "Present standard prices of gas to be continued" shall be based upon the standard price and the price charged for gas for the time being within the Wandsworth limits.

Dividends on different classes of stock to be paid proportionately.

26. In case in any half-year the funds of the Company applicable to the payment of dividends shall be insufficient to pay the full amount of the dividends at the authorised rates on the several stocks in the capital of the Company a pro rata reduction shall be made in the dividend of each class of such stock.

RESERVE AND SPECIAL PURPOSES FUNDS &c.

Power to create a reserve fund.

27. Where in any half-year the dividends which may be paid by the Company shall exceed the standard rates by reason of the prices charged by the Company for gas in such half-year being below the standard prices then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such half-year set apart such sum as they shall think fit and all sums so set apart by the Company and any reserve fund of any of the amalgamated companies existing at the passing of this Act may be invested in any securities in which trustees are authorised by law to invest money or in such other securities as shall be authorised by a resolution of the Company and the dividends and interest

arising from such securities shall be invested in the same or the like securities in order that the same shall accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividends in any half-year in which the clear profits of the Company shall be insufficient to enable the Company in such half-year to pay the dividends at the authorised rates on the ordinary capital of the Company and save as in this Act provided no sum shall in any half-year be carried by the Company to any reserve fund.

A.D. 1912.

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

Power to
create a spe-
cial purposes
fund.

(2) The special purposes fund shall be applicable only to meet such charges as a chartered accountant or an incorporated accountant being an auditor of the Company 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 the ordinary maintenance and renewal of plant and works from half-year to half-year.

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

(4) The moneys representing the special purposes fund shall be invested in securities in which trustees are authorised by law to invest money or in such other securities as shall be authorised by a resolution of the Company and the dividends and income arising from such securities shall be invested in the same or the like securities in order that the same shall accumulate at compound interest.

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912: credit of the fund is for the time being less than the maximum allowed by this section.

(6) The amounts standing to the credit of any renewal or insurance fund of any of the amalgamated companies together with all money and securities belonging or appertaining to such funds at the date of amalgamation shall be transferred to and incorporated with the special purposes fund.

(7) For the purposes of this section the paid-up capital of the Company at the date of the passing of this Act shall be deemed to be the sum of six hundred and thirty-three thousand three hundred and twenty-nine pounds.

Application
of excess of
profits.

29. If the clear profits of the undertaking of the Company in any half-year amount to a larger sum than is sufficient to pay dividends on any preference capital and the dividends at the authorised rates on the ordinary capital of the Company the excess shall be carried to the divisible profits of the undertaking for the next following half-year:

Provided that the sum standing to the credit of such divisible profits shall not at any time exceed the amount required to pay one year's dividend at the authorised rate on the paid-up capital of the Company for the time being.

BORROWING POWERS.

Power to
borrow.

30. The Company may subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole three hundred and twenty-eight thousand seven hundred and forty-nine pounds six shillings and eightpence (inclusive of the aggregate sum already borrowed by the amalgamated companies of one hundred and fifty-five thousand four hundred and ninety-six pounds) being one hundred and eighty-two thousand three hundred and eighteen pounds nine shillings and fivepence in respect of allocated paid-up capital and one hundred and forty-six thousand four hundred and thirty pounds seventeen shillings and threepence in respect of and being one third of the unallocated capital:

But no sum shall be borrowed in respect of any such capital until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with the premiums (if any) realised on the sale thereof has been fully paid up.

31. All mortgages and bonds granted by any of the amalgamated companies before the date of amalgamation and subsisting at the passing hereof shall during the continuance of such mortgages and bonds and subject to the terms thereof have priority over all new mortgages and debenture stock granted or created and issued by virtue of this Act 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 Company.

A.D. 1912

Priority of
existing
mortgages.

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

Arrears to be
enforced by
appointment
of a receiver.

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

Debenture
stock.

34. The provisions of this Act with respect to the disposal of stock by auction or tender shall extend and apply *mutatis mutandis* to and in respect of any debenture stock created by the Company under the powers of this Act except debenture stock of the Company created for the purpose of substitution under the provisions of this Act.

Debenture
stock to be
offered by
auction or
tender.

35. All moneys raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any

Priority of
mortgages
over other
debts.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO.. 5.]
District Gas Act, 1912.

A.D. 1912. debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company 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 or vested in the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock.

Application
of moneys.

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

Compensa-
tion to direc-
tors and
auditors of
amalgamated
companies.

37.—(1) The compensation payable to any director of any of the amalgamated companies vacating his office by reason of the amalgamation shall if he retire immediately upon the date of amalgamation be equal to seven years' purchase of the fees receivable by him for the year ending the thirtieth day of June one thousand nine hundred and eleven.

(2) Each of the auditors of the amalgamated companies respectively holding office at the date of amalgamation and who shall retire from office as from that date shall be paid by the Company within one month after the date of amalgamation a sum equal to three years' remuneration of his office.

(3) No compensation shall be payable under this section to any director or auditor of any of the amalgamated companies who shall for the first time be appointed to his office after the thirtieth day of June one thousand nine hundred and eleven or in respect of any addition to emoluments made after that date.

MEETINGS.

First and
subsequent
ordinary
meetings.

38. The first ordinary meeting of the Company shall be held within three months after the date of amalgamation and all subsequent ordinary meetings of the Company shall be held half-yearly in the months of February and August in every year at the Company's principal office or at such other place and at such other time as shall be appointed for that purpose by an order of the directors.

39. The quorum of all general meetings (whether ordinary or extraordinary) of the Company shall be twelve stockholders present in person or by proxy holding in the aggregate not less than twenty thousand pounds of the capital of the Company.

A.D. 1912.
Quorum for
general
meetings.

40. The prescribed scale of voting shall be one vote for every ten pounds of stock in the capital of the Company.

Scale of
voting.

DIRECTORS AND AUDITORS.

41. The number of directors shall be nine but the Company may vary the number provided that no vacancy caused by the removal of any first director by death resignation or retirement (other than retirement by rotation for purposes of re-election) or under the provisions of the section of this Act of which the marginal note is "Qualification of directors" shall be filled until the number be reduced to six and thereafter the number of directors shall not be less than four nor more than six.

Number of
directors.

