



CHAPTER lxxxii.

An Act to provide for the transfer of the undertaking of the Slaithwaite Gas Company to the Longwood Gas Company to confer further powers on the Longwood Gas Company and for other purposes.

A.D. 1914.

[31st July 1914.]

WHEREAS the Longwood Gas Company (in this Act referred to as "the Company") were incorporated by the Longwood Gas Act 1875 and were empowered to make and supply gas within the township of Longwood and such parts of the townships of Golcar Lindley-cum-Quarmby and Linthwaite as are defined in section 4 of the said Act :

And whereas further powers were conferred upon the Company by the Longwood Gas Act 1902 and by virtue of the before-mentioned Acts the Company are supplying gas within the limits aforesaid :

And whereas the issued capital of the Company consists of five thousand pounds consolidated preference stock entitled to a uniform preferential dividend of four per centum per annum and seventy thousand four hundred pounds consolidated ordinary stock entitled to a standard dividend of five per centum per annum the dividend on such consolidated ordinary stock being subject to increase or decrease in accordance with the decrease or increase below or above the standard price of three shillings and one penny per thousand cubic feet in the price for the time being charged by the Company for gas supplied by them :

And whereas the Company have borrowed by the creation and issue of bonds which are now outstanding a sum

[Price 2s.]

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A.D. 1914. of twenty-three thousand eight hundred and seventy-three pounds:

And whereas the Company have not issued any debenture stock:

And whereas the price now charged by the Company for gas supplied by them to persons who consume the same by meter is two shillings and six pence per one thousand cubic feet:

And whereas the Slaithwaite Gas Company (in this Act referred to as "the Slaithwaite Company") were incorporated by the Slaithwaite Gas Act 1876 and were empowered to make and supply gas within the township of Slaithwaite and such parts of the townships of Golcar Linthwaite Lingards Marsden-in-Huddersfield and Marsden-in-Almondbury as are defined in the First Schedule to this Act and by virtue of the Slaithwaite Gas Act 1876 the Slaithwaite Company are now supplying gas within the limits aforesaid:

And whereas the issued capital of the Slaithwaite Company consists of the following:—

One thousand preference shares of ten pounds each bearing a preferential dividend of three and three-quarters per centum per annum;

Seven hundred and fifty fully paid shares (being part of the original capital) of ten pounds each entitled to a maximum dividend at the rate of ten per centum per annum; and

One thousand two hundred and fifty shares (being part of the original capital) of ten pounds of which two pounds per share have been paid up entitled to a maximum dividend at the rate of ten per centum per annum:

And whereas the Slaithwaite Company have borrowed by the creation and issue of bonds which are now outstanding a sum of three thousand six hundred pounds:

And whereas the Slaithwaite Company have not issued any debenture stock:

And whereas the price now charged by the Slaithwaite Company for gas supplied by them to persons who consume the same by meter is two shillings and eleven pence per one thousand cubic feet:

And whereas the limits within which the Slaithwaite Company are supplying gas as aforesaid adjoin the limits within which the Company are supplying gas and the Slaithwaite Company have agreed to transfer their undertaking to the Company upon the terms herein-after set forth: A.D. 1914.

And whereas it would be to the advantage of the consumers of gas within the areas supplied by the Company and the Slaithwaite Company respectively and it is expedient that the transfer of the undertaking of the Slaithwaite Company to the Company should be sanctioned as by this Act provided:

And whereas it is expedient that the provisions contained in this Act with respect to the price to be charged by the Company for gas supplied by them in that part of their enlarged area of supply which will comprise the existing limits of supply of the Slaithwaite Company should be made:

And whereas the Slaithwaite Company are empowered to raise the sum of ten thousand pounds by making calls in respect of the one thousand two hundred and fifty partly paid shares in the original capital of the Slaithwaite Company and it is expedient that the Company should be authorised to raise additional capital as in this Act provided to the extent to which such calls shall not have been made by the Slaithwaite Company before the transfer of the undertaking of the Slaithwaite Company:

And whereas it is expedient that such further provisions be made with respect to the Company and their undertaking as are in this Act contained:

And whereas the purposes of this Act cannot be effected 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):—

PART I.

PRELIMINARY.

1. This Act may be cited as the Longwood and Slaithwaite Gas Act 1914. Short title.

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Act divided
into Parts.

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

Part I.—Preliminary.

Part II.—Transfer of undertaking of Slaithwaite Company.

Part III.—Supply of gas.

Part IV.—Change of name.

Part V.—Provisions relating to co-partnership scheme.

Part VI.—Miscellaneous provisions.

Incorpora-
tion of Acts.

3. The following parts of Acts are (so far as the same are applicable to the purposes of and are not inconsistent with or varied by the provisions of this Act) hereby incorporated with and form part of this Act (namely):—

(1) The Gasworks Clauses Act 1847 (except sections 31 to 34) as amended by the Gasworks Clauses Act 1871;

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

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

The making of dividends;

The giving of notices; and

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

And Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) Part III. (relating to debenture stock) and Part IV. (relating to change of name) of the Companies Clauses Act 1863 as amended by subsequent Acts : A.D. 1914.

- (2) Provided that section 13 of the Gasworks Clauses Act 1847 in its application to the Company 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.

4. In this Act the several words and expressions to which meanings are assigned by the Acts 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— Interpretation.

"The Company" means the Longwood Gas Company ;

"The Slaithwaite Company" means the Slaithwaite Gas Company ;

"The Longwood District" means the limits of supply of the Company as existing immediately before the passing of this Act ;

"The Slaithwaite District" means the limits of supply of the Slaithwaite Company as existing immediately before the passing of this Act and as defined in the First Schedule to this Act ;

"The Slaithwaite undertaking" includes subject to the provisions of this Act all rights of making distributing and supplying gas and all other the rights powers authorities and privileges whatsoever of the Slaithwaite Company and all property assets and effects whatsoever and wheresoever and whether real or personal including cash balances reserved fund investments and all other interests and rights in to and out of the property whether real or personal and obligations and things in action of or belonging to the Slaithwaite Company upon or immediately before the date of transfer herein-after

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specified and all books accounts deeds writings and documents relating thereto except any agreement entered into or to be entered into between the Slaithwaite Company and the Company relating to the transfer to the Company of the Slaithwaite undertaking and any letters and documents relative to the enforcing of any such agreements by the Slaithwaite Company but subject to all contracts debts liabilities and obligations of the Slaithwaite Company which shall be subsisting on the said date;

“The date of transfer” means the first day of January one thousand nine hundred and fifteen;

“Limits of supply” means in relation to the Company the area within which the Company are for the time being authorised to supply gas.

