



CHAPTER xxxii.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Stretford Gas Tonbridge Gas and Rickmansworth and Uxbridge Valley Water. A.D. 1917.
[2nd August 1917.]

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

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

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

And whereas the new limits referred to in the Rickmansworth and Uxbridge Valley Water Order 1917 hereby confirmed include a portion of the parish of Lee which was formerly part of the parish of Wendover and within which the Chiltern Hills Water Company were by the Chiltern Hills Spring Water Act 1870 authorised to supply water but the said company have not in fact supplied water within the portion aforesaid:

And whereas the Undertakers of the said Order have laid a main within the portion of the parish of Lee aforesaid and it has been agreed between them and the said company that the said Undertakers shall be authorised by the said Order to supply water within that portion of the parish of Lee and that

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A.D. 1917. so much of the Chiltern Hills Spring Water Act 1870 as
— authorised the said company to supply water therein shall be
repealed :

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

Short title. **1.** This Act may be cited as the Gas and Water Provisional
Orders Act 1917.

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

Amendment
of 33 Vict.
c. xxv.
(Chiltern
Hills Spring
Water Act
1870). **3.** So much of the Chiltern Hills Spring Water Act 1870
as authorises the Chiltern Hills Spring Water Company to
supply water within the portion of the parish of Lee which is
included within the new limits referred to in the Rickmans-
worth and Uxbridge Valley Water Order 1917 hereby confirmed
and which was formerly part of the parish of Wendover is
hereby repealed and as from the passing of this Act all the
powers of the Chiltern Hills Spring Water Company with
reference to the supply of water within the portion of the
parish of Lee as aforesaid shall absolutely cease and determine
and the Rickmansworth and Uxbridge Valley Water Order 1917
shall have as full validity and effect as though such portion of
that parish had never been included within the limits within
which the said Chiltern Hills Spring Water Company were by
the said Act authorised to supply water.

SCHEDULE.

A.D. 1917.

LIST OF ORDERS.

STRETFORD GAS.—Order extending the powers of the Stretford Gas Company for the manufacture and conversion of residual products arising in the manufacture of gas and amending the Stretford Gas Act 1899.

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

RICKMANSWORTH AND UXBRIDGE VALLEY WATER.—Order empowering the Rickmansworth and Uxbridge Valley Water Company to extend their limits of supply to raise additional capital and for other purposes.

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STRETFORD GAS.

Stretford. Order extending the powers of the Stretford Gas Company for the manufacture and conversion of residual products arising in the manufacture of gas and to amend the Stretford Gas Act 1899.

Short and collective titles.

1. This Order may be cited as the Stretford Gas Order 1917 and the Stretford Gas Act 1862 the Stretford Gas Act 1877 and the Stretford Gas Act 1899 (all of which are in this Order referred to as "the Acts of 1862 to 1899") and this Order may be cited collectively as the Stretford Gas Acts 1862 to 1917.

Commencement of Order.

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

Incorporation of Acts.

3.—(1) The provisions of the Gasworks Clauses Act 1847 and the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by or are inconsistent with the Acts of 1862 to 1899 or this Order) and form part of this Order.

(2) For the purposes of such incorporation the term "special Act" in the said Acts shall mean this Order and the term "the Company" shall mean the Undertakers.

Interpretation.

4. The several words terms and expressions to which by any Act incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings. And in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" shall include the gasworks and works connected therewith by the Acts of 1862 to 1899 and this Order authorised to be maintained or constructed.

Undertakers.

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

Power to use lands for manufacture of residual products.

6.—(1) The Undertakers may—

(a) Upon any lands upon which they are by any Act or Order authorised to make and store gas work up and convert the residual products arising directly or indirectly from the manufacture of gas by them;

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- (b) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith upon the said lands manufacture other products of the same kind as the Undertakers are manufacturing from their own residual products Provided that the quantity of any residual product so purchased by the Undertakers in any year shall not exceed one-third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them ;
- (c) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert the residual products so arising from their own manufacture of gas or purchased as aforesaid :

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But the Undertakers shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Undertakers or purchased from other gas undertakings is merely subsidiary.