42.—(1) The qualification of a director shall be the possession in his own right of one or other of the different classes of stock of the Company to the nominal amount in the aggregate of not less than two thousand pounds. Provided nevertheless that the qualification of any director of the Company who is at the date of amalgamation an existing director of any of the amalgamated companies shall be the possession in his own right of stock in the Company the nominal value of which is equivalent to the nominal value of the stock which he was required to hold as a qualification as such existing director.

Qualification
of directors.

(2) If any of the directors shall be made bankrupt or shall go to reside abroad or shall become lunatic or of unsound mind or shall neglect to attend the meetings of directors for twelve months (unless such neglect to attend be occasioned by illness or by any other reasonable cause allowed by the directors) then in any of the cases aforesaid the office of such director shall become vacant and thenceforth he shall cease from voting or acting as a director.

(3) The continuing directors may act notwithstanding any vacancy in the number of directors.

43. The quorum of a meeting of directors shall be three.

Quorum of
directors.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

First
directors.

44. Henry Edward Jones Walter Gerald Langlands Robert Garraway Rice Thomas Arthur Ives Howell George Frederick Page Henry Somerson Freeman Robert Masters Chart James Bromley Howell and Frank Harding Jones shall be the first directors of the Company and shall continue in office until they would have retired by rotation as directors of one or other of the amalgamated companies if this Act had not been passed.

Election of
directors.

45. At the ordinary meeting to be held in February in every year after the first ordinary meeting the stockholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead Provided that the directors notwithstanding anything hereinbefore contained may at any time co-opt any retiring officer of the Company to be a director of the Company and such director shall be entitled to be paid the same amount of remuneration as that paid to each of the other directors except the chairman.

Auditors.

46. The prescribed number of auditors shall be two and one of such auditors shall be a member of the Institute of Chartered Accountants or of the Society of Incorporated Accountants and Auditors.

WORKS AND LANDS.

Powers as to
continuation
and maintain-
ance of gas-
works &c.

47. Subject to the provisions of this Act the Company may in or upon the lands described in the Second Schedule to this Act maintain alter improve enlarge extend renew or discontinue the existing gasworks now belonging to the amalgamated companies or any of them and may upon those lands or any part thereof erect construct maintain and as often as occasion may require enlarge alter improve extend renew or discontinue gasworks retorts and gasholders drains sewers mains pipes machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying gas for public and private purposes in bulk or otherwise for lighting heating motive power and other purposes within the limits of

the Company for the supply of gas as defined by this Act and may make store and supply gas accordingly and the Company may on the said lands convert and manufacture all residual products resulting from the manufacture of gas by them: A.D. 1912.

Provided that the Company shall not manufacture gas or convert or store any residual products resulting from the manufacture of gas on any such parts of the lands (4) situate in the Wimbledon limits as lie within a distance of one hundred feet from the north-westerly boundary of the said lands or as lie within a distance of thirty feet from the south-easterly boundary thereof.

48. The powers conferred on the amalgamated companies by the scheduled Acts or some of them for the purchase of additional lands and hereditaments by agreement not exceeding in the whole forty acres may after the date of amalgamation and so far as the said powers have not already been exercised by the amalgamated companies be exercised by the Company for the purposes of the undertaking. Provided that the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the Second Schedule to this Act. As to purchase of lands by agreement.

49. Subject to the provisions of this Act the Company may exercise the powers conferred upon the Wandsworth Company by section 8 of the Wandsworth and Putney Gas Act 1900 the marginal note of which is "Power to stop up roads and footpaths" to stop up and discontinue for public use the roads footpaths and thoroughfares within the area of the land (1) described in the Second Schedule to this Act: Exercise of powers conferred on Wandsworth Company as to stopping up certain roads &c.

Provided that the Company shall not stop up or discontinue for public use Church Walk and that part of Warple Road lying between Church Walk and Warple Way until they shall have acquired the whole of the property abutting on both sides thereof:

Provided also that the Company shall where the existing gasworks in the Wandsworth limits abut on Fairfield Street and Warple Way widen such thoroughfares in the manner shown on the plan signed by Henry Edward Jones on behalf of the Wandsworth Company and Peter Dodd on behalf of the board of works for the Wandsworth district in connection with the

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. Bill for the Wandsworth and Putney Gas Act 1900 and the Company shall further as and when they shall acquire other property abutting on Warple Way under the powers of that Act from time to time widen such thoroughfare as shown upon the said plan:

Provided further that the dead ends of all sewers created by the stopping up of the roads and thoroughfares hereinbefore referred to shall be provided by the Company with manholes ventilators and other necessary works where indicated by the surveyor to the metropolitan borough council of Wandsworth and to his reasonable satisfaction for the purpose of inspecting ventilating cleansing and flushing such sewers.

As to closing
of streets.

50. If the Company under the powers of this Act permanently stop up any street or thoroughfare in the administrative county of London they shall forthwith give notice thereof in writing to the London County Council.

For protec-
tion of rural
district coun-
cil of Croy-
don.

51. For the protection of the rural district council of Croydon the following provision shall have effect:—

The Company shall not close the existing works of the Wimbledon Company within the parish of Mitcham for the period of five years from the date of amalgamation.

SUPPLY PRICE AND TESTING OF GAS.

Limits for
supply of
gas.

52. The limits of this Act for the supply of gas by the Company shall be and include the several areas (constituting respectively the existing limits of supply of the amalgamated companies and are hereinafter respectively referred to as “the Wandsworth limits” “the Wimbledon limits” and “the Epsom limits”) which areas are more particularly set forth in the First Schedule to this Act and are in this Act called “the limits of supply.”

Power to lay
down pipes
for ancillary
purposes.

53. Subject to the provisions of this Act the Company may between the several pieces or parcels of land described in the Second Schedule to this Act and along a route to be approved by the local authority or authorities in or through whose district the pipes are proposed to be laid lay down and repair take up alter or relay or renew mains pipes and culverts within the limits of supply for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for

[2 & 3 GEO. 5.] *Wandsworth Wimbledon and Epsom* [Ch. xlvii.]
District Gas Act, 1912.

any purpose connected with their business and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatus mutandis to and for the purposes thereof. A.D. 1912.

54. From and after the passing of this Act all mains laid by the Company in any street shall be laid at a depth of not less than three feet unless otherwise agreed between the Company and the local authority and in the case of any main or assisted roads or county or main road bridges in the administrative county of Surrey the council of that county. As to laying of future mains.

55. The prices to be charged by the Company for gas supplied by them shall be the prices now authorised in respect of the undertakings of the amalgamated companies respectively and are as follows:— Present standard prices of gas to be continued.

