



CHAPTER li.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Arlesey Gas Sheffield Gas and Trowbridge Gas. A.D. 1918.
[21st November 1918.]

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

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

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

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

1. This Act may be cited as the Gas Orders Confirmation Act 1918. Short title.

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

A.D. 1918.

SCHEDULE.

LIST OF ORDERS.

ARLESEY.—Order empowering the Arlesey Gas Company to extend their limits of supply and to raise additional capital and for other purposes.

SHEFFIELD GAS.—Order authorising the Sheffield Gas Company to construct additional gasworks and acquire additional lands and making further provisions as to the supply of coke oven gas by them.

TROWBRIDGE GAS.—Order empowering the British Gas Light Company to expend additional capital on the Trowbridge undertaking of the Company.

ARLESEY GAS.

A.D. 1918.

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

Preliminary.

- 1.—(1) This Order may be cited as the Arlesey Gas Order 1918. Short and collective titles.
- (2) The Arlesey Gas Act 1901 (in this Order referred to as “the Act of 1901”) and this Order may be cited together as the Arlesey Gas Act and Order 1901 to 1918.
2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as “the commencement of this Order.” Commencement of Order.
3. The following Acts or parts of Acts are (except where the same are expressly varied by this Order) incorporated with and form part of this Order (that is to say):— Incorporation of Acts.
- The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking):
- The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—
- The distribution of the capital of the company into shares;
 - The transfer or transmission of shares;
 - The payment of subscriptions and the means of enforcing the payment of calls;
 - The forfeiture of shares for non-payment of calls;
 - The remedies of creditors of the company against the shareholders;
 - The borrowing of money by the company on mortgage or bond;
 - The consolidation of the shares into stock;
 - The general meetings of the company and the exercise of the right of voting by the shareholders;
 - The making of dividends;
 - The giving of notices; and
 - The provision to be made for affording access to the special Act by all parties interested:

A.D. 1918.
Arlesey.

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 Act 1847:

The Gasworks Clauses Act 1871:

Provided that in the application to the Undertakers of the provisions of the Gasworks Clauses Act 1847 as incorporated with the Act of 1901 and this Order section 13 of the said Act shall be read and construed as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the Undertakers shall be alike in terms and amount under like circumstances to all consumers" were added at the end of that section.

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

Interpreta-
tion.

4. The several terms and expressions to which by any Act in whole or in part incorporated with this Order or by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings unless there be something in the subject or context repugnant to such construction. And in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" means the undertaking authorised by the Act of 1901 as extended by this Order the expression "the authorised rates" means the rates of dividend authorised by the Act of 1901 and this Order on the capital of the Undertakers the expression "the directors" means the directors of the Undertakers and the expression "the limits of supply" means the area within which the Undertakers are by the Arlesey Gas Act and Order 1901 to 1918 authorised to supply gas.

Undertakers.

Undertakers.

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

Extension of Limits of Supply.

Extension
of limits of
supply.

6. The limits for the supply of gas by the Undertakers defined by the Act of 1901 (in this Order called "the existing limits of supply") are hereby extended so as to include the parishes of

Clifton Langford and Shefford in the rural district of Biggleswade in the county of Bedford (in this Order called "the additional limits of supply") and subject to the provisions of this Order the Undertakers shall have and may exercise within the additional limits of supply all and the like powers privileges and authorities and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have may exercise and are subject to within the existing limits of supply Provided that the Undertakers shall not supply gas within the parishes of Shefford or Clifton until they have purchased the undertaking of the Shefford Gas and Coke Company Limited (in this Order referred to as "the limited company").

A.D. 1918.

Arlesey.

7.—(1) The Undertakers may purchase from the limited company the gasworks lands mains pipes and other works of the limited company for such price or consideration and upon such terms and conditions as may be agreed upon between the limited company and the Undertakers.

Power to purchase undertaking of Shefford Gas Light and Coke Company Limited.

(2) The Undertakers may apply any moneys in their hands or moneys which by this Order they are authorised to raise in or towards the payment of the price or consideration for the purchase of the gasworks lands mains pipes and other works of the limited company.

(3) After the completion of such purchase the provisions of the Act of 1901 and this Order shall apply to the said mains pipes and works in all respects as if the same had been laid down or constructed under the authority of this Order.

Protective Clauses.

