



CHAPTER xxxvii.

An Act to empower the Rhymney and Aber Valleys Gas and Water Company to acquire additional lands for gas and water purposes to raise additional capital to create a further amount of debenture stock and for other purposes. A.D. 1914.
[8th July 1914.]

WHEREAS by the Rhymney and Aber Valleys Gas and Water Act 1898 (in this Act referred to as "the Act of 1898") the Rhymney and Aber Valleys Gas and Water Company (hereinafter called "the Company") were incorporated and authorised to construct works and to take over the undertaking of the Rhymney Valley Gas and Water Company authorised by the Rhymney Valley Gas and Water Act 1892 and also the gas and water undertakings of several local authorities and companies on the terms of the agreements scheduled to and confirmed by the Act of 1898 and the Company obtained authority to supply gas and water to and within the parishes and places in the counties of Glamorgan Monmouth and Brecon comprised within the limits of that Act and to raise two hundred and eighty thousand pounds by shares of which sum two hundred thousand pounds was allocated to the water undertaking and eighty thousand pounds to the gas undertaking and to borrow on security of the whole undertaking seventy thousand pounds on mortgage and by the Act of 1898 it was provided that the Company should keep separate accounts of receipts and expenditure on capital and revenue account in respect of their gas and water undertakings respectively :

And whereas by the Rhymney and Aber Valleys Gas and Water Act 1905 (in this Act called "the Act of 1905") the

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A.D. 1914. Company were authorised to attach a preferential dividend not exceeding five per centum per annum to an amount of not exceeding one hundred thousand pounds part of the balance of the unissued capital authorised to be raised under the Act of 1898 and to extinguish such preferential right to dividend when the profits on the undertaking were sufficient to pay a dividend in any one year of four per centum on the ordinary share capital already issued at the passing of the Act of 1905 and to apply the capital previously raised and to be raised to both gas and water as one undertaking notwithstanding the restriction as to separate accounts contained in the Act of 1898 and the Act of 1898 was amended in other respects so that in future both the gas and water undertakings of the Company should be treated as one undertaking :

And whereas by the Rhymney and Aber Valleys Gas and Water Act 1908 (in this Act called "the Act of 1908") the Company were authorised to construct further waterworks to acquire additional lands for gas purposes and to attach a preferential dividend not exceeding six per centum per annum to a further part of the balance of the unissued capital under the Act of 1898 on the same conditions as were prescribed by the Act of 1905 :

And whereas the Company acquired the undertakings of the local authorities and companies (except that of the New Tredegar Gas and Water Company) under the agreements scheduled to and confirmed by the Act of 1898 and have raised and expended the whole of their authorised capital and have borrowed on mortgage fifty-three thousand three hundred and thirty pounds and have constructed certain of the reservoirs and works authorised by that Act and water is being supplied to every part of the statutory district and further gasworks have been erected and gas is also being supplied to the district:

And whereas by an agreement dated 6th February 1909 and made between the Merthyr Tydfil Corporation (hereinafter called "the corporation") of the one part and the Company of the other part the Company agreed with the corporation for a supply of water to the Company in bulk for the requirements of their statutory district :

And whereas by the Merthyr Tydfil Corporation Water Act 1911 the corporation obtained authority to construct a large impounding reservoir and other works beyond the borough of

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Merthyr Tydfil and an agreement dated 30th March 1911 A.D. 1914.
made between the corporation of the one part and the Company
of the other part was scheduled to and confirmed by that Act
whereby the Company obtained rights in perpetuity to a supply
of water from the corporation and in consequence of this
arrangement it has become unnecessary for the Company to
carry out certain further works in the Rhymney Valley as
authorised by the Act of 1898:

And whereas the demand for both gas and water in the
Company's district has become so great in consequence of
colliery developments that it is expedient that the Company be
authorised for the purpose of extending the existing gasworks
and providing better appliances for filtration on the lands
scheduled to the Act of 1908 and also for the laying of further
mains and pipes to raise additional capital as hereinafter
provided and to create a further amount of debenture stock on
the terms and conditions hereinafter set forth:

And whereas it is expedient that the Company be autho-
rised as hereinafter provided to acquire additional land for gas
and water purposes:

And whereas it is expedient that the other powers contained
in this Act be conferred upon the Company as regards their
gas and water undertaking:

And whereas plans of the additional lands to be acquired
compulsorily or by agreement under the authority of this Act
for gas and water purposes with a book of reference to such
plans containing the names of the owners or reputed owners
lessees or reputed lessees and occupiers of such lands were duly
deposited with the clerk of the peace for the county of
Glamorgan and with the clerk of the peace for the county of
Monmouth and are in this Act respectively referred to as the
deposited plans and book of reference:

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

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):—

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Short title.

