

**CHAPTER cxiii.**

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Dronfield Gas North Middlesex Gas Uxbridge Gas Flint Gas and Water and Fisherton Anger and Bemerton Waterworks. A.D. 1914.

[31st July 1914.]

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

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

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

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

1. This Act may be cited as the Gas and Water Orders Confirmation (No. 2) Act 1914. 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. 1914.

SCHEDULE.LIST OF ORDERS.

DRONFIELD GAS.—Order authorising the Dronfield Gas Light and Coke Company to construct and maintain additional gasworks and for other purposes.

NORTH MIDDLESEX GAS.—Order empowering the North Middlesex Gas Company to construct further works for the manufacture and storage of gas and residual products and for other purposes.

UXBRIDGE GAS.—Order authorising the Uxbridge Gas Company to raise additional capital and for other purposes.

FLINT GAS AND WATER.—Order empowering the Flint Gas and Water Company Limited to construct new waterworks and to raise additional capital and for other purposes.

FISHERTON ANGER AND BEMERTON WATERWORKS.—Order extending the limits of supply of the Fisherton Anger and Bemerton Waterworks Company.

DRONFIELD GAS.

A.D. 1914.

*Order authorising the Dronfield Gas Light and
Coke Company to construct and maintain additional gasworks
and for other purposes.*

Dronfield.

Preliminary.

1. This Order may be cited as the Dronfield Gas Order 1914 and the Dronfield Gas Order 1879 (in this Order referred to as "the Order of 1879") and the Dronfield Gas Order 1913 (in this Order referred to as "the Order of 1913") and this Order may be jointly cited as the Dronfield Gas Orders 1879 to 1914.

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.

Commence-
ment of
Order.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with and form part of this Order except where the same are expressly varied by or are inconsistent with the Order of 1879 the Order of 1913 or this Order.

Incorporation
of Acts.

4. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings unless there be something in the subject or context repugnant to such construction.

Interpreta-
tion.

Undertakers.

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

Undertakers.

Increase of Borrowing Powers.

6. Section 7 (Limit of borrowing powers) of the Order of 1879 shall be read and have effect as if the words "eight thousand pounds" had been therein inserted instead of "six thousand pounds."

Increased
borrowing
powers.

Lands and Works.

7. The Undertakers may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the schedule to the Order of 1879 and the

Power to
purchase
additional
lands.

A.D. 1914. schedule to this Order annexed any lands which they may require
 ———
 Dronfield. Provided that they shall not at any time hold for such purposes more than three acres of land in the whole in addition to the lands described in the said schedules and that they shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products except the lands described in the said schedules.

Power to construct and maintain additional gasworks.

8. Subject to the provisions of this Order the Undertakers may upon the lands described in the schedule to the Order of 1879 and upon the lands described in the schedule to this Order annexed while they are possessed of the same erect maintain alter improve extend 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 defined by the Order of 1879 and may on the said lands convert and manufacture residual products resulting from the manufacture of gas.

Miscellaneous.

Power to lay down and utilize pipes for ancillary purposes.

9. The Undertakers may having first obtained the consent of the local authority of the district lay down place repair alter remove and renew mains pipes and culverts in any street 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 any purpose connected with their undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Anti-fluctuators for gas engines.

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

Supply of gas where consumer has separate supply.

11. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand or to continue to receive from the Undertakers a stand-by supply of gas for any premises for purposes for which he has at the same time a supply of gas from an installation other than that of the

Undertakers or a supply of electricity unless he shall have agreed to pay to the Undertakers such minimum annual sum as will give to them a reasonable return on the capital expenditure and other standing charges incurred by them in order to meet the possible maximum demand for those premises and the sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889. A.D. 1914.
Dronfield.

12. The power to enter premises and to remove pipes meters 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. Power to enter premises and remove fittings.

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

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

15. 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.

The SCHEDULE referred to in the foregoing Order.

GAS LANDS.

A piece of land situate in the parish of Dronfield in the county of Derby and containing by admeasurement 1 acre 2 roods 19 perches or thereabouts bounded on the north in part by Mill Lane and in other part by the River Drone on the east by the existing gasworks

A.D. 1914. and lands of the Undertakers on the west by lands belonging or reputed
Dronfield. to belong to and in the occupation of Messrs. G. Allen and Sons and
on the south by the Chesterfield Road.

NORTH MIDDLESEX GAS.

*North
Middlesex.*

*Order empowering the North Middlesex Gas Company
to construct further works for the manufacture and storage of
gas and residual products and for other purposes.*

Short and
collective
titles.

1. This Order may be cited as the North Middlesex Gas Order 1914 and the North Middlesex Gas Acts 1895 to 1912 and this Order may be cited collectively as the North Middlesex Gas Acts and Order 1895 to 1914.

Commence-
ment of
Order.

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

Incorpora-
tion of Acts.

3. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by or are inconsistent with the North Middlesex Gas Acts 1895 to 1912 or this Order).

Interpreta-
tion.

4. The several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings unless there be something in the subject or context repugnant to such construction.

Undertakers.

5. The North Middlesex Gas Company incorporated by the North Middlesex Gas Company's Act 1895 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Construction
and mainten-
ance of gas-
works &c.