8. Section 26 (For the protection of the Great Northern Railway Company) of the Act of 1901 is incorporated with this Order and shall apply as if it were set out in this Order.

For protection of Great Northern Railway Company.

9. For the protection and benefit of the Bedfordshire County Council (in this section called "the council") the following provisions shall have effect within the additional limits of supply except so far as may be otherwise agreed in writing between the Undertakers and the council under their respective common seals (that is to say):—

For protection of Bedfordshire County Council.

(1) The notice required by section 8 of the Gasworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any road or bridge repairable by the council be not less than seven days instead of three days:

(2) All new mains pipes and works (not being replacements of existing mains pipes or works) to be laid in or along any such road or in upon or across any bridge or approach

A.D. 1918.

Arlesey.

shall be laid in such position in or at the side thereof as the council shall by writing under the hand of their surveyor reasonably direct :

- (3) All works shall be executed so as not to stop or unreasonably interfere with the traffic over or along any such road or bridge or approach and the Undertakers shall not without the consent of the council under the hand of their surveyor open or break up at any one time a greater consecutive length of such road bridge and approach than two hundred yards :
- (4) Nothing in this Act contained shall in any way limit or affect the powers of the council to divert improve alter widen or reconstruct any road or to remove alter widen or rebuild any bridge or approach in alongside over under or near to which any such works of the Undertakers are laid and in the event of any such road bridge or approach in alongside over under or near to which any such works are laid being diverted improved removed altered widened reconstructed or rebuilt as aforesaid the Undertakers shall within such reasonable time as the surveyor of the council may prescribe alter such works to such position as he may reasonably fix and replace the same to his reasonable satisfaction Provided that before such diversion improvement removal alteration widening reconstruction or rebuilding of any such road bridge or approach shall be commenced the council shall (except in cases of emergency) give twenty-one days' notice in writing to the Undertakers of their intention to carry out such works and if it is in the opinion of such surveyor necessary to temporarily remove any works belonging to the Undertakers from such bridge or road to avoid interruption in the supply of gas then the Undertakers shall (and they are hereby authorised so to do) temporarily carry their works across such bridge or by the side of such road in such manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the council and as shall be approved of by the county surveyor Provided that in the case of the diversion improvement alteration widening or reconstruction of any road or approach to any bridge the council shall repay to the Undertakers any expense reasonably incurred by them in complying with any requirement of the said surveyor under this subsection or in temporarily carrying their works by the side of such road or approach :

(5) If any difference shall arise between the council and the Undertakers under this section such difference shall be referred to a court of summary jurisdiction who shall hear and determine the matter in dispute in all respects as if the same were a difference between the Undertakers and the council under the Gasworks Clauses Act 1847.

A.D. 1918.

Arlesey.

Additional Gasworks and Lands.

10. Subject to the provisions of this Order the Undertakers may upon the lands described in Schedule A to this Order annexed when they have acquired the same maintain continue alter improve enlarge extend renew or discontinue the existing gasworks of the limited company and may construct erect make maintain alter enlarge extend improve renew or discontinue additional gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may on the said lands make and store gas and manufacture convert and store all residual products resulting from the manufacture of gas.

Power to maintain gasworks and convert residual products.

Capital.

11. The Undertakers may subject to and in accordance with the provisions of Part II. of the Companies Clauses Act 1863 and this Order create and issue the sum of four thousand seven hundred and ninety pounds being the portion of their authorised capital of twelve thousand pounds remaining unissued as preference shares entitled to a preferential dividend or interest not exceeding the rate of seven pounds per centum per annum.

Power to issue preference shares.

12.—(1) In addition to the capital of the Undertakers as defined or authorised by the Act of 1901 they may from time to time—

New capital.

(a) Raise any further sums not exceeding in the whole nine thousand pounds (in this Order referred to as "the new capital") by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively But the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any such share or stock issued under the authority of this Order vest in the person accepting the same unless and until the full price of such share or stock together with any premium obtained upon the sale thereof as hereinafter provided has been paid in respect thereof Provided that it shall not be lawful for the Undertakers to

A.D. 1918.

Arlesey.

create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of nine thousand pounds:

- (b) Borrow on mortgage in respect of the new capital any sum or sums not exceeding in the whole one-third part of the amount of such capital for the time being raised by the Undertakers including any premiums received in respect thereof.