1. This Act may be cited as the Rhymney and Aber Valleys Gas and Water Act 1914.

Incorporation of general Acts.

2. The following Acts and parts of Acts so far as the same are applicable for the purposes of and not inconsistent with the provisions of this Act are incorporated with and form part of this Act (namely):—

(1) The Lands Clauses Acts :

(2) The Waterworks Clauses Acts 1847 and 1863 except the words “with the consent in writing of the owner “or reputed owner of any such house or of the agent “of such owner” in section 44 of the Waterworks Clauses Act 1847 :

(3) The Gasworks Clauses Acts 1847 and 1871 :

(4) The Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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

The forfeiture of shares for non-payment of calls ;

The remedies of the creditors of the Company against the shareholders ;

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 borrowing of money by the Company on mortgage or bond ;

The giving of notices ; and

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

And Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 shall (subject to the provisions of this Act) extend and apply to the Company and the additional capital by this Act authorised to be raised.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. A.D. 1914.
Interpreta-
tion.

In this Act—

The expression “the Company” means the Rhymney and Aber Valleys Gas and Water Company;

The expression “the Act of 1898” means the Rhymney and Aber Valleys Gas and Water Act 1898;

The expression “the Act of 1905” means the Rhymney and Aber Valleys Gas and Water Act 1905;

The expression “the Act of 1908” means the Rhymney and Aber Valleys Gas and Water Act 1908;

The expression “the undertaking” means the gas and water undertaking of the Company for the supply of gas and water as authorised by the Act of 1898 and any subsequent Act extending or amending that Act.

ADDITIONAL GAS LANDS.

4. The Company may purchase hold and use for the purposes of their gas undertaking the land hereinafter described and shown upon the deposited plans and any right or easement thereunder and thereover and upon all or some of such lands may erect construct 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 their statutory limits and may on the said lands convert and manufacture residual products resulting from the manufacture of gas. Purchase of
additional
land for gas
purposes.

The land hereinbefore referred to is as follows:—

All that piece or parcel of land or ground situate in the parish of Bedwas in the urban district of Bedwas and Machen in the county of Monmouth lying on the south side of the road leading from Bedwas to Machen bounded on the north and east by land belonging or reputed to belong to William James Thomas on the west by land belonging or reputed to belong to the Ystradyfodwg Glebe (vicar the Rev. Canon William Lewis) and in the occupation of William John and on the south by the Rhymney River.

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ADDITIONAL WATER LANDS.

Power to acquire additional lands for water purposes.

5. The Company may in addition to the lands now belonging to them purchase the additional lands shown upon the deposited plans for filtration purposes in connection with their water undertaking.

The land hereinbefore referred to is as follows:—

All that piece or parcel of land or ground situate at Senghenydd in the parish of Eglwysilan in the urban district of Caerphilly in the county of Glamorgan being part of Parc Mawr farm bounded on the east by the back lane to Grove Terrace and bounded on all other sides thereof by Parc Mawr farm belonging or reputed to belong to Thomas Thomas and leased to the Universal Steam Coal Company Limited and now vested in the Lewis Merthyr Consolidated Collieries Limited.

Power to hold lands for protection of waterworks.

6. The Company may hold any lands acquired by them under the powers of this Act 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 this Act or the Lands Clauses Acts respectively but the Company shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings and works as may be incident to or connected with their water undertaking.

Company may sell spare lands of undertaking.

7. The Company may subject to the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands sell lease exchange or otherwise dispose of to such persons and in such manner as the Company may think fit any lands houses or other property for the time being belonging to the Company which they do not require for the purposes of their water undertaking.

Power to owners to grant easements &c.

8. 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 Act grant to the Company 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 this

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Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively. A.D. 1914.

9. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

CAPITAL.

10. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 15 of the Act of 1898. Debenture stock.

11. The Company may from time to time raise for the general purposes of their gas and water undertaking additional capital not exceeding in the whole one hundred and fifty thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds 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 premiums which may be obtained on the sale thereof the sum of one hundred and fifty thousand pounds. Power to raise additional capital for gas and water purposes.

12. 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. New shares or stock to be subject to same incidents as other shares or stock.

13. The capital in new shares or stock so created shall form part of the capital of the Company. New shares or stock to form part of capital of Company.