6. Subject to the provisions of this Order the Undertakers may upon the lands described in the schedule to this Order annexed so long as they are in possession thereof erect maintain alter improve extend 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 and may on the said lands convert and manufacture residual products resulting from the manufacture of gas.

Power to
purchase
additional
land by
agreement.

7. The Undertakers may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands which the Undertakers are entitled to acquire or hold

under the North Middlesex Gas Acts 1895 to 1912 any lands not exceeding in the whole ten acres which they may require. Provided that they shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands authorised to be so used by the North Middlesex Gas Company's Act 1895 or this Order.

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North
Middlesex.

8. The Undertakers may apply any capital raised or authorised to be raised under the powers of the North Middlesex Gas Acts 1895 to 1912 for any of the purposes of this Order being purposes to which capital is properly applicable.

Application
of capital.

9. 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.

The SCHEDULE referred to in the foregoing Order.

GAS LANDS.

FIRSTLY.—A piece of land belonging or reputed to belong to Max Hahn situate in the parish of Hendon in the county of Middlesex containing 4.79 acres or thereabouts bounded on the north and north-east by property belonging or reputed to belong to the Great Northern Railway Company on the south by land belonging or reputed to belong to the said Max Hahn on the east by lands belonging or reputed to belong to and in the occupation of the Undertakers and comprising their existing gasworks and on the west by land belonging or reputed to belong to the said Max Hahn.

SECONDLY.—A piece of land belonging or reputed to belong to and in the occupation of the Undertakers situate in the said parish of Hendon and containing 5 acres or thereabouts bounded on the north by other lands belonging or reputed to belong to and in the occupation of the Undertakers and comprising their existing gasworks on the south by lands belonging or reputed to belong to Peter E. Kay Limited or to George Monro and Richard Cobley on the east by the high road leading from Mill Hill to Hendon and on the west by land belonging or reputed to belong to Max Hahn.

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UXBRIDGE GAS.

*Uxbridge.**Order authorising the Uxbridge Gas Company to raise additional capital and for other purposes.**Preliminary.*Short and
collective
titles.

1. This Order may be cited as the Uxbridge Gas Order 1914 and the Uxbridge Gas Act 1861 the Uxbridge Gas Act 1873 the Uxbridge Gas Act 1906 and the Uxbridge Gas Order 1911 (all of which are in this Order referred to as "the former Acts and Order") and this Order may be cited together as the Uxbridge Gas Acts and Orders 1861 to 1914.

Commence-
ment of
Order.

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

Incorporation of Acts.

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

The distribution of the capital of the company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the company against the shareholders;

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

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

And Part I. (relating to the 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 of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking) of the Gasworks Clauses Act 1847 (except sections 30 to 34) and of the Gasworks Clauses Act 1871 so far as the same are applicable for

the purposes of and are not inconsistent with or varied by the provisions of the former Acts and Order or this Order are hereby incorporated with and form part of this Order :

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Uxbridge.

Provided that section 13 of the Gasworks Clauses Act 1847 for the purposes of its incorporation with the former Acts and Order and this Order 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 Undertakers shall be alike in terms and amount under like circumstances" to all consumers" were added at the end of that section. Provided also that for the purpose of such incorporation section 35 of the said Gasworks Clauses Act 1847 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 rates of dividend as authorised by the former Acts and Order and this Order together with any sum which under the provisions of this Order might lawfully be carried to the special purposes fund.

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

4. The several words terms and expressions to which by any Act in whole or in part incorporated with this Order 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" shall mean the undertaking authorised by the former Acts and Order as amended by this Order and the expression "the authorised rates" means the rates of dividend authorised by the Uxbridge Gas Act 1906 and this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of the said Act and this Order.

Interpreta-
tion.*Undertakers.*

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

Undertakers.

Additional Capital and Borrowing.

6. In addition to the capital authorised by the former Acts and Order (in this Order referred to as "the existing capital") the Undertakers may—

Additional
capital and
borrowing.

- (1) Raise additional capital not exceeding in the whole one hundred thousand pounds (in this Order referred to as

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“the additional capital”) by the creation and issue of preference shares or stock or ordinary shares or consolidated stock or wholly or partially by one or more of those modes respectively but the Undertakers shall not issue any share of less nominal value than ten pounds nor shall any such share or stock vest in the person accepting the same unless and until the full price of such share or stock together with any premium obtained on the sale thereof as hereinafter provided has been paid in respect thereof Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of share capital than will be sufficient to produce including any premium which may be obtained on the sale thereof the sum of one hundred thousand pounds;

- (2) Borrow on mortgage of the undertaking in respect of the additional capital any sum or sums not exceeding in the whole one-third part of the amount of the additional capital at the time actually raised by the issue of new shares or stock including the premiums (if any) realised on the sale thereof but no part thereof shall be borrowed until the whole of the shares or stock in respect of which the power of borrowing is being exercised including the premiums (if any) realised on the sale thereof shall have been fully paid up and the Undertakers have proved to the justice who is to certify under section 40 of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares or stock together with the premium (if any) has been issued and fully paid up and upon production to such justice of the books of the Undertakers and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Privileges
&c. of
holders of
additional
capital.