PART II.

TRANSFER OF UNDERTAKING OF SLAITHWAITE COMPANY.

Transfer to Company of Slaithwaite undertaking and dissolution of Slaithwaite Company.

5.—(1) As on and from the date of transfer the Slaithwaite undertaking shall by virtue of this Act be transferred to and vested in the Company upon and subject to the terms and conditions contained in this Act and from and after such transfer and vesting the limits within which the Company are authorised to supply gas shall be the area consisting of the Longwood District and the Slaithwaite District.

(2) As on and from the date of transfer the Slaithwaite undertaking shall form part of the undertaking of the Company and the Slaithwaite Company shall be and is hereby dissolved.

Company to issue ordinary and preference stock in substitution for shares of Slaithwaite Company.

6. As soon as reasonably practicable after the date of transfer the Company shall subject to and in accordance with the provisions of this Act issue to those persons who immediately before that date held preference shares or shares in the original capital of the Slaithwaite Company consolidated preference stock and consolidated ordinary stock of the Company to be created as herein-after provided as follows (that is to say):—

To each holder of fully paid shares in the original capital of the Slaithwaite Company for every such share held

by him the sum of twenty pounds of consolidated ordinary stock of the Company : A.D. 1914.

To each holder of partly paid shares in the original capital of the Slaithwaite Company for every such share held by him the sum of four pounds of consolidated ordinary stock of the Company in respect of the two pounds paid up on such shares before the first day of December one thousand nine hundred and thirteen and the sum of one pound of consolidated ordinary stock of the Company in respect of each additional one pound which shall have been paid up on such shares before the date of transfer :

To each holder of preference shares of the Slaithwaite Company for every such share held by him the sum of ten pounds of consolidated preference stock of the Company.

7. All moneys due by the Slaithwaite Company at the date of transfer on mortgage of their undertaking shall as from that date become and be charged upon the undertaking of the Company as if such mortgages had been granted by the Company on the dates on which the same were respectively granted by the Slaithwaite Company and the interest on moneys so due shall rank in all respects save as to the rate of such interest *pari passu* with the interest on all debenture stock of the Company to be issued under the provisions of the Acts relating to their undertaking. As to mortgage debts of Slaithwaite Company.

8.—(1) On the date of transfer there shall be created by virtue of this Act and without any other requisite (in addition to the additional capital which the Company are authorised to raise under the Longwood Gas Act 1902) such a nominal amount of (i) ordinary stock of the Company ranking subject to the provisions of this Act *pari passu* with the existing consolidated ordinary stock of the Company and (ii) consolidated preference stock of the Company as shall be necessary to give effect to the provisions of this Act with respect to the transfer of the Slaithwaite undertaking. Creation of stock of Company for purposes of transfer.

(2) The amounts of consolidated ordinary stock and of consolidated preference stock of the Company to which the holders of shares in the original capital or preference shares

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A.D. 1914. of the Slaithwaite Company become entitled by virtue of this Act shall be vested in such holders as on and from the date of transfer and such holders shall be registered in the books of the Company forthwith after the date of transfer as the holders of such amounts respectively.

(3) The consolidated ordinary stock and consolidated preference stock of the Company to be created as aforesaid shall rank for dividend as from the thirty-first day of December one thousand nine hundred and fourteen and as from that date the shares of the Slaithwaite Company shall cease to bear any dividend.

As to ranking of consolidated ordinary and consolidated preference stock created under Act.

9. The consolidated ordinary stock and consolidated preference stock of the Company created under or by virtue of this Act and to be issued to holders of shares in the original capital or preference shares of the Slaithwaite Company shall subject to the provisions of subsection (2) of the section of this Act of which the marginal note is "As to price of gas in Slaithwaite District" rank *pari passu* with and shall in all respects and for all purposes be deemed to form part of and be consolidated with the existing consolidated ordinary and consolidated preference stock of the Company.

As to interest on debenture stock created under Act.

10. The interest on all debenture stock of the Company created under or by virtue of this Act shall rank *pari passu* with the interest on all debenture stock of the Company to be issued under the provisions of the Acts relating to the Company.

Stock of Company to be equivalent to shares of Slaithwaite Company.

11. The consolidated ordinary stock and consolidated preference stock of the Company of which the holders of shares of the Slaithwaite Company are pursuant to the provisions of this Act respectively registered as the holders shall after registration thereof be held in the same rights on the same trusts and subject (so far as is consistent with such provisions) to the same powers provisions charges and liabilities as those in upon or to which the shares of the Slaithwaite Company for which such consolidated ordinary stock or consolidated preference stock of the Company are respectively substituted were held or were subject immediately before the date of transfer and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any share

of the Slaithwaite Company and trustees executors or administrators and all other holders in any representative or fiduciary capacity of any share of the Slaithwaite Company are hereby expressly authorised and required to accept any consolidated ordinary stock or consolidated preference stock of the Company of which they are pursuant to the provisions of this Act registered as the holders and to hold dispose of or otherwise deal with such consolidated ordinary stock or consolidated preference stock in all respects as they might have held disposed of or otherwise dealt with the shares of the Slaithwaite Company for which the same is substituted and are hereby indemnified in respect of all acts bonâ fide done by them in pursuance of the provisions of this Act.

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12. The Company shall call in the certificates for shares of the Slaithwaite Company for which consolidated ordinary stock or consolidated preference stock of the Company are substituted under the provisions of this Act and shall issue free of charge in exchange for those certificates to the respective holders of the shares of the Slaithwaite Company represented thereby certificates for consolidated ordinary stock or consolidated preference stock (as the case may be) of the Company of the respective amounts but no holder of shares of the Slaithwaite Company shall be entitled to a new certificate until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction of such certificate and shall have given to the Company an indemnity against any and every claim in respect of such lost or destroyed certificate or the shares represented thereby :

Exchange of
certificates.

