



CHAPTER xxix.

An Act to alter and define the limits of the Kidsgrove Gaslight Company for the supply of gas to confer further powers on the Company and for other purposes. A.D. 1914.

[8th July 1914.]

WHEREAS by the Kidsgrove Gaslight Act 1871 (in this Act referred to as "the Act of 1871") the Kidsgrove Gaslight Company (in this Act referred to as "the Company") were incorporated and were authorised to supply gas within certain limits defined in that Act: 34 & 35 Vict.
c. cv.

And whereas by the Act of 1871 the capital of the Company was fixed at twenty thousand pounds whereof nine thousand two hundred and thirty-five pounds was divided into nine hundred and twenty-four shares of ten pounds each entitled to dividends not exceeding the rate of ten pounds per centum per annum and whereof ten thousand seven hundred and sixty pounds was divided into one thousand and seventy-six shares of ten pounds each entitled to dividends not exceeding the rate of seven pounds per centum per annum and the Company were authorised to borrow the sum of five thousand pounds on mortgage or by the creation and issue of debenture stock as therein provided:

And whereas the Company have raised and expended the whole of their share and loan capital:

And whereas the demand for gas within the Company's present limits of supply has increased and is increasing and it is expedient in order to meet such demand that the Company's works should be enlarged and extended and that the Company should be authorised to construct additional gasworks as hereinafter provided:

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And whereas it is expedient that the Company should be authorised to construct a bridge over the Trent and Mersey Canal leading from Runcorn to the Potteries for the purpose of connecting their lands on either side of the said canal and for other purposes of their undertaking:

And whereas the area in which the Company are authorised by the Act of 1871 to supply gas was defined to be the several parishes towns townships hamlets villages and places of Audley the district of Kidsgrove and the township of Oldcote in the parish of Wolstanton Talk-o'-th'-Hill and Butt Lane in the county of Stafford and Barthomley Alsager and Church Lawton in the county of Chester:

And whereas the area so defined now comprises the parishes of Kidsgrove and Hardingswood in the urban district of Kidsgrove the parish and urban district of Audley and so much of the parish of Tunstall (formerly Goldenhill) in the county borough of Stoke-on-Trent as prior to the date of the County of Stafford (Burslem &c.) Confirmation Order 1894 was included within the township of Oldcote all in the county of Stafford and the parish of Barthomley in the rural district of Nantwich the parish and urban district of Alsager and the parish of Church Lawton in the rural district of Congleton all in the county of Chester and it is expedient that the limits of supply of the Company should be defined by reference to the existing local areas and should be extended:

And whereas so much of the said parish of Audley as is situate beyond the limits of the ecclesiastical parish or chapelry of Talk-o'-th'-Hill is now supplied with gas by the urban district council of Audley and so much of the parish of Tunstall (formerly Goldenhill) in the county borough of Stoke-on-Trent as prior to the date of the County of Stafford (Burslem &c.) Confirmation Order 1894 was included within the township of Oldcote is supplied with gas by the British Gaslight Company Limited under the British Gaslight Company Limited (Staffordshire Potteries) Act 1858 and it is expedient that the said portions of the said parishes should be excluded from the Company's limits for the supply of gas:

21 & 22 Vict.
c. xxxiii.

And whereas portions of the district supplied with gas by the Company as altered and defined by this Act are within the limits for the supply of gas of the British Gaslight Company Limited under the British Gaslight Company Limited (Staffordshire

Potteries) Act 1858 but the said company are not supplying and never have supplied gas to any part of such district and it is therefore expedient that so much of the last-mentioned Act and any Act or Acts amending the same as relates to the supply of gas within any portions of the said district should be repealed: A.D. 1914.

And whereas it is expedient that the Company should be authorised to raise additional capital and that the other powers in this Act contained should be conferred upon the Company:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas plans and sections showing the lines and levels of the works by this Act authorised and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands over which the said works will be constructed were duly deposited with the clerk of the peace for the county of Stafford and such plans sections and book of reference are in this Act respectively referred to as the deposited plans sections and book of reference:

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

PART I.

PRELIMINARY.

1. This Act may be cited as the Kidsgrove Gas Act 1914 and this Act and the Act of 1871 may be cited together as the Kidsgrove Gas Acts 1871 to 1914. Short titles.

2. This Act is divided into parts as follows:—

Act divided
into parts.

- Part I.—Preliminary.
- Part II.—Additional lands.
- Part III.—Supply of gas.
- Part IV.—Financial.
- Part V.—Miscellaneous.

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Incorporation of general Acts.