7. Subject to the provisions of this Order the additional capital raised by the Undertakers under this Order shall be part of the general capital of the Undertakers and save as otherwise provided in respect of such capital by or under the provisions of this Order the holders of shares or stock in such additional capital shall be entitled to the like rights of voting and any other rights qualifications and privileges in proportion to the amount of their shares or stock from time to time paid up and be subject to the like provisions and liabilities as the holders of the shares or stock in the existing capital.

Additional capital
to be sold by
auction or tender.

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

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

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(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 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. In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:

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

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of the ordinary and preference shares or stock of the Undertakers in accordance with 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 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

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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.

Application
of money.

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

Dividends
on different
classes of
shares or
stock to be
paid propor-
tionately.

10. In case in any half-year the funds of the Undertakers applicable to dividend are insufficient to pay the full amount of the dividend at the authorised rates on each class of ordinary shares or stock in the existing capital and the additional capital a proportionate reduction shall be made in the dividends payable on each class.

Restrictions
as to votes
in respect of
preferential
shares or
stock.

11. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any shares or stock in the additional capital to which a preferential dividend shall be assigned.

Existing
mortgages
to have
priority.

12. All mortgages granted by the Undertakers in pursuance of the former Acts and Order and subsisting at the commencement of this Order shall during the continuance of such mortgages and subject to the provisions of the former Acts and Order have priority over any mortgages granted by virtue of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.

Limit of
dividend on
capital.

13. Except as expressly provided by this Order or by the Uxbridge Gas Act 1906 the Undertakers shall not in any year declare or make out of their profits any larger dividend on the additional capital than the standard rate of dividend hereinafter mentioned namely five pounds in respect of every one hundred pounds of such capital.

Power to
create a
special
purposes
fund.

14.—(1) The directors of the Undertakers may if they think fit in any half 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 half per centum of the paid-up capital of the Undertakers including premiums to a fund to be called "the special purposes fund."

(2) 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—

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(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.

(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 Undertakers including premiums.

(4) 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.

(5) 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.

(6) The moneys or securities standing to the credit of the insurance fund of the Undertakers at the commencement of this Order shall be credited to the special purposes fund and section 36 (Insurance Fund) of the Uxbridge Gas Act 1906 is hereby repealed.

(7) Section 37 (Application of excess of profits over authorised rate of dividend) of the Uxbridge Gas Act 1906 shall be read and have effect as if the words "special purposes fund" had been inserted therein instead of the words "insurance fund."

15. Section 30 of the Uxbridge Gas Act 1906 is hereby repealed and from and after the commencement of this Order 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 and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall be not less than one-tenth part of the total amount for the time being owing by the Undertakers on mortgage.

For appoint-
ment of
receiver.

16. The following provisions of the Uxbridge Gas Act 1906 shall with any necessary modifications extend and apply to the exercise of the powers of raising additional capital and borrowing on mortgage

Application
of financial
provisions
of Uxbridge
Gas Act
1906.

A.D. 1914. of the undertaking in this Order contained as if the same were
Uxbridge. re-enacted in this Order (that is to say):—

Section 18 (Company not to convert borrowed money into capital);

Section 27 (Debenture stock);

Section 28 (Priority of mortgages and debenture stock over other debts);

Section 32 (Receipt in case of persons not sui juris).

Limit of
interest on
money
borrowed.

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

Supply of Gas.

Charge for
gas supplied
by means of
prepayment
meters.

18.—(1) The Undertakers may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied to private consumers within their limits of supply through any other kind of meter or by any other method of supply.

(2) The charge for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum charge shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of the meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of sixpence per one thousand cubic feet supplied in manner aforesaid or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

(4) The said charges shall include the providing letting fixing repairing and maintenance of the meters and fittings or of the meters as the case may be and the cost of collection and other costs incurred by the Undertakers in connection therewith.

(5) 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.

Gas engines
&c. of Un-
dertakers
let on hire

19.—(1) All engines stoves ranges pipes fittings and other apparatus appliances and things (in this section referred to as "fittings") let by the Undertakers on hire under the provisions of the Uxbridge Gas

Act 1906 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 any such premises at all times continue to be the property of and removable by the Undertakers Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

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though fixed to premises to remain property of Undertakers.

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

20. The power to enter premises and to remove pipes meters fittings or apparatus conferred on 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.

Power to enter premises and remove fittings.

21. The Undertakers may but only with the consent in writing of the owner of the soil of such street on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in the former Acts and Order and this Order.

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

22. The Undertakers may having first obtained the consent in writing of the local authority of the district lay down place repair alter remove and renew mains pipes and culverts in any street 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 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 mutatis mutandis to and for the purposes thereof.

Power to lay down and utilise pipes for ancillary purposes.

23. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand or to continue to receive from the Undertakers a stand-by supply of gas for any premises for purposes for which he has at the same time a supply of gas from an installation other than that of the Undertakers or a supply of electricity unless he shall have agreed to pay to the

Supply of gas where consumer has separate supply.

A.D. 1914. Undertakers such minimum annual sum as will give to them a reasonable return on the capital expenditure and other standing charges incurred by them in order to meet the possible maximum demand for those premises and the sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

Uxbridge.