Provided that until the issue of such new certificates the holders of the existing certificates for shares of the Slaithwaite Company shall (according to the amounts of consolidated ordinary stock or consolidated preference stock of the Company to be issued under the provisions of this Act in substitution for the shares of the Slaithwaite Company which they respectively represent) have and possess the same rights and privileges as if such existing certificates were certificates for those respective amounts of consolidated ordinary stock or consolidated preference stock of the Company but if any such holder neglect or omit to send or deliver to the Company his certificate or certificates for shares of the

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A.D. 1914. — Slaithwaite Company for the period of one year after notice in writing sent by post to the address of such holder appearing in the books of the Slaithwaite Company the Company may suspend the payment of any dividends or interest declared or becoming payable upon or in respect of the consolidated ordinary stock or consolidated preference stock so held by him until such certificate or certificates is or are delivered up to the Company or is or are proved to the reasonable satisfaction of the directors of the Company to have been lost or destroyed and until such indemnity as aforesaid shall have been given.

Transfers of shares of Slaithwaite Company to operate as transfers of stock of Company.

13. All transfers or other dispositions of any shares of the Slaithwaite Company made but not registered before the issue by the Company to the holder of such shares of the certificate or certificates for the consolidated ordinary stock or consolidated preference stock to which such holder is entitled under the provisions of this Act shall notwithstanding the provisions of this Act be valid and have due effect given to them respectively as transfers or dispositions of the amounts of consolidated ordinary stock or consolidated preference stock of the Company which represent the shares of the Slaithwaite Company thereby expressed to be transferred or disposed of and which are substituted for the same by this Act although the instrument of transfer or disposition shall describe the same as a share or shares of the Slaithwaite Company and the Company shall accordingly register the stock in the name of the transferee or person taking under the disposition and any bequest of or any covenant or provision of any deed or instrument which ought in the circumstances to apply to the share or shares of the Slaithwaite Company so transferred or disposed of as aforesaid shall be held to apply to an amount of consolidated ordinary stock or consolidated preference stock of the Company equal to that which is under the provisions of this Act substituted for such share or shares of the Slaithwaite Company.

As to dividend on shares of Slaithwaite Company to 31st December 1914.

14.—(1) The Company shall on the date on which they shall pay the dividend on their existing consolidated ordinary stock for the half-year ending the thirty-first day of December one thousand nine hundred and fourteen pay to the persons who at the date of transfer held shares of the Slaithwaite Company out of the profits of the Slaithwaite Company available for the purpose for the year ending on the thirty-first day of December one

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thousand nine hundred and fourteen dividends at the following A.D. 1914.
respective rates (that is to say):--

To each holder of shares in the original capital of the Slaithwaite Company (if the profits earned by the Slaithwaite undertaking during the said year are sufficient for the purpose) a dividend in respect of the year ending the thirty-first day of December one thousand nine hundred and fourteen on the respective amounts for the time being paid up on such shares held by him calculated at the rate of ten per centum per annum on the amounts paid up thereon before the thirty-first day of December one thousand nine hundred and thirteen and at the rate of five per centum per annum on the amounts (if any) paid up thereon during the year one thousand nine hundred and fourteen :

To each holder of preference shares of the Slaithwaite Company a dividend at the rate of three and three-quarters per centum per annum in respect of the half-year ending the thirty-first day of December one thousand nine hundred and fourteen on the nominal amount of such shares held by him.

(2) Provided that the said dividends shall not be paid by the Company if the Slaithwaite Company shall before the date of transfer have paid the same in respect of such year or half-year.

(3) Separate accounts of the Slaithwaite Company shall be made out for the said year and be audited by the auditors of the Slaithwaite Company in the same manner as they would have been audited if this Act had not been passed but as on and from the first day of January one thousand nine hundred and fifteen the accounts of the Slaithwaite Company shall be incorporated with and dealt with as part of the accounts of the Company.

15.—(1) The several persons who immediately before the date of transfer appear on the registers of the Slaithwaite Company to be holders of shares of any class of that company or the respective executors administrators or assigns of such persons shall for the purposes of this Act and subject to the provisions of the section of this Act of which the marginal note is “Transfers of shares of Slaithwaite Company to operate as

Slaithwaite Company's books to be evidence as to holders of shares.

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transfers of stock of Company” be deemed to be holders of shares of the Slaithwaite Company and the secretary of that company shall on the date of transfer deliver to the Company at the principal office of the Company the said registers and on and after the date of transfer the registers of transfers of shares of the Slaithwaite Company shall be permanently closed and (except as provided by the last-mentioned section of this Act) no transfer of any share or shares of the Slaithwaite Company made on or after that date shall as between the Company and the party claiming thereunder be of any effect.

(2) The issue by the Company of certificates for consolidated ordinary stock or consolidated preference stock (as the case may be) of the Company as aforesaid to the persons whose names appear by the said registers to be registered holders of shares of the Slaithwaite Company or the respective executors or administrators of such persons or to the persons entitled thereto pursuant to the last-mentioned section of this Act shall be a sufficient discharge to the Company for all purposes.

Provisions of Longwood Gas Acts to apply to limits as extended.

16. Subject to the provisions contained in this Act the provisions of the Longwood Gas Act 1875 and the Longwood Gas Act 1902 relating to or affecting the Company and their undertaking at the date of transfer (except so far as such Acts are repealed or amended) and the provisions of this Act relating to or affecting the Company shall apply to the whole undertaking of the Company in addition to the public Acts which apply to that undertaking and as from that date the Company may exercise within the Longwood District and within the Slaithwaite District all or any of the powers rights privileges and authorities conferred by the said Acts in relation to the Longwood District or any part thereof or by this Act.

Certain provisions of Slaithwaite Gas Act 1876 to continue.

17. Such of the provisions of the Slaithwaite Gas Act 1876 relating to the Slaithwaite Company and the Slaithwaite undertaking as are not repealed by this Act shall continue in force within the Slaithwaite District and the Company within the Slaithwaite District may exercise the powers conferred and shall be subject to the obligations imposed by the said provisions in all respects as if the Company had been therein referred to instead of the Slaithwaite Company:

Provided that notwithstanding anything in the said provisions with respect to the limits within which the Slaithwaite Company

may supply gas manufactured by them the Company shall be entitled to supply in any part of the limits of supply any gas manufactured by them under or by virtue of the powers conferred by the said provisions. A.D. 1914.