(2) The powers conferred by this section shall not prejudice or affect the covenants and conditions as to buildings erections and building lines contained in an indenture of conveyance dated the thirtieth day of November nineteen hundred made between Sir Humphrey Francis de Trafford Baronet and others of the first seven parts and the Undertakers of the eighth part being the conveyance to the Undertakers of the land described in Part III. of the First Schedule to the Stretford Gas Act 1899.

(3) Section 14 (Gas &c. not to be manufactured except on lands scheduled) of the Stretford Gas Act 1899 and the words "but not from the working up manufacture or conversion of residual products" in section 13 (Powers as to construction and maintenance of gasworks &c.) of that Act are hereby repealed.

7. The following provisions for the protection and benefit of the Stretford Urban District Council (in this section called "the council") shall except so far as may otherwise be agreed between the Undertakers and the council apply and have effect (that is to say):—

For protection of
Stretford
Urban Dis-
trict Council.

- (1) The Undertakers shall not cause or allow any effluent arising in the manufacture of gas or in the working up manufacture or conversion of residual products to pass directly or indirectly into any drain or sewer vested in the council or into any stream or watercourse unless they shall have freed such effluent from all noxious matter which would

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injuriously affect or deteriorate any drain or sewer or the contents thereof or the purity or quality of the water in any stream or watercourse :

- (2) Any person authorised in writing in that behalf by the council and producing his authority on being required to do so by the Undertakers may at any reasonable time enter upon any lands and works of the Undertakers and inspect the sewers and drains thereon for the purpose of ascertaining whether the provisions of this section are duly complied with and may take samples of any such effluent passing or intended to pass into any such sewer drain stream or watercourse and the Undertakers shall afford to such person reasonable facilities for the purposes of this subsection :
- (3) If the Undertakers fail or neglect within a reasonable time to comply with any of the provisions contained in this section after the council shall have given notice of such failure or neglect to the Undertakers or have left the same at the principal office of the Undertakers the Undertakers shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding ten pounds for every day on which such failure or neglect shall continue and any penalty under this section may be recovered in a summary manner :
- (4) If any question or difference shall arise under this section between the Undertakers and the council it shall be determined by an arbitrator to be appointed on the application of either party by the Local Government Board and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

Costs of
Order.

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

TONBRIDGE GAS.

A.D. 1917.

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

Preliminary.

1.—(1) This Order may be cited as the Tonbridge Gas Order 1917. Short and collective titles.

(2) The Tonbridge Gas Act 1872 the Tonbridge Gas Order 1890 and the Tonbridge Gas Order 1899 (in this Order respectively referred to as “the Act of 1872” “the Order of 1890” and “the Order of 1899” and collectively referred to as “the Act and Orders 1872 to 1899”) and this Order may be cited together as the Tonbridge Gas Act and Orders 1872 to 1917.

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

3. The following Acts or parts of Acts are (except where the same are expressly varied by this Order) incorporated with and form part of this Order (that is to say):— Incorporation of Acts.

The Lands Clauses Acts (except so much thereof as relates to the purchase and taking of lands otherwise than by agreement and to the entry upon lands by the promoters of the undertaking):

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

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

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

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

The consolidation of the shares into stock;

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

The making of dividends;

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Tonbridge.

The giving of notices; and

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

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

The Gasworks Clauses Act 1847:

Provided that in the application to the Undertakers of the provisions of that Act as incorporated with the Act and Orders 1872 to 1899 and this Order—

(1) Section 13 of the said Act of 1847 shall be read and construed as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the Undertakers shall be alike in terms and amount under like circumstances to all consumers" were added at the end of that section;

(2) Section 35 of the said Act of 1847 shall for the purposes of incorporation with this Order and of its application to the Undertakers be read and construed as if the words from "in case the whole" down to the words "have been paid" were omitted therefrom and as though the expression "the prescribed rate" meant the prescribed rates of dividend as defined by this Order:

The Gasworks Clauses Act 1871.

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

Interpreta-
tion.

4. The several terms and expressions to which by any Act in whole or in part incorporated with this Order or by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings unless there be something in the subject or context repugnant to such construction. And in the construction of this Order or of any such Act for the purposes of this Order the expression "the undertaking" means the undertaking authorised by the Act and Orders 1872 to 1899 as extended by this Order the expression "the prescribed rates" means the rates of dividend authorised by the Order of 1890 the Order of 1899 and this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions contained in the Order of 1890 the expression "the directors" means the directors of the Undertakers and the expression "the limits of supply" means the area within which

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the Undertakers are by the Tonbridge Gas Act and Orders 1872 to 1917 authorised to supply gas. A.D. 1917.
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Undertakers.