Notice of discontinuance.

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

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

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

Miscellaneous.

Power to purchase additional land by agreement.

26. The Undertakers may for the purposes of the undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands now belonging to or authorised to be acquired by them any lands not exceeding in the whole five acres which they may require Provided that they shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in the former Acts and Order.

Power for directors to determine remuneration of secretary.

27. In addition to the powers which the directors of the Undertakers may exercise under the Companies Clauses Acts 1845 to 1889 or otherwise they may from time to time determine the remuneration of the secretary of the Undertakers.

Dwelling houses &c. for officers and servants offices show-rooms &c.

28. The Undertakers may purchase take on lease repair and maintain houses cottages and buildings for the officers and servants employed by the Undertakers and offices showrooms and other buildings for the purposes of their undertaking and may erect maintain and let any such buildings upon any lands for the time being belonging or leased to the Undertakers.

Repeal of certain sections of Uxbridge Gas Act 1861.

29. The following sections of the Uxbridge Gas Act 1861 are hereby repealed (that is to say) section 57 (Consumption of gas by meter) section 58 (Penalty for tampering with meters) section 59 (Power to remove pipes from unoccupied premises) section 62 (Power to test the illuminating power of the gas Penalty in case of default) section 63 (Cost of experiment to be paid according to the event) section 66

(Several names &c. in one summons or warrant) and section 67 (Costs of distress). A.D. 1914.
Uxbridge.

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.

FLINT GAS AND WATER.

Order empowering the Flint Gas and Water Company Limited to construct new waterworks and to raise additional capital and for other purposes. Flint.

Preliminary.

1. This Order may be cited as the Flint Gas and Water Order 1914 and this Order and the Flint Gas and Water Order 1876 (in this Order referred to as "the Order of 1876") may be cited together as the Flint Gas and Water Orders 1876 and 1914. 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." Commence-
ment of
Order.

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

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

The expression "the water undertaking" means the water undertaking authorised by the Flint Gas and Water Orders 1876 and 1914.

Undertakers.

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

A.D. 1914.

Lands.

Flint.
Power to
acquire lands
by agree-
ment.

6. In addition to any other lands which the Undertakers are under the Order of 1876 authorised to take or purchase the Undertakers may by agreement but not otherwise purchase take and hold for the purposes of this Order and for the general purposes of the water undertaking any lands not exceeding in the whole ten acres in extent and any easement right or privilege (not being an easement right or privilege of water in which any persons other than the grantors have an interest) in over or under any lands Provided that the Undertakers shall not upon any such lands create or permit any nuisance or erect or authorise the erection thereon of any houses or similar buildings except offices and dwellings for persons in their employ and except such buildings and works as are required for or in connection with the water undertaking.

Persons
under
disability
may grant
easements &c.

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

Power to
hold lands
for protection
of water-
works.

8. The Undertakers may hold any lands acquired by them under the powers of this Order or the Order of 1876 which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts but the Undertakers shall not create or permit a nuisance on any such lands.

Works.

Power to
construct
waterworks
and take
water.

9. Subject to the provisions of this Order the Undertakers may in upon or under the lands or in or under the streets roads or highways in upon or under which the same are shown on the deposited plans but as regards such lands only while they are possessed of the same or of any necessary rights or easements entitling them so to do make and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described.

The works authorised by this Order are situate in the parish of Northop in the rural district of Holywell and the parishes of Flint

and Coleshill Fawr in the borough of Flint all in the county of Flint and are as follows:—

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Flint.

Work No. 1.—A line or lines of pipes commencing in the mouth of the Halkyn Deep Level in the said parish of Northop at a point ten chains or thereabouts measured in a north-westerly direction from the eastern corner of the enclosure numbered 723 in the said parish on the 25-inch Ordnance map of the county of Flint (edition 1912 Sheet IX 7) and terminating in the said parish of Coleshill Fawr at the eastern corner of the enclosure numbered 42 in the said last-mentioned parish on the said Ordnance map (Sheet IX 4) at the existing waterworks of the Undertakers;

Work No. 2.—A line or lines of pipes situate wholly in the said parish of Flint commencing by a junction with the line or lines of pipes (Work No. 1) at the point of junction of Halkyn Street and Old London Road and terminating in Holywell Street at a point fifteen chains or thereabouts measured in a north-westerly direction along that street from the point of junction therewith of Evans Street.

In addition to the foregoing works the Undertakers may upon any lands in or upon which they are entitled under this Order to construct such works but as regards such lands only if and so long as they are possessed of the same or of the necessary rights or easements entitling them so to do make and maintain all such cuts channels catchwaters tunnels adits pipes conduits culverts drains sluices byewashes shafts bores water towers overflows waste water channels gauges filter beds tanks banks walls bridges embankments piers approaches engines machinery and appliances as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or any of them and telegraphs and telephones necessary or convenient in connection therewith Provided that no telegraphs or telephones constructed and maintained under the provisions of this Order shall be used for the transmission of telegrams within the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869.