18.—(1) The Company may from time to time after the date of transfer raise additional capital not exceeding the amount of the original capital of the Slaithwaite Company which at the date of transfer shall not have been paid up by the creation and issue of consolidated ordinary stock or consolidated preference stock or partly by one and partly by the other of those modes respectively and such additional capital shall subject to the provisions of subsection (2) of the section of this Act of which the marginal note is “As to price of gas in Slaithwaite district” rank *pari passu* with and shall in all respects and for all purposes be deemed to form part of and be consolidated with the existing consolidated ordinary stock and consolidated preference stock of the Company. Power to raise additional capital.

(2) Any stock issued by the Company pursuant to this section may be offered by the Company to the holders of partly paid shares in the original capital of the Slaithwaite Company at its nominal value and any such stock which having been so offered is not accepted shall be issued subject to and in accordance with the provisions of the Longwood Gas Act 1902 regulating the issue of additional capital by the Company.

19. Until payment of the dividend in respect of the half-year ending the thirty-first day of December one thousand nine hundred and eighteen a separate register shall be kept by the Company of all consolidated ordinary stock of the Company created and issued under or by virtue of this Act and the certificates to be issued for such consolidated ordinary stock or any certificate which may be substituted therefor on a transfer of any such stock before the payment of such dividend shall be endorsed with a notice to the effect of the provisions of subsection (2) of the section of this Act of which the marginal note is “As to price of gas in Slaithwaite district.” As to separate register of consolidated ordinary stock created under Act and endorsement of certificates.

20. If at the date of transfer any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing by or against or in favour of the Slaithwaite Company the same shall not abate or be discontinued or be in anywise prejudicially affected by reason of the transfer to the Pending actions.

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A.D. 1914. — Company of the Slaithwaite undertaking or of anything in this Act but the same may be continued prosecuted and enforced by against or in favour of the Company as and when it might have been continued prosecuted and enforced by against or in favour of the Slaithwaite Company if this Act had not been passed but not further or otherwise.

Contracts to be binding.

21. All agreements contracts conveyances deeds and other instruments affecting the Slaithwaite Company and in force at the date of transfer shall (subject as herein-after provided) as from such date be as binding and of as full force and effect against or in favour of the Company (as the case may be) and may be enforced as fully and effectually as if instead of the Slaithwaite Company the Company had been a party thereto or bound thereby or entitled to the benefit thereof :

Provided that no contract or agreement (unless entered into in the ordinary course of business or in connection with the maintenance of the Slaithwaite undertaking) and no conveyance deed or other instrument made or entered into by the Slaithwaite Company after the first day of October one thousand nine hundred and thirteen and extending beyond the date of transfer shall be binding on or of any force or effect against or in favour of the Company unless made or entered into with the consent in writing of the Company.

Collection of outstanding debts.

22. All rents rates and charges and other sums and debts at the date of transfer due and payable or accruing due and payable to the Slaithwaite Company shall be payable to and may be collected recovered and enforced by the Company in the same manner and with and by the same benefits and processes as those with and by which the Slaithwaite Company might have enforced the same and shall belong to the Company for their own benefit.

Books &c. to remain evidence.

23. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the Slaithwaite Company shall be admitted in evidence in respect of the same or the like matter for or against the Company.

Officers of Slaithwaite Company to be accountable for books &c.

24. All officers and persons who at the date of transfer have in their possession or under their control any books documents papers moneys or effects forming part of the Slaithwaite undertaking shall be liable to account for and deliver up the

same to the Company or to such persons as the Company may appoint to receive the same and subject to the same consequences on refusal or neglect as if such officers and persons had been appointed by and become possessed of such books documents papers moneys and effects for the Company.

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25.—(1) Three of the directors of the Slaithwaite Company in office immediately before the date of transfer and nominated by the directors of that company previously to the date of transfer shall (subject to their holding by way of qualification stock in the Company the nominal value of which is equal to the amount of capital which would have sufficed to qualify them as directors of the Slaithwaite Company) as from the date of transfer become directors of the Company and thereupon the number of directors of the Company shall be temporarily increased to nine. The directors so becoming directors of the Company shall for the purposes of retirement by rotation retire at the annual general meetings to be held as to one of such directors in the year one thousand nine hundred and sixteen as to the second in the year one thousand nine hundred and seventeen and as to the third in the year one thousand nine hundred and eighteen the order of such retirement to be agreed between the said three directors or failing agreement to be the same as the order in which such directors would have retired if they had remained directors of the Slaithwaite Company. The first three vacancies which shall occur upon the board of directors of the Company after the date of transfer by death resignation or vacation of office otherwise than by rotation of or by directors nominated by the directors of the Slaithwaite Company shall not be filled up.

As to
directors.

(2) Section 45 of the Longwood Gas Act 1875 (Remuneration of directors and auditors) shall be read and have effect as if the words "four hundred and fifty pounds" had been therein inserted instead of the words "two hundred and fifty pounds."

(3) As from the date of transfer the qualification of a director of the Company (other than a director nominated by the directors of the Slaithwaite Company) shall be the possession in his own right of not less than five hundred pounds of stock of the Company and as from such date section 41 of the Longwood Gas Act 1875 (Qualification of directors) shall be and is hereby repealed.

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As to officers
and servants
of Slaith-
waite Com-
pany.

26.—(1) The Company shall subject as is herein-after provided take over and employ as on and from the date of transfer such of the officers and servants of the Slaithwaite Company who shall be in the employment of the Slaithwaite Company at that date as the Company may require and as shall be willing to enter the service of the Company on the same terms and conditions as they were employed by the Slaithwaite Company at the date of transfer but subject to the same obligations as are imposed upon the officers and servants of the Company to contribute to and participate in any superannuation co-partnership or other schemes or funds of the Company.