Within the Wandsworth limits and the Epsom limits respectively four shillings per thousand cubic feet; and

Within the Wimbledon limits three shillings and twopence per thousand cubic feet;

and each such price is in this Act respectively referred to as "the standard price" Provided that subject as hereinafter provided the Company may increase or reduce the prices or any of them charged by them for gas above or below the standard prices respectively subject to a reduction or increase in the dividends payable by the Company on the several stocks hereinafter mentioned as follows:—

In respect of any half-year during any part of which the price charged by the Company for gas supplied within the Wandsworth limits the Wimbledon limits and the Epsom limits or within any or either of the said limits as the case may be shall have been one penny or part of a penny above the standard price the dividends payable by the Company shall in respect of each penny or part of a penny by which the standard price shall have been so increased be reduced below the standard rate of dividend by one shilling and threepence if such increase shall take place within the Wandsworth limits on every one hundred pounds of Wandsworth "A" stock and Wandsworth "B" stock and by tenpence halfpenny on every one hundred pounds of Wandsworth "C" stock

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2. & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

and on the unallocated capital if such increase shall take place within the Wimbledon limits then by one shilling and threepence on every one hundred pounds of Wimbledon stock and if such increase shall take place within the Epsom limits then by one shilling and threepence on every one hundred pounds of Epsom stock and so in proportion for any fraction of one hundred pounds :

And in respect of any half-year during the whole of which the price charged by the Company for gas supplied within the Wandsworth limits the Wimbledon limits and the Epsom limits or within any or either of the said limits as the case may be shall have been one penny or more below the standard price the dividends payable by the Company may in respect of each penny by which the standard price shall have been reduced be increased above the standard rate of dividend by one shilling and threepence if such reduction shall take place within the Wandsworth limits on every one hundred pounds of Wandsworth "A" stock and Wandsworth "B" stock and by tenpence halfpenny on every one hundred pounds of Wandsworth "C" stock and on the unallocated capital if such reduction shall take place in the Wimbledon limits then by one shilling and threepence on every one hundred pounds of Wimbledon stock and if such reduction shall take place within the Epsom limits then by one shilling and threepence on every one hundred pounds of Epsom stock and so in proportion for any fraction of one hundred pounds :

Provided however that notwithstanding anything in this Act contained the following provisions shall have effect in regard to the price to be charged by the Company within the Wandsworth limits the Wimbledon limits and the Epsom limits respectively (that is to say) :—

- (a) The actual price to be charged by the Company for gas supplied by them shall be reduced to two shillings and twopence per thousand cubic feet within the Wimbledon limits and to two shillings and sixpence per thousand cubic feet within the Epsom limits before the price within the Wandsworth limits is reduced below the price of one shilling and ninepence per thousand cubic feet Any reduction in the price of gas under the preceding provision within the

[2 & 3 GEO. 5.] *Wandsworth Wimbledon and Epsom* [Ch. xlvii.]
District Gas Act, 1912.

Wimbledon limits and the Epsom limits respectively shall be in the proportion of twopence within the Wimbledon limits for every threepence within the Epsom limits: A.D. 1912.

- (b) When the price charged by the Company within the Wandsworth limits is one shilling and eightpence per thousand cubic feet the price within the Wimbledon limits shall be two shillings per thousand cubic feet and within the Epsom limits two shillings and five-pence per thousand cubic feet:
- (c) When the price within the Wandsworth limits is one shilling and sevenpence per thousand cubic feet the price within the Wimbledon limits shall be one shilling and tenpence per thousand cubic feet and within the Epsom limits two shillings and fourpence per thousand cubic feet:
- (d) If any increase shall at any time be found necessary in the price of gas such increase shall be of the same amount throughout the whole of the limits of the Company:
- (e) Subject to the operation of the provisions of subsections (a) (b) and (c) of this section if any decrease in the price of gas charged by the Company shall be made in any portion of the limits of supply of the Company such decrease shall be of the same amount throughout the whole of the limits of supply.

56.—(1) The Company may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied without discount to other private consumers within the Wandsworth limits the Wimbledon limits and the Epsom limits respectively as the case may be through any other kind of meter or by any other method of supply.

Charge for
gas supplied
by means of
prepayment
meters.

(2) The Company shall not charge for the hire of any prepayment meter and fittings to be used therewith any sum other than a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged shall be at the rate of ten-pence per one thousand cubic feet supplied in manner aforesaid: such sum to include the hire of meter and the fittings used therewith:

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

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

(3) The maximum charge for the hire of a prepayment meter without fittings shall be at the rate of ten per centum per annum on the cost of the meter.

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

Quality of
gas.

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

Testing
places.

58. For the purposes of the Gasworks Clauses Act 1871 as amended by this Act the prescribed places for testing the gas shall be (a) in the Wandsworth limits the existing prescribed testing place at Disraeli Road Putney (b) in the Wimbledon limits the existing prescribed testing place at Haydon's Road Wimbledon and (c) in the Epsom limits the existing prescribed testing place at the existing gasworks of the Epsom Company at Epsom.

Testing for
quality.

59.—(1) The quality of the gas supplied by the Company shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming 120 grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(2) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer (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 Company or the local authority approve the use of any other

burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing. A.D. 1912.

(3) Except as otherwise provided by this Act the Company shall provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same and all existing apparatus in proper order and repair.

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

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

61.—(1) As from the first day of January one thousand nine hundred and thirteen the standard calorific power of the gas supplied by the Company shall be one hundred and thirty-six calories gross per cubic foot (the expression "calories" being used in this Act as meaning calories gross per cubic foot) but the Company shall not incur any liability in the event of their supplying gas of a calorific power of not less than one hundred and twenty-two calories. Calorific power of gas supplied.

(2) One testing only for calorific power shall be made at each testing place on any one day but in the event of the calorific power being on any testing ascertained to be below one hundred and fifteen calories a second testing shall be made at an interval of not less than one hour from the time of making the first testing at that testing place and the average of the two testings shall be deemed to be the calorific power of the gas at such testing place on that day and the gas examiner shall forthwith give notice of the results of such testings to the Company.

62. The following provisions shall apply with respect to the testing for calorific power of the gas supplied by the Company and to penalties in respect of deficient calorific power of such gas:— Provisions as to testing for calorific power.