(2) No moneys shall be borrowed by the Undertakers under the provisions of this section until the whole of the shares or stock at the time issued shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares or stock have been issued and fully paid up and upon production to such justice of the books of the Undertakers and such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

New capital
to be sold by
auction or
tender.

13.—(1) The new capital created under the powers of this Order shall be issued in accordance with the provisions of this section.

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

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

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

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

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

A.D. 1918.

Arlesey.

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

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

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

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

14. All money raised under this Order whether by shares stock debenture stock or borrowing 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 shares or stock under the provisions of this Order shall not be considered as part of the capital of the Undertakers entitled to dividend.

Application
of premium.

15. Except as provided by this Order the Undertakers shall not in any year declare or make out of their profits any larger dividends

Limits of
dividend on
share capital.

[Ch. li.] *Gas Orders Confirmation Act, 1918.* [8 & 9 GEO. 5.]

A.D. 1918. (in this Order referred to as "the standard rates of dividend") than
Arlesey. the following:—

On so much of the original capital of twelve thousand pounds referred to in the Act of 1901 as is issued as ordinary capital ten pounds in respect of every one hundred pounds of such capital and on so much of such original capital as is issued as preference capital under the powers of this Order seven pounds in respect of every one hundred pounds of such capital:

On the new capital seven pounds in respect of every one hundred pounds actually paid up of such new capital.

Consent of
Treasury to
raising of
money.

16. The Undertakers shall not during the continuance of the present war and within twelve months thereafter raise or borrow any money under the provisions of the Act of 1901 or of this Order (except for the payment of the costs charges and expenses referred to in the section of this Order whereof the marginal note is "Costs of Order") unless the consent of the Treasury has been previously obtained.

Power to
create debenture
stock.

17. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time after the commencement of this Order created and issued by the Undertakers under any previous Act or under this Order or any subsequent Act or Order shall subject to the provisions of any subsequent Act or Order rank *pari passu* without respect to the dates of the securities or of the Acts of Parliament Orders or resolutions by which such debenture 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.

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

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

19.—(1) The Undertakers shall not without the consent of the Board of Trade pay interest at a higher rate than six pounds ten shillings per centum per annum in respect of any moneys borrowed on mortgage or in respect of any debenture stock to be issued under the authority of the Act of 1901 or this Order.

A.D. 1918.

Arlesey.

Limit of interest on borrowed money.

(2) So much of section 10 (Power to borrow) of the Act of 1901 as prevents the Undertakers paying a higher rate of interest than five per centum per annum in respect of any moneys borrowed under the powers of that Act is hereby repealed.

Change of Name of Company.

20. Subject to the provisions of Part IV. (relating to change of name) of the Companies Clauses Act 1863 the name of the company shall from and after the first day of January one thousand nine hundred and nineteen be the "Arlesey and District Gas Company."

Change of name of company.

Price of Gas.

21. From and after the taking of the meter indices in respect of the quarter ending on the twenty-fifth day of December one thousand nine hundred and eighteen section 29 (Maximum price of gas) of the Act of 1901 shall be repealed and in lieu thereof the following provisions shall have effect that is to say:—

Fixing maximum price of gas.

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

A.D. 1918.

Quorum of Directors.

Arlesey.
Quorum of
directors.

22. Section 18 (Quorum) of the Act of 1901 is hereby repealed and from and after the commencement of this Order the quorum of a meeting of directors shall be two.

Provisions as to Supply of Gas.

Fittings not
to be subject
to distress
and though
fixed to pre-
mises to
remain pro-
perty of
Undertakers.

23.—(1) Subject as hereinafter provided any meters engines ranges pipes stoves fittings apparatus and appliances and things (in this section called "fittings") let by the Undertakers on hire under the provisions of section 27 (Power to supply gas fittings &c. for heating and other purposes) of the Act of 1901 or otherwise shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under such premises at all times continue to be the property of and removable by the Undertakers Provided that nothing in this subsection shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

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

Anti-
fluctuators.

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

As to mode
of cutting off
supplies.

25.—(1) In any case in which the Undertakers are by virtue of any enactment relating to their undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Undertakers without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Undertakers) and any person who shall re-connect such service pipe with the meter without the consent of the Undertakers shall be deemed to commit an

offence within the meaning of section 18 of the Gasworks Clauses Act 1847 Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

A.D. 1918.