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

- (A) The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts ;
- (B) The Gasworks Clauses Act 1847 (except sections 30 to 34 both inclusive) as amended by the Gasworks Clauses Act 1871 Provided that section 13 of the former Act shall be read as if the words “or any premises” were inserted after the words “private building” and as if the words “Provided also that “every such contract entered into by the Company “shall be alike in terms and amount under like circumstances to all consumers” were added at the end of that section and also that section 35 of the former Act shall be read and construed as if the words from “in case the whole” down to the words “have been paid” all inclusive were omitted therefrom and as though the expression “the prescribed rate” included the standard rates of dividend or such rates as reduced or increased in accordance with the provisions of this Act together with any sum which under the provisions of this Act may be carried to the special purposes fund ;
- (C) The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement); and
- (D) The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and in the application of those provisions to this Act the term “railway” shall mean the bridge with approaches thereto by this Act authorised and the expression “centre of the railway” shall mean the boundaries of the said bridge and approaches.

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

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—
Interpreta-
tion.

The expression “the Company” means the Kidsgrove Gaslight Company;

The expression “the Act of 1871” means the Kidsgrove Gaslight Act 1871;

The expression “limits of supply” means the limits within which the Company are authorised by this Act to supply gas;

The expressions “the undertaking” and “the gas undertaking” mean the undertaking of the Company for the supply of gas as authorised by the Act of 1871 and this Act.

PART II.

ADDITIONAL LANDS.

5. The Company may upon the lands described in the First Schedule to this Act or any part or parts 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 within the limits of supply and may on the said lands convert and manufacture residual products resulting from the manufacture of gas.

Lands for manufacture and storage of gas and powers to construct and maintain gasworks.

6. The Company may for the purposes of the undertaking purchase and take (by agreement but not otherwise) and may hold in addition to the other lands which they are by the Act of 1871 and this Act authorised to hold any lands and hereditaments not exceeding in the whole five acres which they may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands authorised to be so used by or under this or any other Act or Order affecting the undertaking.

Power to purchase lands by agreement.

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Power to
sell and lease
lands.

7. The Company may sell and dispose of or may let on lease for such periods as they think fit any lands acquired by them by agreement and for the time being belonging to them and not at the time required for the purposes of the undertaking and any such sale disposal or lease may be for such consideration and subject to such reservations stipulations and conditions and generally upon such terms and conditions as the Company think fit and notwithstanding anything in the Gasworks Clauses Act 1871 contained the provisions of sections 128 to 132 (both inclusive) of the Lands Clauses Consolidation Act 1845 shall not apply to the lands sold or disposed of by the Company under the powers of this section.

Power to
divert foot-
path.

8.—(1) The Company may divert the public footpath crossing the lands described in the First Schedule to this Act in the manner shown on the deposited plans and subject to the provisions of this section may stop up and cause to be discontinued as a footpath so much of the existing footpath as is situate between the points "A" and "B" shown on the said plans.

(2) Such stopping up shall not take place until two justices shall have certified that the new portion of footpath has been completed to their satisfaction and is open for public use and as from the date of such certificate all rights of way over or along the existing footpath between the points aforesaid shall be extinguished and the Company may appropriate and use for the purposes of their undertaking the site of the existing footpath so far as the same is stopped up:

Provided that the Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section and such compensation shall be settled in manner provided by the Lands Clauses Acts with reference to the taking of lands otherwise than by agreement.

Power to
construct
bridge.

9.—(1) Subject to the provisions of this Act the Company may in the urban district of Kidsgrove construct and maintain in the lines and according to the levels shown on the deposited plans and sections the works hereinafter described (that is to say):—

A bridge with approaches thereto for vehicular and pedestrian traffic of the Company over the Trent and Mersey Canal leading from Runcorn to the Potteries commencing at a

point 283 feet or thereabouts measured in a westerly direction from the existing bridge which carries the road from Hardingswood to Butt Lane over the said canal and terminating at a point 64 feet or thereabouts in a southerly direction from the said point of commencement;

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together with all such embankments roadways footways drains and conveniences as may be necessary or expedient.

(2) The Company may lay down construct maintain and use on and over the bridge and approaches by this Act authorised and in and across and over any lands shown on the deposited plans all such rails and other works and apparatus as may be necessary or convenient for the purposes of conveying and transporting coal coke merchandise and other articles and things used for the purposes of or in connection with their undertaking between the Trent and Mersey Canal and the lands and works of the Company and to from and between any parts of the said lands works and undertaking Provided that any mains wires and other works and apparatus shall be so constructed maintained and used by the Company as to prevent any interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General.

10. In the construction of the works authorised by this Act the Company may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding five feet upwards and three feet downwards but not so as to decrease the headway under the said works to less than the headway shown on the deposited sections.