(1) The Company shall within six months from the date of the amalgamation or from the date of the provision

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

of the testing place (whichever shall be the later) cause to be provided at each of the prescribed testing places apparatus for testing the calorific power of the gas supplied by the Company at such testing place or places and the said apparatus and the mode of making the tests shall be the same as shall from time to time be prescribed by the metropolitan gas referees :

- (2) The gas examiner of the local authority may at any testing place of that authority test at any hour of the day or night the calorific power of the gas supplied by the Company at such testing place :
- (3) If on any one day the gas supplied by the Company at any such testing place is of less calorific power than one hundred and twenty-two calories to an extent not exceeding seven calories the gas examiner of the local authority shall (if the local authority contemplate proceeding for a penalty) make at such testing place a testing of the calorific power of such gas on each of the two following days and the average of the three testings so made shall be deemed to represent the calorific power of the gas on such one day at such testing place :
- (4) The Company shall not be liable to any penalty for defective calorific power where the calorific power on any day of the gas supplied by them at any such testing place is not less than one hundred and twenty-two calories but where the calorific power on any day of such gas is less than such last-mentioned quantity the Company shall be liable to the following penalties in respect of such deficiency (that is to say) :—

Where the deficiency does not exceed three and one half calories two pounds ;

Where the deficiency exceeds three and one half calories but does not amount to seven calories a sum not exceeding five pounds ;

For each complete seven calories of defective power a sum not exceeding ten pounds :

(5) The provisions of section 31 of the Gasworks Clauses Act 1871 shall apply to any testing made under this section : A.D. 1912.

(6) For the purposes of this section section 33 of the Gasworks Clauses Act 1871 shall be construed as if calorific power were therein referred to in addition to illuminating power and purity Provided that the Company shall not be liable to any penalty in respect of any testing for illuminating power.

63. If within one month after the expiration of a period of three years from the first day of January one thousand nine hundred and thirteen or after the expiration of any subsequent period of three years either the Company or any local authority within the limits of supply of the Company shall desire that the standard calorific power prescribed by the section of this Act of which the marginal note is "Calorific power of gas supplied" shall be reduced or increased and shall give to the other parties and to the Board of Trade notice in writing of such desire it shall be lawful for the Board of Trade after hearing the parties and considering any representations made to them by any of the said parties by order to reduce or increase the amount of the said standard calorific power and of the deficiency below such standard within which the Company are not to be liable to penalties or either of such amounts to such extent as to the said Board may seem fit and the said Board may by such order make all such modifications of this Act as may be necessary in consequence of any such reduction or increase as aforesaid and may also direct the manner in which the costs charges and expenses of the said parties and of the said Board of and incidental to any such application and any inquiry held by or under the direction of the said Board in connection therewith shall be borne.

Power to Board of Trade to vary standard calorific power.

64. Any gas examiner appointed under the Gasworks Clauses Act 1871 may at any of the testing places in addition to the tests prescribed by the Gasworks Clauses Act 1871 test the purity as regards sulphur other than sulphuretted hydrogen by means of the apparatus heretofore used by the gas examiner for that purpose or some other apparatus mutually agreed by the Company and the local authority or failing agreement to be determined by the metropolitan gas referees Provided that the Company shall not be liable to penalty in respect of any testing made under this section.

Testing for purity.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

Special provision relating to Wandsworth limits
Provision of additional testing place.

SPECIAL PROVISION RELATING TO THE WANDSWORTH LIMITS.

65. The following provision for the protection of the mayor aldermen and councillors of the metropolitan borough of Wandsworth (hereinafter called "the Wandsworth Council") shall apply and have effect within the Wandsworth limits (that is to say) :—

In addition to the testing place provided for the Wandsworth Council at Putney under the provisions of section 39 of the Wandsworth and Putney Gas Act 1900 the Wandsworth Council may provide and maintain another sufficient building or set apart a portion of the town hall Wandsworth or some other place within the Wandsworth limits as may be agreed upon between the Wandsworth Council and the Company as an additional testing place and the Company shall within one month after such provision provide and erect and thereafter maintain in such building or portion of the said town hall apparatus for testing the purity illuminating and calorific power of the gas supplied by the Company in accordance with the provisions of the Gasworks Clauses Act 1871 as varied by this Act and the Wandsworth Council shall afford to the Company their officers and servants free access to such testing place or places at all times Such apparatus shall be under the control and management of the Company and sections 30 and 34 of the Gasworks Clauses Act 1871 shall for the purposes of this Act be read and have effect as if in section 30 the said testing places had been referred to instead of "the premises of the Company" and as if in section 34 "the testing apparatus" had been referred to instead of "the testing place" In the event of any difference arising as to the situation of the additional testing place such difference shall be determined by arbitration.

SPECIAL PROVISION RELATING TO THE WIMBLEDON LIMITS.

Special provision relating to Wimbledon limits
As to construction of works.

66. The following provision shall apply and have effect within the Wimbledon limits (that is to say) :—

The Company shall not construct any works for the manufacture of gas within a distance of forty feet from the west side of Century Road in the parish of Mitcham without the consent in writing of George Pitt the owner or reputed owner of the houses situate on the east side of the said road or his heirs or assigns.

SPECIAL PROVISIONS RELATING TO THE EPSOM LIMITS.

A.D. 1912.

67. For the protection of the urban district council of Epsom (hereinafter referred to as "the council") the following provisions shall unless otherwise agreed between the Company and the council apply and have effect (that is to say):—

Special provisions relating to Epsom limits.

- (1) All works constructed under the powers of this Act on the lands described in the Second Schedule thereto shall be constructed in accordance with plans to be previously submitted to the council whose surveyor shall be entitled to inspect the said works from time to time during construction:
- (2) The said plans shall as regards the construction of any dwelling-houses and of any street or road comply in all respects with the provisions of the Public Health Act 1875 and of any byelaws made by the council under that Act and as regards any other buildings and works such plans shall comply with the provisions of the Public Health Act 1875 and of the council's byelaws except in the case of any such provisions (if any) as are inconsistent with the provisions of this Act:
- (3) No existing works or sewers of the council shall be diverted removed or built over by the Company without the consent in writing of the council and full compensation shall be made by the Company to the council for all damage which may be done to such works or sewers by reason of the exercise of the powers of this Act:
- (4) The Company shall to the reasonable satisfaction and approval of the surveyor of the council construct and maintain tanks in which all liquor resulting in or from the manufacture of gas or other product shall be collected and treated so that it shall be rendered harmless to the material of which the sewers and sewage-collecting tanks of the council are constructed and to the land on the sewage farm and the bacteria beds and works thereon:
- (5) Before executing any works by this Act authorised on the lands described in the Second Schedule thereto the Company shall except in the case of emergency give one month's notice thereof in writing to the

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2. & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

council and for the purpose of protecting the council's water supply they shall at their own expense execute such works and do such things as the council by notice in writing may reasonably require:

- (6) If any difference shall arise between the Company and the council touching this section or anything to be done or not to be done thereunder such difference shall be settled by an engineer to be appointed by the Local Government Board on the application of either party and the Company shall not proceed with the execution of any work forming the subject matter of a reference to such engineer pending his decision thereon.