Arlesey.

(2) For the purposes of this section the Undertakers shall (subject to the conditions specified in section 22 of the Gasworks Clauses Act 1871) have and may exercise the like powers of entry as are exerciseable under the said section 22 for the purposes of that section.

26. In any case in which in consequence of any default on the part of the occupier of any premises the Undertakers have cut off the supply of gas to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Undertakers the expenses of re-connecting the supply and the Undertakers shall not be under any obligation to supply gas to such occupier until he shall have paid such expenses.

Expenses of re-connecting discontinued supply.

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

Removal of fittings where gas supply discontinued.

28. Notwithstanding anything contained in this Order or in any Act relating to the Undertakers the price to be charged by the Undertakers for a supply of gas may vary according to the purposes for which the gas is supplied as may be agreed upon between the Undertakers and the person taking such supply but so that the maximum price hereby authorised be in no case exceeded Provided that the Undertakers shall not under the powers of this section give any preferential price as between any consumers who shall take a supply of gas for the same purpose under like circumstances.

Power to vary price according to purpose for which gas is supplied.

29. Nothing in this Order shall exempt the Undertakers from the provisions of any general Act relating to the supply of gas which may be passed in this or any future session of Parliament.

Saving as to general Acts

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

Costs of Order.

A.D. 1918.

Arlesey.

The SCHEDULES referred to in the foregoing Order.

SCHEDULE A.

GAS LANDS.

A piece of land situate in the parish of Shefford in the county of Bedford belonging or reputed to belong to the limited company and containing in the whole by admeasurement one rood or thereabouts and which said piece of land is numbered 34 on the $25^{\frac{1}{10}}$ Ordnance map Bedfordshire Sheet XXII. 12.

SCHEDULE B.

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

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

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

Price of gas with sliding scale as to dividend.

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

Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the

dividend payable by the Undertakers on the ordinary capital of the Undertakers as follows:—

A.D. 1918.

Arlesey.

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

And in respect of any year during the whole of which the price charged by the Undertakers shall have been one penny or more below the standard price the dividend payable by the Undertakers may in respect of each penny by which the standard price shall have been reduced be increased above the standard rates of dividend by five shillings on every one hundred pounds of the original capital of the Undertakers issued as ordinary capital and by three shillings and sixpence on every one hundred pounds of the new capital issued as ordinary capital and so in proportion for any fraction of one hundred pounds:

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

Power to create a special purposes fund.

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

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

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

(iii) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an

A.D. 1918.

Arlesey.

amount equal to one tenth of the paid-up capital of the Undertakers including premiums :

- (iv) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Undertakers to which capital is properly applicable or may be used partly in the one way or partly in the other :
- (v) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section :

Application of excess of profits over authorised rates of dividend.

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

Provided that the sum standing to the credit of such divisible profits shall not in any case exceed the amount required to pay one year's dividend on the preference capital and the dividend at the authorised rates on the ordinary capital of the Undertakers :

Power to create a reserve fund and application thereof.

- (5) Where in any year the dividend of the Undertakers on the ordinary share capital or stock of the Undertakers shall exceed the standard rate by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of such excess of dividends the Undertakers may in such year set apart such sum as they think fit and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the specified date in relation to the undertaking may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers shall be insufficient to enable the Undertakers in such year to pay the authorised rates and save as by this schedule

especially provided no sums shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund: A.D. 1918.
Arlesey.

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

SHEFFIELD GAS.

Order authorising the Sheffield Gas Company to construct additional gasworks and acquire additional lands and making further provision as to the supply of coke oven gas by them. Sheffield.

Preliminary.

1. This Order may be cited as the Sheffield Gas Order 1918 The Sheffield Gas Acts and Orders 1855 to 1917 and this Order may be cited together as the Sheffield Gas Acts and Orders 1855 to 1918. Short and collective titles.

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

3. The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking) the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 are so far as the same are applicable for the purposes of this Order and not inconsistent with the provisions of the Sheffield Gas Acts and Orders 1855 to 1918 incorporated with and form part of this Order. Incorporation of Acts.