Limits of deviation.

11. The Company shall make full compensation to the owner or owners of and to any other person interested in the lands over which the bridge and approaches by this Act authorised will be constructed for any damage which may be sustained by them by reason of the construction erection and maintenance of the said bridge and approaches and failing agreement the amount of such compensation shall be determined by arbitration in accordance with the provisions of the Arbitration Act 1889.

Compensation to be paid for damage caused by construction of bridge.

12. For the protection of the North Staffordshire Railway Company (in this section referred to as "the railway company") the owners of the navigation from the Trent to the Mersey

For protection of North Staffordshire Railway Company.

A.D. 1914. (in this section referred to as "the canal") the following provisions shall unless otherwise agreed in writing between the railway company and the Company apply and have effect (that is to say) :—

- (1) The bridge over the canal by this Act authorised (in this section referred to as "the bridge") shall be constructed in such a position within the limits of deviation as shall be approved by the canal engineer for the time being of the railway company (in this section referred to as "the canal engineer") and shall be constructed under the supervision and to the reasonable satisfaction of the canal engineer :
- (2) The Company shall not in the construction or maintenance of the bridge alter the line or level of the canal or of the towing path thereof or of any dock culvert lock or the overflows thereon or other work connected with the canal nor contract the present width of the canal or towing path nor the width of any such dock culvert lock or other work nor except so far as may be reasonably necessary during the construction or repair of the bridge obstruct or impede the navigation of the canal or the passage along the towing path or bank of the canal nor the free flow of water along the canal and shall not except as aforesaid intercept cut off take use or diminish or allow to escape the waters of the canal or of any such dock culvert or lock :
- (3) The bridge shall be carried across the canal and towing path with a single span of not less than fifty-eight feet measured at right angles to the face of the abutments and shall be constructed of brick stone steel or iron or any of those materials combined to the reasonable satisfaction of the canal engineer and the bridge shall have a clear headway throughout of not less than ten feet above the present weir level of the canal :
- (4) The Company shall at all times during the construction of the bridge and in carrying out any works hereafter for the repair or maintenance thereof so carry out their works as to leave an uninterrupted width of waterway in the canal of not less than twenty-five feet and of a depth not less than the depth of the water

immediately prior to the commencement of the construction or repair of the bridge as the case may be and with a clear headway over the canal of not less than ten feet above the present weir level of the canal and as far as possible leave the towing path of the canal uninterrupted and free from obstruction :

- (5) The construction of the said bridge shall be completed within six months from the commencement thereof and all temporary works or materials obstructing or interfering with the free navigation of the canal at its full width and present depth or deposited on the towing path shall be removed from the property of the railway company forthwith upon the completion of the bridge or of any repairs or works in connection with the maintenance of the bridge :
- (6) The bridge shall at all times be maintained in good repair and condition so as to prevent damage obstruction or danger to the said canal and towing path or any person lawfully entitled to use the same :
- (7) The Company shall bear and on demand pay to the railway company the reasonable expense of the employment by them during the execution or repair of any works affecting the canal of such person as may be necessary for watching the same with reference to and during the construction or repair of the said bridge and for preventing as far as may be any injury interference loss of water obstruction or accident which may arise from any of the operations or from the acts or defaults of the Company or their contractors or any persons in the employment of the Company or of their contractors with reference thereto :
- (8) If the bridge shall not be kept in such repair as aforesaid and in case the Company after twenty-eight days' notice from the railway company make default in carrying out any necessary repairs it shall be lawful for the railway company to carry out such repairs or to do such things as may be reasonably required and the reasonable expenses incurred by the railway Company in respect thereof shall be repaid to them by the Company :

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- (9) If the erection of the said bridge shall not be commenced within a period of five years from the date of the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same shall cease :
- (10) Any mains wires and other works and apparatus laid in over upon along or across the bridge shall be so constructed maintained and used by the Company as to prevent any interference with telegraphic communication by means of any telegraph line or with the transmission of electricity by any line wire cable or apparatus belonging to or used by the railway company and in the event of any telegraph or electrical line wire cable or apparatus being laid by the railway company after the erection by the Company of any mains wires and other works and apparatus as aforesaid then the Company shall pay to the railway company any additional cost which may be incurred by them by reason of the existence of the said mains wires works or apparatus :
- (11) If any difference shall arise between the Company and the railway company under this section the same shall be determined by the arbitration of an engineer or other fit person to be agreed upon or failing agreement to be appointed by the President for the time being of the Institution of Civil Engineers on the application of either the Company or the railway company and in all other respects the provisions of the Arbitration Act 1889 shall apply to such arbitration.

For protec-
tion of
Cheshire
County
Council.