Subject to the provisions of this Order the Undertakers may collect impound take use divert and appropriate for the purposes of the water undertaking all such springs streams or waters as may be intercepted by the works by this Order authorised:

Provided always that it shall not be lawful for the Undertakers to lay down or construct for the purpose of receiving water from the Halkyn Deep Level aforesaid any intake to the line of pipes Work No. 1 aforesaid of a greater internal diameter than nine inches but nothing herein contained shall be deemed to prevent the Undertakers from laying down and constructing at such intake straining and screening apparatus of greater diameter than nine inches.

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*Flint.*Limits of
deviation.

10. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards and ten feet downwards Provided that the Undertakers shall not raise any line of pipes above the surface of the ground unless so shown on the deposited sections and then only to the extent so shown.

Completion
of works.

11. The works authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870 Provided always that subject to the restrictions and provisions of this Order the Undertakers may alter enlarge renew improve and extend the same in such way and manner as they may consider requisite or advisable for supplying water within the limits of supply as defined by the Order of 1876.

Limiting
powers of
Undertakers
to abstract
water.

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

Use by
Undertakers
of water
purchased
from Halkyn
District
Mines
Drainage
Company.

13.—(1) The Undertakers may use for the purposes of the water undertaking any water purchased or received by them from the Halkyn District Mines Drainage Company :

Provided always that the Undertakers shall properly and efficiently filter or otherwise treat all water at any time purchased or received by them from the Halkyn District Mines Drainage Company so as to render the same pure and wholesome for domestic purposes If the Undertakers make default in filtering or treating the water as aforesaid they shall be liable to a penalty not exceeding ten pounds for every day during which such default shall continue.

(2) The local authority for any district situate wholly or partly within the Undertakers limits of supply and the Flint County Council may take proceedings to enforce the provisions of this section and for the recovery of penalties thereunder Provided that the Company shall not incur more than one penalty (other than a daily penalty) for the same offence.

Detection
of waste.

14. Subject to the provisions of the Waterworks Clauses Act 1847 the Undertakers may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Undertakers and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary

covers or boxes for giving access and protection thereto and may for that purpose stop up break up and interfere temporarily with public and private streets roads lanes footways sewers courts passages tramways gas or water pipes electric lines wires and apparatus Provided that the Undertakers shall not interfere with any electric lines wires and apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

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Flint.

15. The Undertakers may but only with the consent of the owner of the soil of such street or road upon the application of the owner or occupier of any premises within the limits of the Undertakers for the supply of water abutting on or being erected in any street or road laid out or made but not dedicated to public use supply such premises with water and for that purpose the provisions of the Waterworks Clauses Acts 1847 and 1863 shall apply as if such street were a street within the meaning of those Acts.

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

16. Sections 24 and 36 of the Order of 1876 are hereby repealed.

Quality of water.

17. Section 25 of the Order of 1876 is hereby repealed and in lieu thereof the following provisions shall be in force and have effect:—

Limits of pressure.

The water supplied by the Undertakers shall be constantly laid on but such water need not at any time be delivered at a greater height—

(a) in the case of any premises in that part of the borough of Flint which is known as Mount Pleasant (in this Order referred to as "Mount Pleasant") than can be reached by gravitation from the service reservoir referred to in the section of this Order the marginal note whereof is "For protection of Flint Corporation"; or

(b) in the case of any premises in any part of the said borough other than Mount Pleasant than can be reached by gravitation from the service reservoir from which such premises are supplied.

18. The following provisions for the protection and benefit of the British Glanzstoff Manufacturing Company Limited the Holywell Company Limited Messieurs Jones and Davies and Alfred Bibby Lloyd (in this section referred to as "the protected parties") shall unless otherwise agreed in writing between the Undertakers on the one hand and the protected parties on the other hand apply and have effect viz.:—

For protection of British Glanzstoff Manufacturing Company Limited and Holywell Company Limited and others.

(1) The pipe or conduit to be laid down by the Undertakers for the purpose of abstracting water from the mouth of the Halkyn Deep Level shall be a circular pipe or conduit of such dimensions not exceeding nine inches internal diameter

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Flint.

as the Undertakers may deem necessary but nothing hereinbefore contained shall be deemed to prevent the Undertakers from laying down and constructing at the intake of the said pipe or conduit straining and screening apparatus of greater diameter than nine inches;

- (2) The Undertakers shall not by means of any works which they may execute under the powers of this Order at or near the said intake raise the level of the water flowing on the bed of the Halkyn Deep Level to a greater height than the highest level to which such water rises under the conditions existing prior to the commencement of this Order;
- (3) In the execution of the works authorised by this Order in or near the bed of the Swinchiard or Nant-y-Flint Brook below the mouth of the Halkyn Deep Level and of any works of repair maintenance or renewal thereof the Undertakers shall use all reasonable care to secure that the condition of any water taken by the protected parties from the Swinchiard or Nant-y-Flint Brook for their mills machinery and works shall be affected as little as may be by the execution repair maintenance or renewal of such works of the Undertakers and before commencing any such works the Undertakers shall give three previous days' notice in writing to the protected parties;
- (4) If any difference shall arise with respect to any of the matters mentioned in this section between the Undertakers and the protected parties such difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the Board of Trade;
- (5) Nothing in this section shall be construed as imposing upon the Halkyn District Mines Drainage Company or their successors in title any obligation to which they would not have been subject if this Order had not been made to continue to discharge water or to permit water to flow from the Halkyn Deep Level into the Swinchiard or Nant-y-Flint Brook.