(2) As from the date of transfer the Company shall take over and employ John Furniss the secretary engineer and manager of the Slaithwaite Company for such period or periods at such remuneration and upon such other terms and conditions as may have been agreed upon between the Company and the said John Furniss before the date of transfer and as from such date as the Company may cease to employ the said John Furniss they may pay to him such annual allowance or pension as may be agreed upon between the Company and the said John Furniss and for the purposes of this subsection the Company may enter into and carry into effect any agreement with the said John Furniss and may apply the funds and revenues of the Company.

As to re-
served fund
of Slaith-
waite Com-
pany.

27. As from the date of transfer the reserved fund of the Slaithwaite Company shall be added to and form part of the reserve fund of the Company.

Power to
borrow.

28. Notwithstanding anything contained in any Act relating to the undertaking 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 capital for the time being of the Company which at the time of borrowing has been raised under the powers of this Act or any other Act relating to the undertaking but no sum shall be borrowed until the Company have proved to the justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with premiums (if any) realised on the sale thereof have been fully paid up.

29. The Slaithwaite Gas Act 1876 except sections 52 and 53 and the schedule to that Act shall as from the date of transfer be and the same is hereby repealed.

Partial re-
peal of
Slaithwaite
Gas Act
1876.

PART III.

SUPPLY OF GAS.

30.—(1) As from the date of transfer until the thirty-first day of December one thousand nine hundred and eighteen the price to be charged by the Company (otherwise than by special contract) for gas supplied by them to persons who consume the same by meter in the Slaithwaite District shall be a price per thousand cubic feet exceeding by the amounts following the price per thousand cubic feet for the time being charged by the Company in the Longwood District (other than that part thereof which is in the township of Lindley-cum-Quarmby in the county borough of Huddersfield) namely in respect of the years ending respectively the thirty-first day of December one thousand nine hundred and fifteen and the thirty-first day of December one thousand nine hundred and sixteen by five pence in respect of the year ending the thirty-first day of December one thousand nine hundred and seventeen by three pence and in respect of the year ending the thirty-first day of December one thousand nine hundred and eighteen by one penny and after the last-mentioned date the price to be charged by the Company throughout the Slaithwaite District shall be and continue the same as the price for the time being charged by the Company in the Longwood District (other than as aforesaid).

As to price
of gas in
Slaithwaite
District.

(2) The rate of dividend payable upon so much of the consolidated ordinary stock of the Company as is vested in the holders of shares in the capital of the Slaithwaite Company under the section of this Act of which the marginal note is "Creation of stock of Company for purposes of transfer" or is issued pursuant to the section of this Act of which the marginal note is "Power to raise additional capital" (in this section referred to as "the Slaithwaite stock") in respect of any half-year before the first day of January one thousand nine hundred and nineteen during any part of which the price

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Act, 1914.

A.D. 1914. — charged by the Company in the Slaithwaite District shall have exceeded the price charged in the Longwood District shall in respect of each penny by which the price charged in the Longwood District shall have been exceeded be less than the rate of dividend payable on the consolidated ordinary stock of the Company other than the Slaithwaite stock by one shilling and three pence on every one hundred pounds of Slaithwaite stock and so in proportion for any fraction of one hundred pounds and for the purpose of ascertaining the rate of dividend payable under section 26 of the Longwood Gas Act 1902 on the consolidated ordinary stock of the Company other than the Slaithwaite stock in respect of any such half-year as aforesaid the price charged by the Company for gas supplied by them shall be deemed to be the price charged by them in the Longwood District (other than that part of the township of Lindley-cum-Quarmby aforesaid which is within the limits of supply).

Supply of gas where consumer has separate supply.

31. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand or continue to receive from the Company a supply of gas for any premises for which he has at the same time a supply of gas from an installation other than that of the Company or a supply of electricity unless he shall have agreed to pay to the Company such minimum annual sum as will give to them a reasonable return on the capital expenditure and will cover charges incurred by them in order to meet the possible maximum demand for those premises and the sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

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

32.—(1) Notwithstanding anything contained in the Acts relating to the Company the price to be charged by the Company for a supply of gas may vary according to the purposes for which the gas is supplied as may be agreed upon between the Company and the person taking such supply Provided that the Company shall not under the powers of this section give any preferential price as between any consumers who shall take a supply of gas for the same purpose under like circumstances.

(2) Section 39 (Discounts) of the Longwood Gas Act 1902 is hereby repealed.

33.—(1) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be the testing place provided in pursuance of the provisions of section 59 (Testing place) of the Longwood Gas Act 1875. A D. 1914.
Testing
quality.

(2) The quality of the gas supplied by the Company shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming 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.

(3) 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.

(4) The Company shall within three months after 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.

(5) Section 60 (Burner) of the Longwood Gas Act 1875 is hereby repealed.

34.—(1) The Company shall at any time within three years after the date of transfer if and when required by any consumer of gas supplied by the Company supply to him and fix free of charge a sufficient number of flat flame burners suitable in all respects for the consumption of gas of the illuminating power prescribed by this Act in substitution for the flat flame burners in use before the date of transfer. Company to
supply suit-
able burners
gratis in lieu
of those in
use.

(2) Notice of the provisions of this section shall be given on each demand note of the Company sent out during the before-mentioned period of three years.

A.D. 1914.

PART IV.

CHANGE OF NAME.

Change of
name of
Company.

35. Subject to the provisions of Part IV. (relating to change of name) of the Companies Clauses Act 1863 the name of the Company shall from and after the date of transfer be "The Longwood and Slaithwaite Gas Company."

PART V.

PROVISIONS RELATING TO CO-PARTNERSHIP SCHEME.

Definitions.

36. In this Part of this Act "the directors" and "the secretary" respectively mean the directors and the secretary of the Company "the co-partnership scheme" means the scheme herein-after referred to by which employees of the Company participate in the profits of the undertaking "employees" means workmen servants and employees of the Company "the trustees" means the trustees under the co-partnership scheme "co-partner" means any person who is a co-partner under such scheme "stock" means and includes stock of the Company "deposits" means any bonus accumulation of dividend and savings of a co-partner credited to his account under such scheme "nominee" means any person or persons named in a nomination made under this Part of this Act and "beneficiary" means and includes any nominee entitled under a nomination made under this Part of this Act and any person entitled under the section of this Act of which the marginal note is "Disposal in case of intestacy" to be registered as holder of any stock or to be paid any deposits.