MISCELLANEOUS.

Saving as to penalties.

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

Company to pay interest on money deposited as security for gas meter &c.

69. If any person is required by the Company to give to them security for any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit the Company shall pay interest after the rate of four 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.

Power to supply gas fittings &c.

70.—(1) The Company may sell let for hire or otherwise deal in fix repair and remove but shall not manufacture engines stoves ranges pipes and other fittings (hereinafter referred to as "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 rents and charges and make such terms and conditions as may be agreed upon.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's

remedy for rent or be liable to be taken in execution under A.D. 1912.
process of any court or proceedings in bankruptcy against the
person in whose possession the same may be Provided that such
fittings are marked or impressed with a sufficient mark or brand
indicating the Company as the actual owners thereof.

71. If a person requiring a supply of gas from the Company has previously quitted premises at which gas was supplied to him by the Company without paying to them all charges for gas or rental for meter due from him to the Company they may refuse to furnish to him a supply of gas until he pays the same. Power to refuse supply to persons in debt for other premises.

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

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

74. Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an effective anti-fluctuator together with an effective non-return valve and shall at all times and at his own expense keep such anti-fluctuator and valve in proper order and in default of his so using or keeping such anti-fluctuator and valve in proper Anti-fluctuators for gas engines.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. — repair the Company may cease to supply gas to such consumer
 The Company shall have access to and be at liberty to take off
 remove test inspect and replace any such anti-fluctuator and
 valve at all reasonable times such taking off removal testing
 inspecting and replacing to be done at the expense of the Com-
 pany if the anti-fluctuator and valve be found in proper order
 but otherwise at the expense of such consumer.

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

75. The Company may contract with any local authority
 company or persons authorised to supply gas under parliamen-
 tary 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
 Company to lay any mains or interfere with any streets beyond
 the limits of supply.

Power to
 take licences
 for use of
 patents.

76. The Company may acquire take and use any leave licence
 or authority to work use exercise and put in practice any invention
 under letters patent made or to be made granting any right or
 privilege of working using exercising or vending any invention in
 relation to the production manufacture utilisation or distribution
 of gas or materials used in or resulting from the manufacture
 of gas or any residual products thereof but not so as to acquire
 any exclusive right to the working using exercising or putting
 in practice of any such invention.

Power to lay
 down lines of
 pipes.

77. Subject to the provisions of this Act the Company
 may for the purpose of connecting mains in the Epsom limits
 with mains in the Wimbledon limits and for that purpose only
 lay down and maintain in the line and according to the levels
 respectively shown on the deposited plan and section the lines
 of pipes situate in the county of Surrey hereinafter mentioned
 and may from time to time repair re-lay renew or alter the
 same and for those purposes or any of them may enter upon
 break up and interfere with the streets and roads shown on the
 deposited plan and described in the deposited book of reference
 and the provisions of the Gasworks Clauses Act 1847 with
 respect to the breaking up of streets for the purpose of laying
 pipes and for the protection of pipes when laid so far as they
 are applicable shall extend and apply to such lines of pipes
 and to the Company in the exercise of the powers of this
 section The lines of pipes hereinbefore referred to are—

- (a) A line of pipes situate wholly in the parish of Cheam A.D. 1912.
commencing at or near the parish boundary at the
junction of Stoneleigh Drive and Cheam Common
Road running in a north-westerly direction along
Cheam Common Road to Green Lane thence along
Green Lane and terminating at or near the point
where Green Lane crosses the parish boundary between
Cheam and Morden :
- (b) A line of pipes situate partly in the parish of Cheam
and partly in the parish of Sutton commencing at
or near the point where the main road from Epsom
to London crosses the parish boundary between Cud-
dington and Cheam running in a north-easterly
direction along the said main road from Epsom to
London and terminating at or near a point about
300 feet in a north-easterly direction along the said
main road from Plyford Bridge at which bridge the
road crosses the parish boundary between Cheam
and Sutton.

78. In constructing and laying down the said lines of pipes the Company may deviate laterally from the line thereof shown on the deposited plan to any extent within the limits of deviation shown thereon and the Company may also deviate from the levels of such lines of pipes as delineated on the deposited section to any extent not exceeding one foot upwards or five feet downwards but not so as to alter the surface level of any road or raise such lines of pipes above the surface of the ground except so far as may be shown on the deposited section :

Provided that the Company shall not construct or lay the said lines of pipes at a depth of less than three feet without the consent as regards works (a) and (b) hereinbefore described of the Epsom Rural District Council and as regards work (b) of the Surrey County Council also.

79. Notwithstanding anything contained in the Gasworks Clauses Act 1871 the Company may subject to the provisions of the Lands Clauses Consolidation Act 1845 sell or let on lease for such periods as they think fit any lands for the time being belonging to them and which may not at the time be required for the purposes of the undertaking and may retain and hold sell and dispose of any interest in or reversion to any lands so

Power to
deviate.

Power to
sell and lease
lands.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. let Any such sale disposal or lease may be for such consideration and subject to such reservations stipulations restrictions and provisions and generally upon such terms and conditions as the Company think fit.

Dwelling-houses for workmen.

80. The Company may upon any lands for the time being belonging to or held by them erect provide fit up and maintain dwelling-houses and cottages with all suitable buildings and conveniences connected therewith for the residence and accommodation of their officers workmen and servants and their families and may from time to time let such dwelling-houses and cottages for such periods and upon and under such rents terms and conditions as the Company may think fit Provided that such dwelling-houses cottages and buildings (if erected within the administrative county of London) and the Company with reference thereto shall not be exempt from any of the provisions of the London Building Acts 1894 to 1909 and any Acts amending the same.