4. In this Order—

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

The expression "the Act of 1917" means the Sheffield Gas Act 1917;

The expression "the limits of supply" means the limits within which the Undertakers are authorised to supply gas by section 3 of the Sheffield Gas Act 1855 as extended by

Interpretation.

[Ch. li.] *Gas Orders Confirmation Act, 1918.* [8 & 9 GEO. 5.]

A.D. 1918.
Sheffield.

section 5 of the Sheffield Gas Act 1866 and section 33 of the Act of 1917 ;

The expression "coke oven gas" means gas produced from coke ovens.

Undertakers.

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

Additional Lands and Gasworks.

Power to
construct
additional
gasworks &c.

6. The Undertakers may upon the lands described in the schedule to this Order annexed construct maintain alter improve and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may also upon the said lands work up and convert the residual products which arise directly or indirectly from the manufacture of gas by them or are purchased by the Undertakers under the provisions of section 35 of the Act of 1917.

Additional
lands.

7. In addition to any other lands vested in the Undertakers by or which they have purchased or are authorised to purchase under the Sheffield Gas Acts and Orders 1855 to 1917 the Undertakers may for the purposes of their undertaking purchase by agreement but not otherwise and hold any further lands not exceeding fifty acres in extent Provided that the Undertakers shall not create or permit a nuisance on any such lands and that no such lands shall be used by them contrary to the provisions of section 5 of the Gasworks Clauses Act 1871.

Coke Oven Gas.

Supply of
coke oven
gas in transit.

8.—(1) If any local authority or company supplying gas in any parish outside the limits of supply in which the Undertakers shall have laid mains under the provisions of section 36 of the Act of 1917 shall request the Undertakers to supply them with coke oven gas the Undertakers shall notwithstanding anything to the contrary in subsection (3) of the said section 36 but subject as hereinafter provided supply such gas and for that purpose shall permit such authority or company to connect the necessary pipes and apparatus with the Undertakers' said mains Provided that—

(a) such connexion and the works incidental thereto shall only be executed in such manner as shall be approved by the Undertakers and under the supervision of their engineer and all expenses of such connexion and incidental works

including any expenses reasonably incurred by the Undertakers in regard thereto shall be paid by the authority or company making the connexion;

A.D. 1918.
Sheffield.

(b) the Undertakers shall only supply coke oven gas to any such authority or company if and so long as a sufficiency remains to satisfy the demands for coke oven gas within the limits of supply; and

(c) the Undertakers shall not directly or indirectly supply coke oven gas for any purpose within or for use within the parishes of Beighton in the county of Derby and Aston-cum-Aughton in the West Riding of the county of York except to or with the consent of the Beighton and District Gas Company Limited so long as that company shall be supplying gas within the said parishes and except to any local authority or company which may hereafter be authorised by Parliament to supply gas in those parishes or either of them.

(2) The price to be paid by any such authority or company for any coke oven gas supplied to them shall as nearly as may be be equal to the price paid to the Undertakers for coke oven gas supplied in similar quantities within the limits of supply.

(3) Nothing in this section shall be deemed to authorise the Undertakers or any such local authority or company as aforesaid to lay mains or pipes or to break up or interfere with any street or bridge or impose upon the Undertakers any obligation to lay mains or pipes for the purpose of affording a supply of coke oven gas to any such authority or company but this enactment shall not prejudice or affect any of the powers authorities or obligations with regard to laying mains or pipes or breaking up or interfering with streets and bridges conferred or imposed upon the Undertakers by any of the Sheffield Gas Acts and Orders 1855 to 1917 or any general Act or upon any such local authority or company by any general or local Act.

(4) Subsection (2) of section 36 (Supply of coke oven gas) and subsection (2) of section 39 (Home Secretary may make regulations as to supply of coke oven gas) of the Act of 1917 shall apply to coke oven gas supplied under the provisions of this section as if the same were supplied under the provisions or powers of the Act of 1917.

9.—(1) Nothing in sections 36 and 38 of the Act of 1917 shall be deemed to restrict the Undertakers from supplying coke oven gas for lighting purposes or the use for such purposes of coke oven gas so supplied if such coke oven gas is of the calorific power and is supplied at the pressure prescribed by the Sheffield Gas (Standard of calorific power) Order 1916 or any amendment or re-enactment thereof for the

Supply of
coke oven
gas for
lighting
purposes
in certain
events.