Profit
sharing.

37.—(1) The directors of the Company may prepare put in force and from time to time modify alter or discontinue a scheme enabling employees or any class or classes of such employees as may be defined in the co-partnership scheme to participate in the profits of the undertaking as part of the terms of remuneration for the services of any such employee.

(2) Any agreement as to service with any employee in pursuance of any such co-partnership scheme may be entered into with any employee who has attained 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 or under the hand of the secretary or of any person from time to time appointed on that behalf by resolution of the board of directors of the Company. A.D. 1914.

38. The Company may from time to time issue to the trustees such an amount of stock created or authorised to be created under any Act relating to the Company as the trustees may from time to time require to purchase for the purposes and under the provisions of the co-partnership scheme or to any co-partner at the request of the trustees such amount of stock as the trustees may specify without having previously offered such stock for sale by public auction or tender or to the holders of stock of the Company. Provided that any stock issued under the provisions of this section shall be issued at the value of stock of the same class or description at the date of issue such value to be determined in accordance with the provisions of the section of this Act of which the marginal note is "Value of stock." Issue of stock to trustees and co-partners.

39. Subject to and in accordance with the regulations set forth in the Second Schedule to this Act any co-partner may nominate any person or persons who on the death of the co-partner shall subject to the provisions of this Part of this Act and to the extent of a total value of not exceeding one hundred pounds be entitled to be registered as holder of any stock and to be paid any deposits standing in the name or to the credit of the co-partner at his death. Disposal of stock and deposits by nomination.

40.—(1) After the expiration of one month from the death of a co-partner who has made a nomination in force at his death the directors and the trustees shall subject to the provisions of this Part of this Act give effect to the nomination to the extent of a total value not exceeding one hundred pounds and shall respectively in accordance with the directions of the nomination but subject to the extent aforesaid register the nominee as holder of the stock and pay to the nominee the deposits standing in the name or to the credit of the co-partner at his death or as the case may be the portion of the stock and deposits mentioned in the nomination. Provided that if the directors or trustees receive notice of any claim of a creditor of the deceased co-partner before the expiration of Proceedings on death of nominator.

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Act, 1914.

A.D. 1914. — one month from the death of the co-partner they shall not give effect to the nomination until such claim has been satisfied disproved or withdrawn.

(2) Notwithstanding anything in this section if the total value of the stock and deposits standing in the name or to the credit of the co-partner at his death exceeds ninety pounds the directors and the trustees shall before giving effect to the nomination to a greater extent than seventy-five pounds require the production of a duly stamped receipt for the succession duty payable on such stock or deposits or a letter or certificate from the Commissioners of Inland Revenue stating that no such duty is payable and the Commissioners shall give such receipt letter or certificate on the payment of the duty or satisfactory proof that no duty is payable as the case may be.

Legality of acts done in ignorance of marriage of nominator.

41. Where the directors or trustees have registered stock in the name of or paid deposits to a nominee in ignorance of a marriage of the deceased co-partner subsequent to the nomination the registration shall be deemed to have been lawfully made and the receipt of the nominee shall be a valid discharge for the sum so paid.

Nominations to take effect as regards stock in priority to deposits.

42. In the event of the directors or trustees being restricted under the provisions of this Part of this Act from giving effect to any nomination made by a deceased co-partner and in force at his death to the whole extent of the nomination they shall primarily give effect thereto to the extent to which it relates to stock.

Disposal in case of intestacy.

43.—(1) If any co-partner dies without having made any nomination under this Part of this Act in force at his death and the total value of the stock and deposits standing in his name or to his credit at his death does not exceed one hundred pounds and probate of the will of the co-partner or letters of administration to his estate are not produced within one month after his death then at the expiration of such month the directors and the trustees may respectively subject to the provisions of this Part of this Act register the stock in the names of and pay the deposits to—

(A) The widow (if any) of the deceased co-partner:

(B) If there be no widow the persons entitled to his effects according to the statutes for the distribution of the effects of intestates in the respective shares in which they are entitled under those statutes: A.D. 1914.

Provided that in every case where the deceased co-partner has left no widow and the persons entitled under the aforesaid statutes are more than two the directors may if they think fit sell the stock and distribute the proceeds among such persons in the shares in which they are entitled under the said statutes and for the purpose of such sale the directors may by a resolution authorise the secretary to execute the transfer of the stock to the purchaser:

Provided also that if the directors or trustees receive notice of any claim of a creditor of the deceased co-partner before the expiration of one month from the death of the co-partner they shall not deal with the stock or deposits under this section until such claim has been satisfied disproved or withdrawn.

(2) The provisions of this section shall also apply in the case of the death of any co-partner having at his death in his name or to his credit stock or deposits of a total value not exceeding one hundred pounds who has made a nomination in force at his death where such nomination relates to a portion only of the stock and deposits standing in his name or to his credit at his death but in such case the provisions of this section shall extend only to the portion of the stock or deposits to which the nomination does not relate.

(3) Notwithstanding anything in this section if the total value of the stock and deposits standing in the name or to the credit of the deceased co-partner exceeds ninety pounds the directors and the trustees shall before dealing with the stock or deposits under this section to a greater extent than seventy-five pounds require the production of a duly stamped receipt from the Commissioners of Inland Revenue for the legacy duty payable on such stock and deposits or a letter or certificate from the Commissioners of Inland Revenue stating that no such duty is payable and the Commissioners shall give such receipt letter or certificate on payment of the duty or satisfactory proof that no duty is payable as the case may be.

(4) Any registration of stock in the name of or payment of deposits or the proceeds of a sale to any person who at the time appears to the directors to be entitled to such stock proceeds or

A.D. 1914.

deposits or any person on behalf of or for the benefit of or as trustee for any person who at the time appears to the directors to be entitled under the foregoing provisions of this section to such stock proceeds or deposits under either of the sections of this Act of which the marginal notes are "Provisions as to infant beneficiaries" and "Directors may appoint trustee for infant beneficiary" and any sale of stock to a bona fide purchaser made by the directors or the trustees under the provisions of this section shall be valid and effectual against any demand made upon the Company the directors or the trustees by any other person Provided nevertheless that the next-of-kin or lawful representative of the deceased co-partner shall have remedy for recovery of such stock proceeds or deposits against the person in whose name the same has been registered or to whom the same has been paid but nothing in this proviso shall confer upon any person any right of action or other remedy for recovery of stock proceeds of sale or deposits or otherwise against a bona fide purchaser of such stock or against the widow of a deceased co-partner or shall confer upon any person in trust for whom or on behalf or for the benefit of whom the stock proceeds or deposits have been so registered or paid any such right of action or remedy against the person in whose name or to whom the same have been registered or paid.