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

Extension of Limits of Supply.

6.—(1) The limits for the supply of gas by the Undertakers defined by the Act of 1872 and the Order of 1899 (in this Order called "the existing limits of supply") are hereby extended so as to include the following additional areas in the county of Kent (in this Order called "the additional limits of supply") :— Extension
of limits of
supply.

- (a) So much of the parish of Shipbourne in the rural district of Malling as is not included within the existing limits of supply :
- (b) The detached portion of the parish of Wrotham and urban district of Wrotham lying to the north-westward of and adjoining the said parish of Shipbourne and known as the parish of Wrotham (detached No. 2) :
- (c) So much of the parish of Leigh (including the detached part of that parish lying to the southward of the premises known as Hale Oak and the detached part of that parish lying to the eastward of the pumping station of the Southborough Urban District Council) as is not included in the existing limits of supply the detached portion of the parish of Penshurst situate to the westward of Southwood so much of the parish of Penshurst as is bounded on the south by an imaginary straight line drawn in an easterly direction from the western boundary of that parish at or near White Post to a point on the road leading from Saints Hill to Spring Hill 10 chains or thereabouts north of Colliers Land Bridge on the south-east by a line drawn in a northerly direction to the almshouses near Elliots Farm Penshurst thence along the north-eastern side of Rogues Hill to the eastern boundary of the said parish of Penshurst and thence in a north-easterly direction along that parish boundary to the southern boundary of the parish of Leigh on the River Medway on the north-east by the south-western boundary of the parish of Leigh from the River Medway to the River Eden on the west by the River Eden for a distance of 60 chains or thereabouts measured in a southerly direction

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from the southern boundary of the said parish of Leigh and thence by the western boundary of the said parish of Penshurst to the said point at or near White Post all in the rural district of Sevenoaks :

- (d) So much of the parishes of Hadlow Hildenborough and Tonbridge Rural all in the rural district of Tonbridge as is not included within the existing limits of supply except such portion of the parish of Tonbridge Rural as lies within the limits of supply of the Tunbridge Wells Gas Company as defined by section 5 (Limits of Act) of the Tunbridge Wells Gas Act 1864 and section 6 (Limits of Company for supply of gas extended) of the Tunbridge Wells Gas Act 1875 :

And subject to the provisions of this Order the Undertakers shall have and may exercise within the additional limits of supply all and the like powers privileges and authorities and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have may exercise and are subject to within the existing limits of supply.

(2) The Undertakers may continue maintain and use any mains pipes and other works laid down or constructed before the commencement of this Order within the additional limits of supply as if the same had been laid down or constructed under the powers of this Order and the provisions of this Order and of the Acts incorporated therewith shall apply to the said mains pipes and works in all respects as if the same had been laid down or constructed under the authority of this Order.

Additional Gasworks and Lands.

Power to
maintain
gasworks
and convert
residual
products.

7.—(1) Subject to the provisions of this Order the Undertakers may upon the lands described in the schedule to this Order annexed while they are possessed of the same erect maintain alter improve extend and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply.

(2) The Undertakers may also—

(a) Upon the said lands so long as they are possessed of the same work up and convert the residual products arising directly or indirectly from the manufacture of gas by them :

(b) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith upon the said lands manufacture other products of the same kind

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as the Undertakers are manufacturing from their own residual products Provided that the quantity of any residual product so purchased by the Undertakers in any year shall not exceed one third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them:

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- (c) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert the residual products so arising from their own manufacture of gas or purchased as aforesaid:

But the Undertakers shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Undertakers or purchased from other gas undertakings is merely subsidiary.

Additional Lands and Gasworks.

8. The Undertakers may for the purposes of the undertaking purchase or take on lease (by agreement but not otherwise) and hold in addition to the lands described in the schedules to the Act of 1872 to the Order of 1890 to the Order of 1899 and to this Order annexed any lands which they may require Provided they shall not at any time hold for such purposes more than three acres of land in the whole in addition to the lands described in the said schedules and that they shall not create or permit a nuisance on any such lands and that no lands shall be used by the Undertakers for the purpose of manufacturing gas or residual products or of storing gas except the lands described in the said schedules.