14. 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 or stock of the same class or description Dividends on new shares or stock.

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Limits of dividend on new capital.

15. The Company shall not in any year declare or make out of their profits any larger dividends on the additional capital authorised by this Act than seven pounds in respect of every one hundred pounds actually paid up of so much of such capital as shall be issued as ordinary capital and six pounds in respect of every one hundred pounds actually paid up of so much of such capital as shall be issued as preference capital.

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

16. 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.

New and existing shares or stock may be of same class.

17. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Act the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

As to votes in respect of preference shares converted into ordinary.

18. Any holder of preference shares created and issued under the authority of the Acts of 1905 and 1908 shall so soon as such shares are converted into ordinary shares as provided by those Acts have the same rights in all respects of voting at meetings of the Company as ordinary shareholders under the Act of 1898.

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

19.—(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:—

(A) Notice of the intended sale shall be given in writing to the clerk of each district council whose district is within any part of the limits of supply of the Company and also 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 and preference 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 water or gas as the case may be 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 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 subsections (2) and (3) of

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(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 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 premium
arising on
issue of
shares or
stock.

20. 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 shares or stock under the provisions of this Act shall not be considered as part of the capital of the undertaking entitled to dividend Provided that in any case where a power to raise money by borrowing or to create a reserve fund is made proportionate to the nominal capital the premiums received from the sale of shares or stock by auction or tender as hereinbefore provided shall for such purposes be reckoned as part of the nominal capital.

Power to
borrow.

21. The Company may subject to the provisions of this Act borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one-third part of the amount of the additional capital which at the time of borrowing has been raised under the powers of this Act including premiums 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 the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock or shares at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up.

For appoint-
ment of
receiver.

22. Section 14 (Appointment of a receiver) of the Act of 1898 is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the date of the passing of this Act and in lieu thereof the mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their

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mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds or one-tenth part of the total amount for the time being owing by the Company on mortgage whichever shall be the less.

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23. 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.

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

Limit of interest on money borrowed.

25. Except as otherwise expressly provided by this Act all mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and subject to the provisions of the Act under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Existing mortgages to have priority.

26. All money to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any 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 nor shall anything in this section contained affect any claim for land taken used or occupied by the Company for the purposes

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

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A.D. 1914. — of the gas and water undertaking or injuriously affected by the construction thereof or by the exercise of any powers conferred upon the Company.

Application of moneys.

27. All moneys raised under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes of this Act or for the general purposes of the gas and water undertaking of the Company to which capital is properly applicable.

MISCELLANEOUS.

General meetings.

28. Notwithstanding the provisions of section 18 of the Act of 1898 the first general meeting of the Company after the passing of this Act shall be held in the month of February or March one thousand nine hundred and fifteen and subsequent general meetings of the Company shall be held annually in the month of February or March or in such other month or months as shall be appointed for that purpose by order of a general meeting of the Company.

Removal of obligation to prepare half-yearly accounts.

29.—(1) The Company shall not be under any obligation to prepare or submit to their shareholders or auditors statements of accounts or balance sheets or to hold ordinary general meetings more than once a year and anything which under any special or general Act is authorised or required to be done at a general meeting of the Company to be held at any specified time may be done at the annual general meeting of the Company at whatever time held.

(2) The directors of the Company may if it appears to them that the profits of the Company are sufficient declare and pay an interim dividend for the first half of any year notwithstanding that the accounts are not audited for the half year and that a statement of accounts and balance sheet for the half year is not submitted to the shareholders and may close their register and books of transfer before the date on which the interim dividend is declared in the same manner and for the same time and subject to the same provisions as they may close their register or books before the date on which their ordinary dividend is declared or before the date of their ordinary meeting.

(3) Any statutory provisions affecting the Company shall be read with the modifications necessary to bring them into conformity with this section.

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30. For the protection of the urban district council of Gellygaer (in this section referred to as "the council") the following provisions shall unless otherwise agreed between the Company and the council have effect (that is to say):—

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For pro-
tection of
Gellygaer
Urban
District
Council.