For protection of
Flint Corporation.

19. For the protection of the mayor aldermen and burgesses of the borough of Flint (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed in writing between the Undertakers and the corporation have effect (that is to say) :—

- (1) The Undertakers shall at their own expense provide and simultaneously with the laying of the line or lines of pipes (Work No. 2) by this Order authorised fix in the

Confirmation (No. 2) Act, 1914.

said line or lines of pipes in such positions as shall be reasonably directed by the corporation six hydrants or fireplugs of such pattern as may be reasonably approved by the corporation which shall at all times after the said line or lines of pipes shall first be charged with water and while the same are used by the Undertakers or their successors in title for the conveyance of water be available for use by the corporation and their officers and servants for taking water free of charge (a) for extinguishing fire and (b) for filling water carts with water for cleansing and watering the streets in the borough of Flint The said hydrants or fireplugs shall from time to time be renewed and kept in effective order by and at the expense of the Undertakers ;

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- (2) Nothing in the preceding subsection of this section shall interfere with or affect the right of the corporation to require the Undertakers to fix fireplugs under and subject to the provisions of the Waterworks Clauses Act 1847 ;
- (3) The Undertakers shall once in every quarter of each year cause an examination and analysis of the water supplied by them to be made by some competent person and shall furnish the corporation free of charge with a copy of all reports of such examinations and analyses The first of such examinations and analyses shall be made not later than the first quarter day after the date on which a supply of water is first given by the Undertakers by means of the works authorised by this Order and the subsequent quarterly examinations and analyses shall be made as nearly as may be at intervals of three months thereafter ;
- (4) The Undertakers shall within three years from the commencement of this Order construct a service reservoir in Mount Pleasant and extend their mains so as to supply the said reservoir ;
- (5) The Undertakers shall not make any higher charge for water supplied by them for any purpose within Mount Pleasant than the charge for the time being made by them for water supplied for the same purpose in any other part of the said borough ;
- (6) The Undertakers shall not at any time supply any water for domestic purposes by means of the works authorised by this Order unless the same shall have been efficiently filtered ;

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Flint.

- (7) After laying any mains in the said borough and before filling in the trench in which the same are laid the Undertakers shall test the capacity of such mains to withstand a pressure not less than that of the working pressure of the said mains ;
- (8) If any difference shall arise between the corporation and the Undertakers as to the position or the pattern of the hydrants to be provided and fixed by the Undertakers pursuant to subsection (1) of this section such difference shall be referred to and determined by an arbitrator to be agreed upon between them or failing such agreement to be appointed on the application of the corporation or of the Undertakers after notice to the other of them by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

*Capital Borrowing Powers and Redemption Fund.*Additional
capital.

20. The limitation prescribed by the Order of 1876 with respect to the amount of the capital of the Undertakers for the purposes of the water undertaking shall not prevent the Undertakers from raising for the purposes of the water undertaking further capital (in this Order referred to as "the additional capital") not exceeding one thousand five hundred pounds Provided that the nominal amount of the capital of the Undertakers for the purposes of the water undertaking shall not exceed in the whole eight thousand one hundred pounds unless the Undertakers are hereafter authorised to raise further capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

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

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

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

- (a) Notice of the intended sale shall be given in writing to the town clerk of the borough of Flint 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 said borough :

- (b) A reserve price shall be fixed and notice thereof shall be sent by the directors of the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be: A.D. 1914.
Flint.
- (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. In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:
- (e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Undertakers in such manner as may be prescribed in a resolution passed by the directors of the Undertakers and to the employees of the Undertakers and to the consumers of water supplied by the Undertakers in such proportions as the directors of the Undertakers may think fit or to one or more of these classes of persons only. Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

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

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

22. All moneys raised under this Order 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

Application
of money.

A.D. 1914. the issue of shares or stock under the provisions of this Order shall
 Flint. not be considered as part of the capital of the Undertakers entitled to dividend.

Limit of dividend on additional capital.

23. The Undertakers shall not in respect of any year pay out of their profits any larger dividend on the additional capital than a dividend at the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital as is issued as ordinary capital or than a dividend at the rate of six pounds in respect of every one hundred pounds actually paid up of the additional capital as is issued as preference capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the said yearly rates.

Dividends on ordinary capital to be paid proportionately.

24. In case in any year (or in any half-year if the Undertakers declare a dividend half-yearly) the net revenue of the Undertakers applicable to dividend is insufficient to pay the full amount of dividend at the prescribed maximum rates on each class of the ordinary capital of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Limit of borrowing powers.

25. Notwithstanding anything contained in section 6 of the Order of 1876 the Undertakers may borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-third part of the amount of the capital of the Undertakers at the time actually raised by the issue of shares or stock including any premium that may be obtained on the sale of any shares or stock under the provisions of this Order and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

Redemption and depreciation funds.