Provisions as to fractional parts of one pound of stock.

44. In every case where under the provisions of this Part of this Act any beneficiary would be entitled to be registered as the holder of any fractional part of one pound of stock either alone or together with an integral number of pounds of stock it shall be lawful for the directors in lieu of registering such beneficiary as holder of such fractional part of one pound of stock to pay him a sum in cash equal to the value of such fractional part on the date of the death of the co-partner in whose name the stock was previously registered and the trustees shall forthwith repay such sum to the directors out of any moneys in their hands requiring to be invested under the co-partnership scheme and such fractional part of stock shall forthwith be registered in the names of the trustees.

Provisions as to infant beneficiaries.

45. Where any beneficiary is an infant under the age of sixteen years and it is proved to the satisfaction of the directors that funds are needed for the maintenance education or benefit of such infant the directors and the trustees may respectively notwithstanding any other provisions of this Part of this Act

register the stock and pay the deposits to which the infant beneficiary is entitled or any part thereof in the name of or to any person who may satisfy the directors that he will apply any money so paid to him or received by him from the sale of or as interest on such stock for the maintenance education or benefit of such infant and the receipt of such person shall be a good discharge to the directors and trustees for any sums so paid. A.D. 1914.

46. Where any beneficiary is an infant under the age of sixteen years it shall be lawful for the directors by a resolution to appoint any person whom they think fit to act as a trustee for such infant beneficiary and thereupon the directors and the trustees shall respectively notwithstanding any other provisions of this Part of this Act register the stock and pay the deposits to which the infant beneficiary is entitled to such person and such person shall apply the deposits and the dividends on the stock or shall sell the stock or any part thereof and apply the proceeds of such sale for the maintenance education or benefit of the infant beneficiary and the receipt of such person shall be a good discharge to the directors and trustees for any sums so paid. Provided always that if and when the infant beneficiary attains the age of sixteen years the person so appointed shall transfer or pay to the beneficiary any stock deposits or proceeds of sale then held by such person on behalf of the beneficiary. Directors may appoint trustee for infant beneficiary.

47. Where any beneficiary is an infant but over the age of sixteen years it shall be lawful for the infant to sell and transfer any stock registered in his name to the trustees at the value thereof to be determined in manner herein-after appearing and the trustees if so required by the beneficiary shall apply any moneys in their hands requiring to be invested under the co-partnership scheme in the purchase of such stock. Power to infant beneficiary over sixteen to sell stock.

48. When the principal value of the estate for the purpose of estate duty of any deceased co-partner exceeds one hundred pounds any stock registered or deposits standing in his name or to his credit at his death shall be deemed for the purpose of estate duty to be property passing on the death of the co-partner but neither the directors nor the trustees shall be accountable for the payment of the estate duty in respect of any stock or deposits which they have registered paid over distributed or otherwise disposed of in accordance with the provisions of this Part of this Act. Estate duty payable in certain cases.

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A.D. 1914.

Power to require declaration of value of estate.

49. The directors and trustees before dealing with any stock or paying to any person any deposits standing in the name or to the credit of a deceased co-partner shall satisfy themselves that the principal value of the estate for the purpose of estate duty of the deceased co-partner does not exceed one hundred pounds and in the absence of other evidence to their satisfaction shall be empowered to require a statutory declaration by such person or some beneficiary to that effect and if they are not satisfied as aforesaid that such principal value does not exceed one hundred pounds they shall before dealing with the stock or paying the deposits to any person other than the legal personal representative of the deceased co-partner to an extent greater than three-fourths of the total value of such stock and deposits require production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty or that no such duty is payable.

Value of stock.

50. For the purposes of this Part of this Act the value of any stock shall be deemed to be the average price at which according to the Company's books sales of stock of the same class or description were effected within the period of six months immediately preceding the date on which the value of the stock is required to be determined or if only one sale were effected within such period at the price on such sale according to the Company's books or if no sales were effected within such period then at the average price of the previous three sales according to the Company's books but in each case there shall be deducted or added such due allowance as shall be necessary having regard to any accrued or accruing dividend at the dates of such sales or the determination of such value and such value shall be certified by the secretary and his certificate shall be binding.

This Part of Act not to have effect unless co-partnership scheme operative.

51. This Part of this Act shall have no force or effect unless a co-partnership scheme under this Act shall have become operative under the provisions of the section of this Act whereof the marginal note is "Profit sharing."

PART VI.

MISCELLANEOUS PROVISIONS.

Notice to be given of persons seeking to be elected directors.

52. After the passing of this Act any person not being a retiring director of the Company wishing to be elected a director of the Company shall not be eligible for election unless notice

be given to the secretary or left at the principal office of the Company ten days at the least before the day of election that such person will be proposed for election as a director and the secretary shall during such ten days and on the day for election fix a copy of every such notice so delivered in some conspicuous place in such office. A.D. 1914.

53. The Company may purchase or take on lease dwelling-houses for persons in their employ and may erect fit up maintain and let houses cottages and buildings for such persons upon any lands for the time being belonging or leased to the Company. Dwelling-houses for workmen.

54. It shall be lawful for the directors of 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.

55. The directors of the Company may subscribe or make donations to infirmaries and hospitals and to convalescent homes and to other institutions and objects or to any exhibition and to the benevolent and sick funds of the employees of the Company and may for that purpose apply the funds and revenues of the Company. Power to directors to subscribe to hospitals &c

56. 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 (under the existing powers of the Company) and the occupier so in default shall desire to resume such supply he shall pay to the Company the expenses of re-connecting the supply and the Company shall not be under any obligation to supply gas to such occupier until he shall have paid such expenses. Occupier to pay expenses of re-connecting discontinued supply.