13. The following provisions for the protection of the county council of the administrative county of Chester (in this section referred to as "the county council") shall notwithstanding anything in this Act contained and unless otherwise agreed between the Company and the county council apply and have effect with respect to the exercise of any powers of the Company in or affecting any main road or any county or main road bridge or approaches thereto in the limits of supply vested in the county council (that is to say):—

- (1) All new mains pipes and works (not being replacements of existing mains pipes and works) to be laid in

or along any such road or in or upon or across any such bridge or approach shall be laid in such position in or at the side thereof as the county council in writing under the hand of their surveyor may reasonably direct:

- (2) The notice required by section 8 of the Gasworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any such road bridge or approach be not less than seven days instead of three days:
- (3) Nothing in this Act contained shall interfere with the right of the county council to alter the level of deviate or improve in any manner they think fit any main road or the approaches to any county or main road bridge in or along which any mains pipes or works of the Company shall have been laid and the Company shall with all reasonable dispatch on receiving notice in writing under the hand of the clerk or surveyor to the county council so to do alter the position of any such mains pipes or works in the manner and to the extent prescribed by such notice or as in case of difference shall be determined in the manner hereinafter prescribed and the county council shall repay to the Company the expense reasonably incurred by the Company in effecting any such alteration of the position of any such mains pipes or works:
- (4) Nothing in this Act contained shall interfere with the right of the county council at any time to remove alter rebuild widen or repair any county or main road bridge or the roadway over the same over or near or attached to which any mains pipes or works of the Company are carried in the same manner as they might have removed altered rebuilt widened or repaired such bridge or the roadway over the same if this Act had not passed and such mains pipes or works had not been laid over or near or attached to such bridge and the county council shall not make any compensation to the Company for any expense or loss to which the Company may be put by reason or in consequence of any such removal alteration rebuilding widening or reparation and in

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the event of any such bridge or the roadway over the same over or near or attached to which any such mains pipes or works are laid being removed altered rebuilt widened or repaired as aforesaid the Company shall at their own cost in all things alter the position of any works by which such mains or pipes are carried over or near or attached to such bridge or the roadway over the same Provided that during the removal alteration rebuilding widening or reparation of such bridge or the roadway over the same as aforesaid the county council shall afford all reasonable facilities to enable the Company temporarily to carry such mains and pipes across any stream or brook so as not to interrupt the continuous supply of gas or to diminish the pressure of such supply through such mains or pipes :

- (5) All works shall be so executed by the Company as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any such road or over any such bridge or approach and the Company shall not break up at any one time a greater consecutive length than one hundred yards of any such road bridge or approach :
- (6) If any difference arises at any time between the county council and the Company touching this section or anything to be done or not to be done thereunder such difference shall be referred to two justices sitting as 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 Company and the county council under the Gasworks Clauses Act 1847.

PART III.

SUPPLY OF GAS.

Alteration
of limits of
supply.

14.—(1) The limits within which the Company may supply gas under the Act of 1871 as amended by this Act shall be extended so as to include the parish of Odd Rode in the rural district of Congleton in the county of Chester and the Company shall have and may exercise within the added area all and the

like powers privileges and authorities for and in relation to the supply of gas 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 existing limits of supply.

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(2) From and after the passing of this Act so much of the parish of Audley as is situate beyond the limits of the ecclesiastical parish or chapelry of Talk-o'-th'-Hill and so much of the parish of Tunstall (formerly Goldenhill) in the county borough of Stoke-on-Trent as prior to the date of the County of Stafford (Burslem &c.) Confirmation Order 1894 was included within the township of Oldcote shall be excluded from the limits within which the Company may supply gas under the Act of 1871 as amended by this Act.

15. From and after the passing of this Act the limits of the Company for the supply of gas shall be deemed to include the parishes of Kidsgrove and Hardingswood in the urban district of Kidsgrove and so much of the parish and urban district of Audley as is situate within the limits of the ecclesiastical parish or chapelry of Talk-o'-th'-Hill all in the county of Stafford and the parish of Barthomley in the rural district of Nantwich the parish and urban district of Alsager and the parishes of Church Lawton and Odd Rode in the rural district of Congleton all in the county of Chester.

Definition of limits of supply.

16. So much of the British Gaslight Company Limited (Staffordshire Potteries) Act 1858 and any Act or Acts amending or extending the same as authorises the British Gaslight Company Limited to supply gas within any portion of the limits of the Company for the supply of gas as altered and defined by this Act is hereby repealed and from and after the passing of this Act all the powers and obligations of the said British Gaslight Company Limited with reference to the supply of gas within any such portion of the said limits shall cease and determine.