26.—(1) The directors of the Undertakers (in this section called "the directors") may if they think fit in any year in which the Undertakers may be taking water by means of the works by this Order authorised set aside and appropriate out of the revenue of the Undertakers as part of the expenditure on revenue account any sums not exceeding in the whole fifty-five pounds to a fund to be called "the redemption fund" or to a fund to be called "the depreciation fund" or partly to one and partly to the other of such funds:

Provided always that the amount of moneys which may be set aside and appropriated to the redemption fund under the provisions of this subsection shall not exceed in the aggregate a sum of two thousand seven hundred pounds and that the amount of the depreciation fund under the provisions of this subsection shall not exceed one thousand three hundred pounds.

(2) The moneys credited to the redemption fund may be applied from time to time by the directors in paying off any sums repayable

in respect of moneys borrowed by the Undertakers on redeemable securities or otherwise repayable by the Undertakers in respect of borrowed moneys and the moneys credited to the depreciation fund may be applied from time to time by the directors in meeting the expenses incurred in the replacement or removal of plant or works or to any purposes of the water undertaking to which capital is properly applicable.

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(3) The moneys for the time being forming the redemption and depreciation funds or any portion thereof respectively may be invested in securities in which trustees are authorised by law to invest and the interest on such securities shall be carried to the credit of the fund of which such securities respectively form part and in calculating the maximum sum which the Undertakers may appropriate to either of such funds such interest shall be included. Provided always that such interest shall not be reckoned for the purpose of limiting the amount which the Undertakers are by this section authorised to appropriate in any one year to the said funds.

(4) The borrowing powers of the Undertakers under the Order of 1876 and this Order shall be deemed to be reduced by the amount of any borrowed moneys paid off by means of moneys forming part of the redemption fund.

Miscellaneous.

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

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

28.—(A) The Undertakers may make byelaws for the purpose of preventing waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valves soil-pans water-closets baths cisterns and other apparatus (in this Order referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

Byelaws for preventing waste &c. of water.

(B) Such byelaws shall apply only in the case of premises to which the Undertakers are bound to afford and do in fact afford or are prepared on demand to afford a constant supply.

(C) All such byelaws shall be subject to the provisions contained in sections 182 183 184 and 186 of the Public Health Act 1875 and all penalties imposed for the breach of any such byelaws shall be recoverable in manner provided by that Act for the recovery of penalties

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Flint.

and those sections shall for the purposes of this section be construed as if the Undertakers were a local authority within the meaning of those sections and the secretary of the Undertakers were the clerk of the local authority.

(D) A copy of all such byelaws in force for the time being shall be kept at the office of the Undertakers. All persons may at all reasonable times inspect such copy without payment and the Undertakers shall cause to be delivered a printed copy of all byelaws for the time being in force to every person applying for the same on payment of a sum not exceeding sixpence for each copy.

(E) In case of failure of any person to obey such byelaws as are for the time being in force the Undertakers may if they think fit after forty-eight hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Undertakers as the water rates in respect of the premises are recoverable.

Water rates payable by owners of small houses.

29. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Undertakers so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

Supply of water to houses partly used for trade &c.

30. The Undertakers shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required.

Supply of water by hose pipes to stables &c.

31. When water supplied for domestic purposes is used for washing horses carriages or motor cars or for other purposes in stables or premises where horses carriages or motor cars are kept the Undertakers may if a hose-pipe or similar apparatus is used charge such additional sum not exceeding twenty shillings per annum as they may prescribe and any sum charged under this section shall be recoverable in the same manner as water rates.

Contracts for supplying water in bulk.

32. The Undertakers may enter into and carry into effect agreements with any local authority company or persons for the supply of water beyond the limits of supply of the Undertakers as defined by the

Order of 1876 for the supply of water to any such authority company or persons respectively in bulk for any purpose and for such remuneration and on such terms and conditions and for such period as may be agreed upon. Provided that such supply shall not be given except with the consent of any company or persons supplying water under parliamentary authority within the area to be supplied and of the local authority of the district comprising that area nor if and so long as such supply would interfere with the supply of water for domestic purposes within the Undertakers' said limits of supply. Provided also that nothing in this section shall authorise the Undertakers to lay any mains beyond the limits of supply as defined by the Order of 1876.

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33. The Undertakers may sell water meters and any fittings connected therewith upon and subject to such terms (pecuniary or otherwise) and conditions as they think fit.

Power to
sell or let
water meters.

The provisions of section 14 of the Waterworks Clauses Act 1863 shall extend to authorise the Undertakers to let for hire any water fittings to any person supplied by them with water.

34.—(1) The Undertakers may if requested by any person supplied or about to be supplied by them with water furnish to him and repair or alter but shall not manufacture any such water fittings as are required or permitted by their regulations and may provide all materials and work necessary or proper in that behalf and the reasonable charges of the Undertakers in providing such materials and executing such work shall be paid by the person requiring the same.

Power to
supply water
fittings.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Undertakers as the actual owners thereof.

35. The Undertakers shall not be bound to supply more than one house by means of the same communication pipe and may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water.

Undertakers
not bound
to supply
several
houses by
one pipe.

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

Notice of
discontin-
uance.

A.D. 1914.

*Flint.*Notice to
Undertakers
of connecting
or discon-
necting
meters.