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

81. Subject to the provisions of this Act the Company may upon the application of the owner or occupier of any premises abutting on or being erected in any street or road laid out but not dedicated to public use where such premises are within the limits of supply take up alter relay or renew in across or along or out of such street or road such pipes as may be requisite or proper for the supply of gas to such premises as aforesaid and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes so far as they are applicable shall in regard to the supply of gas apply to and for the purposes of this section:

Provided that before laying or relaying such pipes the Company shall give three previous days' notice thereof to the local authority concerned and the London Brighton and South Coast Railway Company (hereinafter referred to as "the Brighton Company") as the owner of any such street or road who shall within forty-eight hours thereafter notify to the Company the reasonable depth being not less than two feet nor more than two feet six inches below the then surface of the road and the position in the road wherein such pipes are to be laid and subject as hereafter in this section provided the Company shall lay or re-lay the same at such depth not being less than two feet nor more than two feet six inches below the surface of the

road and in such place as indicated Provided further that in the event of the local authority concerned and the Brighton Company not giving such notice as aforesaid the Company may subject as aforesaid lay or re-lay such pipes as they may think fit: A.D. 1912.

Provided further that as regards streets within the administrative county of Surrey all pipes laid or relaid by the Company under this section shall be laid at a depth of not less than three feet unless otherwise agreed between the Company on the one hand and the county council of that county and where such streets are within the rural district of Epsom the council of that rural district on the other hand.

82. For the protection of the Sutton District Water Company (in this section referred to as "the water company") the following provisions shall in relation to the exercise by the Company of the powers conferred by the section of this Act the marginal note whereof is "Power to lay down lines of pipes" apply and have effect unless otherwise agreed in writing between the Company and the water company (that is to say):— For protection of Sutton District Water Company.

- (1) The Company shall give not less than three days' notice to the water company before commencing any works affecting the mains and pipes of the water company or before breaking up any part of a road in or under which any such mains and pipes may be placed or altering affecting or interfering with any such mains and pipes and such works shall be done with as little detriment and inconvenience to the water company as the circumstances will admit and under the superintendence of the engineer of the water company if he think fit to attend:
- (2) The water company on giving not less than forty-eight hours' notice in writing to the Company of their intention so to do may by their own engineer and workmen execute any work in connection with their mains and pipes as may be necessary and the Company shall on the completion thereof pay to the water company the reasonable expenses incurred by them in such execution:
- (3) The Company shall make good all damage done to the property of the water company by the disturbance thereof and shall make full compensation to the water

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

company for any loss or damage they may sustain by reason of the interference with the mains and pipes of the water company:

- (4) If any difference shall arise in respect of any matter under this section between the Company and the water company or between their respective engineers the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference.

For protection of Port of London Authority.

83.—(1) Nothing in this Act shall authorise the Company to lay down or place any mains pipes culverts or other works in under over along or across or otherwise to interfere with the bed soil or shores of the River Thames within the limits of the Port of London as defined by the Port of London Act 1908 or any creeks or tributaries the bed soil or shores whereof are vested in the Port of London Authority or in any way to interfere with the navigation of the River Thames or any creeks or tributaries thereof as aforesaid.

(2) Nothing in this Act shall extend to or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the Port of London Authority or to prohibit defeat alter or diminish any power authority or jurisdiction which at the time of the passing of this Act the Port of London Authority did or might lawfully claim use or exercise under and by virtue of the Port of London Act 1908 or otherwise.

For protection of Sutton Gas Company.

84. For the protection of the Sutton Gas Company (in this section referred to as "the gas company") the following provisions shall in relation to the exercise by the Company of the powers conferred by the section of this Act the marginal note whereof is "Power to lay down lines of pipes" apply and have effect unless otherwise agreed in writing between the Company and the gas company (that is to say):—

- (1) The works of the Company shall be laid repaired and renewed so that as far as reasonably practicable no part thereof shall be within five feet measured horizontally of any mains or pipes of the gas company:

(2) The Company shall give not less than seven days' A.D. 1912.

notice to the gas company before commencing any works affecting the mains and pipes of the gas company or before breaking up any part of a road in or under which any such mains and pipes may be placed or altering affecting or interfering with any such mains and pipes and such works shall be done with as little detriment and inconvenience to the gas company as the circumstances will admit and under the superintendence of the engineer of the gas company if he think fit to attend:

(3) The gas company on giving not less than forty-eight hours' notice in writing to the Company of their intention so to do may by their own engineer and workmen execute any work in connection with their mains and pipes as may be necessary and the Company shall on the completion thereof pay to the gas company the reasonable expenses incurred by them in such execution:

(4) The Company shall make good all damage done to the property of the gas company by the disturbance thereof and shall make full compensation to the gas company for any loss or damage they may sustain by reason of the interference with the mains and pipes of the gas company:

(5) If any difference shall arise in respect of any matter under this section between the Company and the gas company or between their respective engineers the matter in difference shall be referred to and settled by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference.

85. Any mains pipes or other works which the Company may under the powers of this Act lay down or execute under or over or which may affect any railway or works of the London and South Western Railway Company (hereinafter referred to as "the South Western Company") shall unless otherwise agreed in writing between the Company and the South Western Company be laid down and executed and any repairs which the

For protec-
tion of
London
and South
Western
Railway
Company.

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912. Company may make to any such mains pipes or works shall (unless otherwise agreed as aforesaid) be made by the Company under the direction and superintendence and to the reasonable satisfaction of the chief engineer of the South Western Company and (except in cases of emergency arising from defects in any of the mains pipes or other works) in accordance with plans and sections previously submitted to and reasonably approved by him and all such mains pipes or works shall be laid down and executed so as not to cause any injury to the railway or works of the South Western Company or any interruption to the passage or conduct of traffic over such railway or at any station thereon and if any such injury or interruption shall arise from or be in any way owing to the laying down execution or repair or the bursting leakage or failure of any such mains pipes or works the Company shall make the South Western Company full compensation for all damage sustained by them by reason thereof. Provided that if such chief engineer shall not approve or disapprove any such plans or sections so submitted to him within twenty-eight days after the same are delivered or shall refuse or neglect for the space of fourteen days (or in cases of emergency forthwith) after being requested to do so by the Company to superintend the work the Company may proceed with the work without the approval of the plans and sections and without the superintendence of the said engineer respectively.

If any difference shall arise between the Company and the South Western Company under this section such difference shall be settled by an engineer to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers at the request of either party.