Repeal of powers of British Gaslight Company Limited to supply gas within limits of supply.

17.—(1) The prescribed number of candles shall be thirteen.

Quality of gas.

(2) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be the testing place which has been provided by the Company in pursuance of the provisions of section 51 (Company to erect a meter to test quality of gas) of the Act of 1871 or some other testing place to be provided by the Company upon some part of the lands described in the schedule to the Act of 1871 or the First Schedule to this Act.

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

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

(5) The Company shall within six months from the passing of this Act provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same in proper order and repair.

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

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

Saving as to penalties.

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

19.—(1) From and after the thirty-first day of December A.D. 1914.
 one thousand nine hundred and fourteen the standard prices to
 be charged by the Company for gas supplied by them within Dividend
 the parishes of Kidsgrove and Hardingswood shall be three dependent
 shillings and threepence per thousand cubic feet and within the on price
 remainder of the limits of supply three shillings and sixpence charged.
 per thousand cubic feet:

Provided that the price charged by the Company for gas
 supplied by them within the limits of supply (other than the
 said parishes of Kidsgrove and Hardingswood) shall not exceed
 by more than threepence the price for the time being ordinarily
 charged by them for a like supply of gas within the said
 parishes of Kidsgrove and Hardingswood:

Provided also that the Company may increase or reduce
 the prices charged by them for gas above or below the standard
 prices subject to a reduction or increase in the dividends
 payable by the Company on the ordinary capital as follows:—

In respect of any year during any part of which the
 prices charged by the Company for any gas supplied by
 them shall have been one penny or part of a penny
 above the standard prices respectively the dividends
 payable by the Company shall in respect of each penny
 or part of a penny by which the standard prices shall
 have been so increased be reduced below the standard
 rate of dividend by five shillings on every one hundred
 pounds of ordinary capital with a ten per centum
 standard rate of dividend and by three shillings and
 sixpence on every one hundred pounds of such capital
 with a seven per centum standard rate of dividend and
 so in proportion for any fraction of one hundred pounds
 but such reduction shall be calculated only upon which-
 ever of the said prices shall have been increased to the
 greater extent;

In respect of any year during the whole of which the
 prices charged by the Company for gas supplied by
 them shall have been one penny or more below the
 standard prices respectively the dividends payable by the
 Company may in respect of each penny by which the
 standard prices shall have been so reduced be increased
 above the standard rates of dividend by five shillings upon
 every one hundred pounds of ordinary capital with a

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ten per centum standard rate of dividend and by three shillings and sixpence on every one hundred pounds of such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds but such increase shall be calculated only upon whichever of the said prices shall have been reduced to the less extent.

(2) If in any year the dividends payable on the ordinary shares shall comprise a fractional amount less than one-quarter per centum the directors may in their discretion add such fractional amount to the reserve fund or may defer the payment of such fractional amount until the payment of the next or some succeeding dividends and shall in their discretion either add such fractional amount to and pay the same with such succeeding dividends accordingly or add the same to the reserve fund.

(3) As from the thirty-first day of December one thousand nine hundred and fourteen sections 29 (Limits of dividends) 55 (Price of gas at Kidsgrove) and 56 (Price of gas elsewhere) of the Act of 1871 are hereby repealed.

Charge for
gas sup-
plied by
means of
prepayment
meters.

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

(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 the 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 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 or in either of such cases at the rate of ten per centum per annum on the cost of the meter and fittings whichever shall be the higher.

(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 Company in connection therewith. A.D. 1914.

(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.

21. In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:— As to construction and placing of pipes &c. between mains and meters.

(1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Company's mains and the meter so far as such pipes and fittings are intended to be covered over:

(2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

(3) The specification shall be published twice in some newspaper or once in each of two newspapers circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Company:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connexion with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Company's main but within the outside wall of the building:

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Company and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Company Any officer of the Company duly appointed may between nine o'clock in the morning and five o'clock in the

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afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Company's specification or if the meter is not placed as required by this section the Company may refuse to supply gas to the premises until the provisions of this section have been complied with :

- (6) Any person to whom the Company refuse a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Company's specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

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

22. The Company may 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 Act of 1871 and this Act.

Power to lay pipes &c. for ancillary purposes.

23. The Company may lay down and repair take up relay or renew mains pipes and culverts within so much of the urban district of Kidsgrove as is within one-half of a mile from the gasworks of the Company 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 gas 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.

Gas consumers to give notice to Company before removing.

24. At least twenty-four hours' notice shall be given to the Company by every gas consumer either personally at the office of the Company or in writing before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the

Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever date shall first occur. Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company. A.D. 1914.

25. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand from the Company a supply or the continuance of a supply of gas for premises having a separate supply either of gas or electricity (that is to say a supply from an installation other than that of the Company) unless he shall have previously agreed to pay the Company such minimum annual sum as will give to them a reasonable return on the capital expenditure and standing charges incurred by them to meet the possible maximum demand for those premises and the minimum annual sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889. Supply of gas where consumer has separate supply.

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

27. The power to enter premises and to remove pipes meters fittings or apparatus conferred on the Company 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 Company shall not require to take a supply of gas from the Company or to hire from the Company all or any of the pipes meters fittings or apparatus belonging to the Company and let by them on hire to any former occupier of such premises. Power to enter premises and remove fittings.

28.—(1) In any case in which the Company are by virtue of any enactment relating to their gas 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 Company 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 Company) and any person who shall As to mode of cutting off supplies

A.D. 1914. reconnect such service pipe with the meter without the consent of the Company 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.

(2) For the purposes of this section the Company 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.

Occupier
to pay ex-
penses of
reconnect-
ing dis-
connected
supply.

29. In any case in which in consequence of any default on the part of the occupier of any premises the Company shall have cut off the supply of gas to such premises (whether under the existing powers of the Company or under the powers conferred by this Act) and the occupier so in default shall desire to resume such supply he shall pay to the Company the expenses of reconnecting the supply and the Company shall not be under any obligation to supply gas to such occupier until he shall have paid such expenses.

Fittings
not to be
subject to
distress and
though
fixed to
premises to
remain pro-
perty of
Company.

30.—(1) Subject as hereinafter provided any gas fittings tubes meters pipes lamp-posts lamp burners and all other articles and things in any way connected with gasworks or with the supply or use of gas (in this section referred to as "fittings") let on hire by the Company under the provisions of the Act of 1871 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 person in whose possession the same may be.

(2) Subject as hereinafter provided all fittings let on hire by the Company as aforesaid 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 Company 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.

(3) The Company 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 Company as the actual owners thereof.

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

Period of error in defective meters.

32. Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an effective anti-fluctuator together with an effective non-return valve and shall at all times at his own expense keep such anti-fluctuator and valve in proper repair and in default of his so using or keeping such anti-fluctuator and valve in proper repair the Company may cease to supply gas to such consumer. The Company shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator and valve at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator and valve be found in proper order but otherwise at the expense of such consumer.

Anti-fluctuators for gas engines.

33. If any person is required by the Company to give to them security in respect of any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit the Company shall pay interest at the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

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

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

Notice to discontinue supply of gas.

35. The Company may contract with any local authority company or persons authorised to supply gas under parliamentary

Company may enter into con-

A.D. 1914.
 tracts for
 supply of
 gas.

powers in any district adjacent to the limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Company to lay any mains or pipes or to interfere with any street beyond the limits of supply.

PART IV.

FINANCIAL.

Power to
 Company
 to raise
 additional
 capital.

36. The Company may from time to time raise additional capital not exceeding in the whole twenty-five thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share or stock vest in the person or corporation accepting the same unless and until the full nominal amount of such share or stock together with any premium obtained upon the sale thereof shall have been paid in respect thereof Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of twenty-five thousand pounds Provided also that the Company shall not raise by the issue of preference shares or stock a greater amount of such additional capital than twelve thousand pounds.

Except as
 otherwise
 provided
 new shares
 or stock to
 be subject to
 same inci-
 dents as
 existing
 capital.

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

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

38.—(1) All shares or stock created under the powers of this Act 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 Company 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 to each local authority having jurisdiction over any part of the limits of supply and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:
- (B) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:
- (C) No lot offered for sale shall comprise 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 Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary shares or stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of gas supplied by the Company in such proportions as the Company may think fit or to one or more of these classes of persons only Provided in the case of an offer to holders of 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

A.D. 1914. 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 Company 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.

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

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

Dividends
on new
shares or
stock.

40. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares and stock of the same class or description proportioned to the whole amount from time to time called up and paid on such new shares or stock or to the whole amount of such shares or stock as the case may be.

Profits of
Company
limited.
Standard
rates of
dividend.

41. Except as by this Act provided the profits of the Company to be divided amongst the shareholders in any year from and after the thirty-first day of December one thousand nine hundred and fourteen shall not exceed the following rates (which are in this Act referred to as "the standard rates of dividend") (that is to say):—

On the original ordinary shares of ten pounds each issued under the Act of 1871 (and entitled to dividends not exceeding the rate of ten pounds per centum per annum) the rate of ten pounds in respect of every one hundred pounds of such capital;

On the ordinary shares of ten pounds each issued under the Act of 1871 (and entitled to dividends not exceeding the

rate of seven pounds per centum per annum) the rate of seven pounds in respect of every one hundred pounds of such capital;

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On the additional capital to be raised under the powers of this Act the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital and the rate of six pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as preference capital.