57. The provisions of section 40 of the Act of 1902 shall extend and apply to all meters engines motors stoves ranges pipes fittings and other apparatus appliances articles and things let by the Company under any hire-purchase agreement as if the same had been let for hire by the Company under that section Provided that the Company shall only be entitled to the benefit of the said provisions in relation to any such agreement as aforesaid so long as any instalment of the purchase-money payable thereunder shall remain unpaid. Extending section 40 of Act of 1902 to fittings supplied under hire-purchase agreements.

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Act, 1914.

A.D. 1914.

Amending
obligations
as to supply
of gas.

58. Notwithstanding anything contained in any enactment to the contrary the Company shall not be obliged to give from any main a supply of gas for any purpose other than lighting or domestic use in any case where the capacity of such main is insufficient for such purpose or if and so long as any such supply would in the opinion of the Company interfere with the sufficiency of the gas required to be supplied by means of such main for lighting purposes.

As to ap-
pointment of
managing
director.

59.—(1) The directors of the Company may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may (but subject to any contract between him or them and the Company) remove or dismiss him or them from office and appoint another or others in his or their place or places.

(2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes but so that any such managing director shall not vote upon his remuneration.

(4) The directors may entrust to and confer upon any managing director such of the powers exercisable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

Power for
directors to
determine re-
muneration
of secretary.

60. 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.

Costs of Act.

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

SCHEDULES referred to in the foregoing Act.

A.D. 1914.

THE FIRST SCHEDULE.

DESCRIPTION OF SLAITHWAITE DISTRICT.

The township of Slaithwaite and so much of the township of Golcar in the parish of Huddersfield as lies to the west and south of Heath House Brook and to the south of a line drawn from the point of its source near Clough Head to the junction of Harts Hole Road with the road known as Slaithwaite Gate thence drawn in a southerly and westerly direction along the centre of the public highway through Waller Clough to a point in the boundary dividing the townships of Golcar and Slaithwaite called Mellor Bridge and so much of the township of Linthwaite in the parish of Almondbury as lies to the west of a straight line commencing at a point in the centre of the River Colne two hundred and forty-five yards or thereabouts west of the point of confluence of the Heath House Brook with the said River Colne and proceeding in a south-easterly direction in a line with the north-eastern corner of Linthwaite Church to a point three hundred yards distant southward from the Manchester Road (formerly known as the Wakefield and Austerlands turnpike road) and to the north of a line drawn from that point in a westerly direction parallel with and at a distance of three hundred yards from the said Manchester Road to the western boundary of the said township of Linthwaite and so much of the township of Lingards in the parish of Almondbury as lies to the north of the old turnpike road known as the Manchester old turnpike road running from west to east from a place called Badger Gate Clough near Yew Tree Heys to a place called Bradley Brook otherwise called Kitchen Brook and so much of the townships of Marsden-in-Huddersfield and Marsden-in-Almondbury as lies within a line commencing at a point in the centre of the River Colne at the point of confluence of the Park Gate Clough and drawn in an easterly direction along the centre of that river to the point of confluence of the rivulet called Cellars Clough thence along Cellars Clough southward to the said Manchester old turnpike road thence continuing in an easterly direction along the centre of that road to Badger Gate Clough thence in a northerly direction along that clough to the River Colne thence in a westerly and southerly direction along the boundary line of the township of Slaithwaite to the Park Gate Clough thence in a southerly direction

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A.D. 1914 along that clough to its point of commencement all in the west riding of the county of York which limits are more particularly defined and shown by a red line on a certain map or plan authenticated by the signature of the late Sir John St. Aubyn Baronet Chairman of the Committee of the House of Commons to whom the Bill for the Slaithwaite Gas Act 1876 was referred which map or plan was deposited in the Private Bill Office of the House of Commons and a duplicate thereof with the clerk of the peace for the west riding of the county of York.

THE SECOND SCHEDULE.

REGULATIONS AS TO NOMINATIONS BY CO-PARTNERS.

1. In these regulations the respective expressions "the directors" "the secretary" "stock" "deposits" and "nominee" have the same respective meanings as are given thereto in Part V. of the Longwood and Slaithwaite Gas Act 1914 and the expression "appointor" means any person who makes a nomination under the provisions of Part V. of that Act.

2. A nomination shall be in writing in the form prescribed by the directors and shall be signed by the appointor in the presence of a witness and shall be sent by post or otherwise to the secretary during the lifetime of the appointor.

3. A nomination when received by the secretary shall be registered by him and the receipt thereof shall be acknowledged but the secretary may refuse to register a nomination which does not comply with these regulations.

4. A nomination which does not comply with these regulations or has not been received by the secretary shall not have any validity or effect.

5. A nomination may be revoked by the appointor by a subsequent nomination registered in accordance with these regulations or by writing under his hand signed in the presence of a witness and the revocation shall be sent by post to or left at the office of the secretary during the lifetime of the appointor.

6. A revocation when received by the secretary shall be registered in like manner as in the case of a nomination and the receipt thereof shall be acknowledged.

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7. A revocation which does not comply with these regulations or has not been received by the secretary shall not have any validity or effect. A.D. 1914.

8. The marriage of an appointor shall operate as a revocation of any nomination theretofore made by that appointor.

9. A nomination may relate to the whole of the stock and deposits standing in the name or to the credit of an appointor or to part only of such stock and deposits.

10. Except where otherwise stated a nomination shall be deemed to extend to all stock and deposits to which an appointor is entitled at the time of his decease up to a total value not exceeding one hundred pounds but an appointor may in a nomination expressly exclude any part of such stock or deposits from the operation of such nomination.

11. A nomination may be in favour of one person or of several persons and in the latter case may subject as herein-after mentioned direct that on the death of the appointor the stock shall be registered in the name of and the deposits shall be paid to one or more of the nominees or that the nominees shall be registered as owners of the stock and shall take the deposits or any of them respectively in specified shares or may give directions to both effects Provided that it shall not be lawful for a nomination to direct that stock shall be registered in the names of more than two persons as joint holders.

12. No person who witnesses the signature of an appointor to a nomination shall take any benefit under such nomination.

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