For protection of
County of
London
Electric
Supply
Company
Limited.

86. Nothing in this Act contained shall in anywise affect or restrict the rights and powers or the provisions for the protection of the County of London Electric Supply Company Limited under any special Act or Provisional Order granted under the Electric Lighting Acts 1882 to 1909.

Recovery of
demands.

87. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the

demand does not exceed the amount recoverable in that court in a personal action. A.D. 1912.

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

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

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

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

LIMITS OF SUPPLY.

WANDSWORTH LIMITS.

The parish of Wandsworth and so much of the parish of Battersea as lies on the west side of a line commencing at the junction of the River Thames with the creek usually known by the name of Battersea Creek and running in a south-easterly direction down the centre of the said creek to a point one hundred yards past its junction with the York Road and thence in a south-westerly direction parallel to the said York Road at a distance of one hundred yards on the south-east side thereof as far as the boundary of the said parish and also the Union Workhouse in the said parish of Battersea and also the parish of Putney with the exception of so much of the said parish as lies to the westward of a line drawn in a south-easterly direction from the junction of Putney Park Lane with the Upper Richmond Road to the east side of Ashburton House on Putney Heath and thence in a south-westerly direction to Beverley (formerly Baveley) bridge in the Kingston Road.

WIMBLEDON LIMITS.

The parishes of Mitcham Wimbledon Merton Tooting Graveney otherwise Lower Tooting and Morden all in the county of Surrey and so much of the hamlet of Upper Tooting in the parish of Streatham and of the parish of Streatham in the county of Surrey as lies to the westward from a point near the junction of Greyhound Lane and Lillian Road Lonsome to a point near the junction of Thrall Road and Mitcham Lane Streatham West Drive and the Avenue to Elmbourne Road Upper Tooting and also to the south-westward to the boundary of that hamlet of the district of the South Metropolitan Gas Company as such district is defined upon the duplicate maps signed by the Right Hon. Thomas Henry Sutton Sotherton Estcourt mentioned in the sixth section of the Metropolis Gas Act 1860 and so much of the parish of Carshalton in the county of Surrey as lies south-east and within five hundred yards of and includes that portion of the Sutton Road leading from Mitcham to Sutton which extends to the junction of Wrythe Lane and Stonecot Hill (formerly known as Morden Lane).

EPSOM LIMITS.

The parishes townships hamlets extra-parochial and other places of Epsom Horton Ewell Ashstead Chessington so much of the parish of

Cuddington as lies on the south or south-easterly side of the Epsom and Leatherhead branch of the London and South Western Railway and Malden-Rushet otherwise Kingston-detached and Malden-detached all in the county of Surrey and so much of the parish of Banstead in the said county as lies within two hundred yards on each side of the line of the main of the Epsom Company in such parish as laid down in or about the year one thousand eight hundred and seventy-five and now supplying Nork House and notwithstanding anything to the contrary contained in the Sutton Gas Act 1876 the Sutton Gas Company shall not without the previous consent in writing under the seal of the Company supply gas within such part of the said parish of Banstead. A.D. 1912.

SECOND SCHEDULE.

LANDS FOR THE MANUFACTURE OF GAS.

(A) Within the Wandsworth limits—

All those several pieces or parcels of land (with the houses and buildings thereon) situate in the parish of Wandsworth in the county of London containing in the whole twenty acres or thereabouts (namely) :—

- (1) A plot of land bounded on the north partly by the River Thames and foreshore thereof and partly by the southern boundary of the Wandsworth Borough Council's wharf on the south partly by the rear of the houses and Railway Tavern public-house severally abutting on the Causeway partly by the north end of Fairfield Street (formerly North Street) partly by the thoroughfare known as Warple Way partly by the houses at the north end of Bridgefield Grove and partly by the northern boundary of the premises formerly occupied by the London Carpet-beating Company (now occupied by Alfred H. Moss) on the west by premises formerly belonging to McMurray's Royal Paper Mills Company Limited (now the property of the Wandsworth Company) and partly by Fairfield Street and on the east partly by the Wandsworth Borough Council's aforesaid wharf partly by the Waterman's Arms public-house partly by the premises hereinbefore referred to occupied by Alfred H. Moss partly by the London County Council's tramway depôt and partly by the houses on the west side of Bridgefield Grove :

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912:

- (2) A triangular plot of land bounded on the north by the Mission Chapel premises on the south by the London and South Western Railway and on the east by Fairfield Street:
- (3) A plot of land bounded on the north by the London and South Western Railway on the south by land formerly owned by the late William Hampton (now the property of the Wandsworth Company) on the west by land formerly owned by McMurray's Royal Paper Mills Company Limited (now the property of the Wandsworth Company) and on the east by Fairfield Street.

(B) Within the Wimbledon limits—

- (4) A piece of land occupied by gasworks situate in the parish of Mitcham in the county of Surrey bounded on or towards the north-east by Western Road on or towards the north-west by Fountain Place as to part and by Portland Road as to the other part on or towards the south-east by Field Gate Lane and on or towards the south-west by a footpath leading between Portland Road and Field Gate Lane aforesaid:
- (5) A piece of land situate in the said parish of Mitcham bounded on or towards the north-east by a footpath leading between Field Gate Lane and Portland Road on or towards the north-west by a footpath leading between the aforesaid footpath and Church Road on or towards the south-west by land belonging to or reputed to belong to John Walch on or towards the south-east by a footpath leading from Field Gate Lane to Miles Lane:
- (6) A piece of land situate in the said parish of Mitcham bounded on or towards the north-east by Century Road and Benedict Road and by lands belonging to or reputed to belong to John Marsh Pitt on or towards the north-west by lands belonging to or reputed to belong to the Croydon Rural District Council on or towards the south-west by lands belonging to or reputed to belong to the London Brighton and South Coast Railway Company and on or towards the south-east by Benedict Road.

(C) Within the Epsom limits—

- (7) A piece of land forming the site of the existing gasworks and buildings with the lane leading thereto of the Epsom Company situate and being in the parish of Epsom in the county of Surrey bounded on the north-westerly side by an occupation road leading from Kingston Lane to

A.D. 1912.