A.D. 1918. time being in force and complies with the provisions as to purity prescribed by the Gasworks Clauses Act 1871.
Sheffield.

(2) The Undertakers shall in respect of coke oven gas supplied for lighting purposes be subject to all and the same obligations penalties and liabilities as they may for the time being be subject and liable to in respect of any other gas supplied by them for such purposes and any coke oven gas supplied for lighting purposes may notwithstanding anything in subsection (2) of section 36 of the Act of 1917 be tested in like manner as other gas supplied by the Undertakers for such purposes.

Protective Clause.

For protection of Sheffield Corporation.

10. Section 50 (For protection of Sheffield Corporation) of the Act of 1917 shall so far as applicable extend to the powers conferred upon the Undertakers by this Order as though the said section were with any necessary alterations re-enacted in this Order.

Costs of Order.

Costs of Order.

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

The SCHEDULE referred to in the foregoing Order.

GAS LANDS.

The following lands in the township of Ecclesfield in the rural district of Wortley in the West Riding of the county of York:—

1. Lands containing by admeasurement 52 acres 1 rood 39 perches or thereabouts and bounded on the south and south-east by Beeley Wood Lane on the east by Limestone Cottage Lane on the north-east and north by the Great Central Railway on the north-west by lands forming or reputed to form part of the Duke of Norfolk's settled estates and on the south-west in part by Beeley Wood Lane aforesaid and in other part by the goit which supplies the mill dam at the Clay Wheel Forge:
2. Lands containing by admeasurement 6 acres 1 rood 36 perches or thereabouts and bounded on the west by Limestone Cottage Lane aforesaid on the south-west and south by Beeley Wood

Lane aforesaid on the south-east by other lands forming or reputed to form part of the Duke of Norfolk's settled estates and on the north-east by the Great Central Railway:

A.D. 1918.

Sheffield.

3. Lands containing by admeasurement 1 acre 2 roods 34 perches or thereabouts and lying between Beeley Wood Lane aforesaid the River Don and the Clay Wheel Forge.

TROWBRIDGE GAS.

Order empowering the British Gas Light Company Limited to expend additional capital on the Trowbridge undertaking of the Company. Trowbridge.

1. This Order may be cited as the Trowbridge Gas Order 1918 and the Trowbridge Gas Order 1880 (in this Order referred to as "the Order of 1880") and this Order may be cited together as the Trowbridge Gas Orders 1880 and 1918. Short and collective titles.

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

3. The several words and expressions to which by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings. Interpretation.

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

5. Notwithstanding anything in the Order of 1880 the Undertakers may expend for the purposes of the Undertaking authorised by that Order the sum of thirty-one thousand four hundred and seventeen pounds in addition to the sum of fifty thousand two hundred and fifty-three pounds authorised to be expended under the powers of that Order Provided always that of the said sum of thirty-one thousand four hundred and seventeen pounds by this Order authorised to be further expended the sum of twenty-one thousand pounds and no more may be so expended out of the capital stock of the Undertakers and the Undertakers may from time to time borrow on mortgage in respect of such further capital so authorised sums not exceeding in the whole the sum of ten thousand four hundred and seventeen pounds Provided further that the profits to be divided by the Undertakers in respect of so much of the additional capital of twenty-one thousand pounds as Power to expend further capital.

[Ch. li.] *Gas Orders Confirmation Act, 1918.* [8 & 9 GEO. 5.]

A.D. 1918. may from time to time be actually expended shall not exceed seven
Trowbridge. pounds ten shillings per centum per annum in respect of so much
thereof as shall be issued as ordinary capital and six pounds per
centum per annum in respect of so much thereof as shall be issued
as preference capital and that the rate of interest to be paid upon any
sum so borrowed on mortgage shall not without the consent of the
Board of Trade exceed six pounds per centum per annum and the Under-
takers shall not have power to convert into shares or stock the said
sum of ten thousand four hundred and seventeen pounds or any part
thereof.

Consent of
Treasury to
raising of
money.

6. The Undertakers shall not during the continuance of the present
war and within twelve months thereafter raise or borrow any money
under the provisions of this Order unless the consent of the Treasury
has been previously obtained.

Costs of
Order.

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

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WILLIAM RICHARD CODLING, Esq., C.B.E., M.V.O., the King's Printer of Acts of Parliament.

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