(1) Notwithstanding anything in the Act of 1898 or the Act of 1908 the price to be charged by the Company for gas supplied by them to persons who burn the same by meter within the urban district of Gellygaer shall not at any time after the first day of October one thousand nine hundred and fourteen until the thirtieth day of September one thousand nine hundred and sixteen exceed four shillings per one thousand cubic feet and shall not after the first day of October one thousand nine hundred and sixteen until the thirtieth day of September one thousand nine hundred and twenty-one exceed three shillings and ninepence per one thousand cubic feet:

(2) Notwithstanding anything contained in the Act of 1898 the charge for a supply of water to a bath where the assessable value of the dwelling-house does not exceed ten pounds shall not exceed the sum of seven shillings and sixpence:

(3) From and after the first day of October one thousand nine hundred and fourteen the Company shall supply the council with water in bulk for distribution by the council throughout the village of Troedyrhiw fuwch and in any other portion of the district of the council in which the council may become authorised to supply by purchasing the mains pipes and apparatus belonging to the Bedwelty Urban District Council under the Bedwelty Urban District Council Act 1912 at the price of fivepence per one thousand gallons for any quantity of water up to ten million gallons per annum and at the price of fourpence per one thousand gallons for any further quantity exceeding ten million gallons per annum:

(4) From and after the first day of October one thousand nine hundred and fourteen the Company shall supply the council with water by meter for the purposes defined in section 37 of the Waterworks Clauses Act 1847 and for use at the isolation hospital of

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the council and at the offices of the council and at any public necessaries provided by the council under the Public Health Acts at the following rates:—

(A) If the consumption for all the purposes referred to in this subsection through all meters aggregated together is less than two hundred and eighty thousand gallons per annum the sum of one shilling per one thousand gallons;

(B) If the consumption aggregated as aforesaid amounts to two hundred and eighty thousand gallons but is less than three hundred and twenty thousand gallons per annum the sum of elevenpence per one thousand gallons;

(C) If the consumption aggregated as aforesaid amounts to three hundred and twenty thousand gallons but is less than three hundred and sixty thousand gallons per annum the sum of tenpence per one thousand gallons;

(D) If the consumption aggregated as aforesaid amounts to three hundred and sixty thousand gallons per annum but is less than four hundred thousand gallons per annum the sum of ninepence per one thousand gallons;

(E) If the consumption aggregated as aforesaid amounts to four hundred thousand gallons per annum but is less than two million gallons per annum the sum of eightpence per one thousand gallons;

(F) If the consumption aggregated as aforesaid amounts to two million gallons per annum but is less than four million gallons per annum the sum of sevenpence per one thousand gallons;

(G) If the consumption aggregated as aforesaid amounts to or exceeds four million gallons per annum the sum of sixpence per one thousand gallons:

(5) Whenever the Company in the exercise of any of their statutory powers shall have opened or broken up any road in the district of the council repairable by the council they shall complete the work and fill in the

ground to the reasonable satisfaction of the council and the reinstatement and making good of the road shall include the application of a sufficient layer of surface metalling of the same specification as that employed by the council for the particular road and where the road has been rolled or repaired by the use of a steam or other roller shall include the use of such roller on the places where the road has been broken up until the surface thereof has been made uniform with the unbroken surface adjoining the same to be done at the expense of the Company and to the reasonable satisfaction of the council: A.D. 1914.

- (6) If any difference arise between the Company and the council with reference to any matter provided for by this section such difference shall be determined by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of the Company or the council and the Arbitration Act 1889 shall apply to any such arbitration.

31. So much of section 8 (Repeal of section of Act of 1898 providing for separate capital and accounts for gas and water) of the Act of 1905 as exempts the Company from keeping separate accounts of receipts and expenditure on capital and revenue accounts in respect of the gas undertaking and the water undertaking respectively is hereby repealed and from and after the passing of this Act the Company shall keep separate accounts of expenditure on capital and separate accounts of receipts and expenditure on revenue account in respect of the gas undertaking and the water undertaking respectively. Separate accounts of receipts and expenditure.

32. Section 51 (Testing for quality) of the Act of 1908 shall be read and have effect as if the words "the standard light shall be that supplied by Harcourt's ten-candle pentane lamp" had been inserted therein after the words "bar photometer":— Amendment of section 51 of Act of 1908.

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

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(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Act subject to the terms of his appointment at 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:

(3) Section 30 of the Act of 1898 is hereby repealed.

Recovery of demands in county court.

33. Proceedings for the recovery of any demand made under the authority of this Act or the Acts of 1898 1905 and 1908 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.

Power to Company to apply their funds.

34. The Company may from time to time apply for or towards all or any of the purposes of this Act to which capital is properly applicable any sums of money which they have already raised or are authorised to raise by the Acts of 1898 1905 and 1908 or which may be in their possession or under their control and which are not required for the purposes to which they are by those Acts made specially applicable.

Costs of Act.

35. 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.

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