37. Before any person connects or disconnects any meter by means of which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Undertakers of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Undertakers and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

Power to
remove
meters and
fittings.

38. The Undertakers by their agents or workmen after forty-eight hours' notice in writing under the hand of the secretary or some other officer of the Undertakers to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which any water fitting belonging to the Undertakers is laid or fixed and through or in which the supply of water is from any cause other than the default of the Undertakers discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice for the purpose of removing and may remove every such water fitting repairing all damage caused by such entry or removal.

Maintenance
of common
pipe.

39. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Undertakers in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the engineer of the Undertakers.

Temporary
discharge of
water into
streams.

40.—(1) For the purpose of constructing enlarging extending repairing cleansing emptying or examining any of their waterworks the Undertakers may cause the water in such works to be temporarily discharged into any available stream or watercourse.

(2) In the exercise of the power conferred by this section the Undertakers shall do as little damage as may be and shall make compensation to all persons for all damage sustained by them by the exercise of such power the amount of compensation to be settled in default of agreement by arbitration in accordance with the provisions of the Arbitration Act 1889.

As to com-
munication
pipes.

41. For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the

conditions and provisions of sections 48 to 52 of the Waterworks
Clauses Act 1847 in relation to the laying of communication pipes.

A.D. 1914.

Flint.

42. If it should appear to the Undertakers that by reason of any injury to or defect in any communication pipe which the Undertakers are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Undertakers to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Undertakers in executing such repairs shall be recoverable by the Undertakers from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier :

Power to
Undertakers
to repair
communica-
tion pipes.

Provided that except in case of emergency the Undertakers shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner or occupier as the case may be of such house or premises not less than twenty-four hours' previous notice of their intention so to enter.

43. If a person requiring a supply of water from the Undertakers has previously quitted premises at which water was supplied to him by the Undertakers without paying to them all water rates and other moneys due from him to the Undertakers they may refuse to furnish to him a supply of water until he pays the same.

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

44. Any justice who issues a warrant of distress in pursuance of the provisions of the Order of 1876 or this Order may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money and such costs shall be ascertained by such justice and shall be included in the warrant of distress for the recovery of such money.

Warrant of
distress to
include costs.

45. Any summons or warrant issued for any of the purposes of this Order may contain in the body thereof or in the schedule thereto several sums due from the same individual.

Several
sums in one
summons.

46. No justice or judge of any county court or quarter sessions shall be disqualified from acting in the execution of the Order of 1876 or this Order by reason of his being liable to the payment of any water rate or other charge under the Order of 1876 or this Order.

Liability
to water
rate not to
disqualify
justice from
acting.

47. As from the first quarter-day after the commencement of this Order section 13 of the Order of 1876 shall be repealed and in lieu thereof the following provision shall be in force and have effect:—

Price of gas.

The price to be charged by the Undertakers for gas supplied by them to persons who shall burn the same by meter shall not at any time exceed five shillings per thousand cubic feet.

A.D. 1914.

Flint.
Costs of
Order.

48. 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.

FISHERTON ANGER AND BEMERTON WATERWORKS.

Fisherton
Anger and
Bemerton.

*Order extending the Limits of Supply of the Fisherton Anger and Bemerton Waterworks Company.**Preliminary.*

Short and
collective
titles.

1. This Order may be cited as the Fisherton Anger and Bemerton Waterworks Order 1914 and the Fisherton Anger and Bemerton Waterworks Act 1867 (in this Order referred to as "the Act of 1867") and this Order may be cited together as the Fisherton Anger and Bemerton Waterworks Act and Order 1867 and 1914.

Commence-
ment of
Order.

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

Incorpora-
tion of
general Acts.

3. The provisions of the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by the Act of 1867 or this Order) incorporated with and form part of this Order.

Interpreta-
tion.

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 new limits" means the area within which the Undertakers are by this Order authorised to supply water.

Undertakers.

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

Extension of Limits.

Extension of
limits of
supply.

6. The Undertakers may supply water within that part of the parish of Bemerton in the rural district of Wilton in the county of Wilts comprising the hamlet of Quidhampton and lying south of an imaginary line one hundred and fifty feet to the north of the road leading from Bemerton to Quidhampton drawn from Church Lane Bemerton on the east to a point north of Quidhampton Mission Room on the west thence turning south to the boundary fence of the enclosure

numbered 119 on Sheet LXVI. 10 of the Ordnance Survey for the county of Wilts (Second Edition 1901) and following the said boundary fence westwards to its termination at the road leading to the Salisbury Race Plain which area is more particularly delineated on the plan signed in duplicate by an assistant secretary of the Board of Trade one copy whereof has been deposited at the Parliament Office House of Lords and the other at the office of the Undertakers and if there should be any difference between the description contained in this section and the area delineated upon such maps the latter shall prevail and subject to the provisions of this Order the Undertakers shall have and may exercise within the new limits all and the like powers privileges and authorities for and in relation to the supply of water including the levying of rents rates and charges and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have and are subject to within the limits of supply authorised by the Act of 1876.

A.D. 1914.

Fisherton
Anger and
Bemerton.

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

Where
Undertakers
not furnish-
ing sufficient
supply local
authority or
company
may supply.

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

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

Costs of
Order.

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