42. In case in any half-year the funds of the Company applicable to dividend shall be insufficient to pay the full amount of dividend at the authorised rates on each class of ordinary shares in the capital of the Company a proportionate reduction shall be made in the dividend of each class.

Dividends on different classes of shares to be paid proportionately.

43. Where in any year the dividends which may be paid by the Company shall exceed the standard rates by reason of the price charged by the Company for gas in such year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and any reserve or other fund of the Company existing at the passing of this Act shall be invested in any securities in which trustees are authorised by law to invest money or in such other securities as shall be authorised by a resolution of the Company other than the debentures or stocks of the Company and the dividends and income arising from such securities shall be invested in the same or the like securities in order that the same shall accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividends in any year in which the clear profits of the Company shall be insufficient to enable the Company in such year to pay the dividends at the authorised rates on the ordinary capital of the Company and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund.

Power to create reserve fund.

44.—(1) The directors of the Company may if they think fit in any year appropriate out of the revenue of the Company as part of the expenditure on revenue account any sum not exceeding

Power to create a special purposes fund.

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an amount equal to one per centum of the paid-up capital of the Company 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—

(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 Company 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 Company 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.

Application
of excess of
profits.

45. If the clear profits of the undertaking in any year (after appropriating and setting apart such sum or sums (if any) as may be determined upon under the powers of this Act to any fund or funds thereby authorised) amount to a larger sum than is sufficient to pay the dividends on the preference capital and the dividends at the authorised rates on the ordinary capital of the Company the excess shall be carried to the credit of the profit and loss (net revenue) account of the undertaking for the next following year :

Provided that the sum standing to the credit of such profit and loss (net revenue) account to be carried forward to the next following year shall not at any time exceed the amount required to pay one year's dividends at the authorised rates on the preference and ordinary capital of the Company.

46.—(1) The Company may at any time borrow on mortgage of their undertaking in respect of the capital authorised by the Act of 1871 any sum or sums not exceeding (inclusive of the sum of five thousand pounds borrowed under the Act of 1871 the borrowing of which is hereby sanctioned and confirmed) the sum of six thousand six hundred and sixty-six pounds.

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Power to borrow.

(2) The Company may also subject to the provisions of this Act borrow on mortgage of the undertaking in respect of the additional capital which the Company are by this Act authorised to raise any sum or sums not exceeding in the whole one-third part of the amount of such capital (including premiums) which at the time of borrowing has been raised under the powers of this Act but no sum shall be borrowed in respect of any capital so raised until the Company have proved to a justice of the peace before he gives his certificate under section 40 of the Companies Clauses Consolidation Act 1845 that the whole of the shares or stock at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up.

47. Notwithstanding anything contained in the Act of 1871 the provisions of the Companies Clauses Consolidation Act 1845 relating to the conversion of borrowed money into capital shall not apply to the moneys or any part thereof authorised to be borrowed on mortgage under the Act of 1871 or this Act.

Company not to convert borrowed money into capital.

48. The principal moneys secured by all mortgages or debenture stock granted or issued by the Company in pursuance of the powers of the Act of 1871 and subsisting at the passing hereof shall during the continuance of such mortgages or debenture stock have priority over the principal moneys secured by any mortgages or debenture stock granted or issued by virtue of this Act.

Priority of principal moneys secured by existing mortgages.

49. The provisions of the Act of 1871 by which the mortgagees of the Company are empowered to enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver are hereby repealed but without prejudice to any appointment heretofore made or to the continuance of any proceedings which may have been commenced under any such provision previous to the passing of this Act or to any rights of existing mortgages of the Company at the date of the passing of this Act.

Repeal of provisions of Act of 1871 with respect to appointment of receiver.

50. The mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due

For appointment of receiver.

A.D. 1914. on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than four thousand pounds in the whole.

Mortgages
to have
priority over
other debts.

51. All money raised or to be raised by the Company on mortgage or debenture stock under the Act of 1871 or this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock.

Debenture
stock.

52. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest on all debenture stock and on all mortgages at any time after the passing of this Act created and issued or granted by the Company under the Act of 1871 or this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock issued after the passing of this Act.

Application
of moneys.

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

Interim
dividend.

54. The directors may in any year without calling a meeting of the shareholders for the purpose pay such interim half-yearly dividend as may appear to the directors to be justified by the

profits of the Company Provided that the amount of any interim half-yearly dividend so paid shall not exceed in any half year one-half of the amount of the authorised rates of dividend.