Garden Cottages on the south-easterly side by land respectively belonging or reputed to belong to George Spikesman and Charles Smart and by East Street on the north-easterly side by a lane leading from East Street aforesaid to the occupation road aforesaid and on the south-westerly side in part by Kingston Lane and in other part by land belonging or reputed to belong to the representatives of Thomas Roberts deceased and measuring on the north-westerly side one hundred and forty-four feet on the south-easterly side in part two hundred and twelve feet and in other part fourteen feet on the north-easterly side two hundred and eighty-four feet and on the south-westerly side one hundred and ninety-eight feet or thereabouts respectively:

- (8) A plot of land situate at Epsom aforesaid bounded on the north-westerly side by the occupation road aforesaid on the south-easterly side by the lane leading from East Street by a stable belonging or reputed to belong to Thomas Humphrey and by a line drawn from the north-eastern corner of the said stable to the north-western corner of land in the occupation of Ransley Tanton and by land in the occupation of the said Ransley Tanton on the north-easterly side by glebe lands and on the south-westerly side by the existing gasworks and measuring on the north-westerly side three hundred and sixty feet on the south-easterly side three hundred feet on the north-easterly side two hundred and forty-five feet and on the south-westerly side one hundred and eighty feet or thereabouts respectively:
- (9) All that triangular plot of land situate in Epsom aforesaid lately used as a brickfield by Thomas Humphrey bounded on the northerly side by a meadow occupied by Thomas Miles on the south-easterly side by the Leatherhead branch of the London and South Western Railway and on the westerly side by Kingston Lane and measuring on the northerly side two hundred and ten feet on the said south-easterly side three hundred and fifty feet and on the westerly side two hundred and sixty feet or thereabouts respectively:
- (10) A piece of land situate in the parish and urban district of Epsom in the county of Surrey belonging or reputed to belong to the Epsom Company numbered 206 on the 25-inch Ordnance map of Surrey sheet XIX-1 (2nd edition 1896) having an area of about four acres and thirty-two perches bounded on the north-east by land belonging or reputed to

**[Ch. xlvii.] Wandsworth Wimbledon and Epsom [2 & 3 GEO. 5.]
District Gas Act, 1912.**

A.D. 1912.

belong to and in the occupation of Messrs. Stone and Company on the east partly by land belonging or reputed to belong to and in the occupation of Messrs. Stone and Company and partly by land belonging or reputed to belong to and in the occupation of H. Burfitt on the south-east by glebe land belonging or reputed to belong to the Ecclesiastical Commissioners and used as allotment gardens on the south by an accommodation road belonging to the Epsom Company and on the west by the London and South Western Railway.

THIRD SCHEDULE.

SHARE AND LOAN CAPITAL OF THE AMALGAMATED COMPANIES.

1.—WANDSWORTH COMPANY.

Share Capital.	Capital issued.	Remaining to be issued.	Total Amount authorised.
	£ s. d.	£ s. d.	£ s. d.
"A" consolidated stock	30,000 0 0	Nil	30,000 0 0
"B" consolidated stock	255,636 0 0	Nil	319,168 0 0
Premiums received -	63,532 0 0		
Ordinary ("C") stock -	108,075 0 0	181,402 0 0	300,000 0 0
Premiums received -	10,523 0 0		
Total - -	£467,766 0 0	£181,402 0 0	£649,168 0 0

Loan Capital.	Raised.	Remaining to be raised.	Total Amount authorised.
	£ s. d.	£ s. d.	£ s. d.
3% Consolidated debenture stock.	50,416 0 0	Nil	50,416 0 0
3% Debenture stock -	30,080 0 0	69,920 0 0	100,000 0 0
Total - -	£80,496 0 0	£69,920 0 0	£150,416 0 0

[2 & 3 GEO. 5.] *Wandsworth Wimbledon and Epsom* [Ch. xlvii.]
District Gas Act, 1912.

2.—WIMBLEDON COMPANY.

A.D. 1912.

Share Capital.	Capital issued.	Remaining to be issued.	Total Amount authorised.
	£ s. d.	£ s. d.	£ s. d.
Consolidated ordinary stock.	312,000 0 0	197,709 12 8	553,303 17 3
Premiums received -	1,303 17 3		
Consolidated ordinary stock.	40,000 0 0		
Premiums received -	2,290 7 4		
Total -	£355,594 4 7	£197,709 12 8	£553,303 17 3

Loan Capital.	Raised.	Remaining to be raised.	Total Amount authorised.
4% Debenture bonds -	£60,000 0 0	£80,000 0 0	£140,000 0 0

3.—EPSOM COMPANY.

Share Capital.	Capital issued.	Remaining to be issued.	Total Amount authorised.
	£ s. d.	£ s. d.	£ s. d.
Ordinary stock -	98,000 0 0	60,180 19 3	160,000 0 0
Premiums received -	1,819 0 9		
Total -	£99,819 0 9	£60,180 19 3	£160,000 0 0

Loan Capital.	Raised.	Remaining to be raised.	Total Amount authorised.
	£ s. d.	£ s. d.	£ s. d.
5% Debentures -	7,500 0 0	Nil.	38,333 6 8
4% Debentures -	7,500 0 0		
Total -	£15,000 0 0	£23,333 6 8	£38,333 6 8

97430

[Ch. xlvii.] *Wandsworth Wimbledon and Epsom* [2 & 3 GEO. 5.]
District Gas Act, 1912.

A.D. 1912

FOURTH SCHEDULE.

ACTS REPEALED.

Name of Act.	Extent of Repeal.
Wandsworth and Putney Gas Act 1856	The whole Act.
Wandsworth and Putney Gas Act 1866	The whole Act.
Wandsworth and Putney Gas Act 1880	The whole Act.
Wandsworth and Putney Gas Act 1900	The whole Act.
Gas Companies (Removal of Sulphur Restrictions) Act 1906.	So much as relates to the Wandsworth Company.
Mitcham and Wimbledon Gas Act 1867	The whole Act.
Mitcham and Wimbledon District Gas Order 1892	The whole Order.
Mitcham and Wimbledon Gas Act 1907	The whole Act.
Epsom and Ewell Gas Act 1877	The whole Act.
Epsom and Ewell Gas Act 1906	The whole Act.

Printed by EYRE and SPOTTISWOODE, Ltd.,
FOR
ROWLAND BAILEY, Esq., C.B., M.V.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., FETTER LANE, E.C.; or
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 22, FORTH STREET, EDINBURGH; or
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;
or from the Agencies in the British Colonies and Dependencies,
the United States of America, the Continent of Europe and Abroad of
T. FISHER UNWIN, LONDON, W.C.