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

Closing of transfer books previous to declaring interim dividend.

56. If any money is payable to a shareholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt in case of persons not sui juris.

PART V.

MISCELLANEOUS.

57. In addition to the powers which the directors of the Company 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 Company.

Power for directors to determine remuneration of secretary.

58. It shall be lawful for the Company to make superannuation and other allowances and to pay pensions to any officers servants or employees of the Company who may be temporarily or permanently disabled by sickness infirmity or age and for that purpose to apply the funds and revenues of the Company.

Power to make superannuation and other allowances.

59.—(1) The directors of the Company may with the sanction of a majority of the shareholders present and voting at an extraordinary general meeting of the Company prepare put in force and from time to time modify or alter a scheme enabling the workmen servants and employees of the Company (hereinafter called "employees") or any class or classes of such employees as may be defined in such scheme or schemes to participate in the profits of the undertaking as part of the terms of remuneration for the services of any such employee.

Profit sharing.

(2) Any agreement as to service with any employee in pursuance of any such scheme may be entered into with any

A.D. 1914.

employee above the age of sixteen and shall be in writing and may be made on the part of the Company under the hands of any two directors of the Company or under the hand of the secretary of the Company or of any person from time to time appointed on that behalf by resolution of the board of directors of the Company.

Dwelling-houses for Company's employees offices show-rooms &c.

60. The Company may purchase or take on lease houses cottages and buildings for persons in their employ 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 Company.

Authenticat-ion and service of notices by Company.

61. Any notice to be served by the Company on a person supplied with gas shall be sufficiently authenticated by the signature of the secretary of the Company being affixed thereto in writing or by stamp or if it be a notice to pay any charge in respect of a supply of gas by the name either of the secretary or of a collector of the Company being affixed thereto in print or by a stamp and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

Several sums in one summons.

62. Where the payment of more than one sum by any person is due under this Act any summons or warrant issued for the purposes of this Act in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Recovery of penalties &c.

63. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

64. Proceedings for the recovery of any demand made under the authority of this Act or the Act of 1871 or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

A.D. 1914.
—
Recovery of demands.

65. The sections of the Act of 1871 of which the numbers and marginal notes are set forth in the Second Schedule to this Act are hereby repealed.

Repeal of certain provisions of Act of 1871.

66. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Crown rights.

67. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be charged against revenue.

Costs of Act.

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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

LANDS FOR GASWORKS.

All that piece or parcel of land with the dwelling-house and buildings now standing and being thereon containing by admeasurement 10,647 square yards or thereabouts situate in the parish of Hardingswood in the urban district of Kidsgrove in the county of Stafford and now belonging to the Company which said piece or parcel of land is bounded on the north-east side thereof in part by the Trent and Mersey Canal leading from Runcorn to the Potteries and in other part by a strip of land (formerly part of the lands of the Company but now belonging to the North Staffordshire Railway Company) on the south-west side thereof by the Trent and Mersey Canal leading from Macclesfield to the Potteries on the north-west side thereof by land of the North Staffordshire Railway Company and on the south-east side thereof partly by land of Justinian Heathcote Edwards Heathcote and partly by the road leading from Hardingswood to Butt Lane.

SECOND SCHEDULE.

SECTIONS OF THE ACT OF 1871 REPEALED.

- 5.—(Limits of Act).
 14.—(Rents &c. due to original Company payable to Company hereby created).
 15.—(Payment of existing debts).
 22.—(New shares to be offered first to existing shareholders).
 23.—(How offer to be made and shares to vest).
 24.—(As to disposal of shares not taken by proprietors).
 25.—(Power to enlarge time for accepting new shares).
 26.—(Calls).
 27.—(New shares not to issue till one-fifth paid up).
 30.—(Power to sell lands not wanted).
 40.—(Moneys payable to shareholders under disability).

- 43.—(Power to create debenture stock).
45.—(Notice to Company of putting up meters).
50.—(Quality of gas).
51.—(Company to erect a meter to test quality of gas).
52.—(As to testing the quality of the gas).
53.—(Costs of experiment to be paid according to event).
54.—(Company may require consumers to use meters).
57.—(Power to Company to let meters).
58.—(Register of gas meters to be primâ facie evidence).
59.—(Power to remove meters and fittings).
62.—(Consumer leaving premises without paying gas rent).
63.—(Fraudulently injuring meters).
64.—(Recovery of charges for gas &c. due to Company).
65.—(Contents of warrant).
66.—(Warrant may include costs).
67.—(Recovery of sums due to Company by action or plaint).
68.—(Penalties not cumulative).
69.—(Liability to gas rent not to disqualify justices).

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