Purchase
of lands by
agreement.

Capital.

9.—(1) In addition to the original and additional capital of the Undertakers as defined or authorised by the Act and Orders 1872 to 1899 they may from time to time—

New capital.

- (a) Raise any further sums not exceeding in the whole thirty-six thousand pounds (in this Order referred to as "the new capital") by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively But the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any such share or stock issued under the authority of this Order vest in the person accepting the same unless

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and until the full price of such share or stock together with any premium obtained upon the sale thereof as hereinafter provided has been paid in respect thereof Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of thirty-six thousand pounds Provided also that the Undertakers shall not raise by the issue of preference shares or stock a greater amount of such new capital than eighteen thousand pounds:

- (b) Borrow on mortgage in respect of the new capital any sum or sums not exceeding in the whole one-third part of the amount of such capital for the time being raised by the Undertakers including any premiums received in respect thereof:
- (c) Borrow on mortgage in respect of the capital authorised by the Act and Orders 1872 to 1899 in addition to any moneys which they are already authorised to borrow five thousand pounds.

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

New capital
to be sold by
auction or
tender.

10.—(1) All shares or stock created under the powers of this Order shall be issued in accordance with the provisions of this section.

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

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

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consecutive weeks in one or more local newspapers circulating within the limits of supply:

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- (b) A reserve price shall be fixed by the directors and notice thereof shall be sent by the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:
- (c) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds:
- (d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum and in case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:
- (e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

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

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

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

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As to conversion of borrowed money into capital.

Receipt in case of persons not sui juris.

New shares or stock to form part of capital.

Application of premium.

Limits of dividend on capital.

Dividends on different classes of shares or stock to be paid rateably.

Consent of Treasury to raising of money.

11. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the issue of debenture stock or any part thereof by the creation of shares or stock instead of borrowing or to convert into capital the amount borrowed under the provisions of this Order.

12. If any money be payable to a shareholder being a minor idiot or lunatic the receipt therefor of the guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

13.—(1) The new capital raised under the powers of this Order shall form part of the capital of the Undertakers and so much thereof as shall be raised by the creation and issue of new ordinary shares or stock shall form part of the "E" capital of the undertaking.

(2) The provisions of section 36 (Fixing price of gas with sliding scale as to dividends) of the Order of 1890 with regard to the reduction or increase of dividend on the ordinary shares in the "A" "B" and "D" capital shall apply to the dividend on the "E" capital by the Order of 1899 and this Order authorised as if that capital were one of the classes of capital mentioned in the said section.

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

15. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividend on the new capital than the standard rates of dividend hereinafter mentioned namely seven pounds in respect of every one hundred pounds which may be issued as ordinary capital and six pounds in respect of every one hundred pounds which may be issued as preference capital.

16. In case in any year or in any half-year (if the Undertakers declare a dividend half-yearly) the funds of the Undertakers applicable to dividend shall be insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividend of each such class.

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

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

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Power to
create debenture
stock.

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

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

20.—(1) The Undertakers may create and issue as redeemable debenture stock any debenture stock which they are by this Order or by the Order of 1899 authorised to create and issue and shall by the resolution creating the same specify the terms and conditions on which the same shall be redeemed.

Undertakers
may issue
redeemable
debenture
stock.

(2) If it is so provided in the resolution the Undertakers may—

- (a) Call in and pay off the stock or any part thereof at any time before the fixed date of redemption; and
- (b) Redeem the stock or any part thereof either by paying off the stock or by issuing to any stockholder subject to his consent other stock in substitution therefor and may for the purpose of providing money for paying off the stock or of providing substituted stock create and issue new stock (either redeemable or irredeemable) or reissue stock originally created and issued under this section. Provided

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that the creation and issue for the purpose of any particular class of stock does not make the total nominal amount of that stock issued exceed the amount of that class of stock which the Undertakers are for the time being authorised to create.

Limit of interest on borrowed money.

21.—(1) The Undertakers shall not without the consent of the Board of Trade pay interest at a higher rate than six per centum per annum in respect of any moneys borrowed on mortgage or in respect of any debenture stock to be issued under the authority of the Act and Orders 1872 to 1899 or this Order.

(2) Section 29 (Debenture stock) of the Act of 1872 section 22 (Limit of interest on moneys borrowed) of the Order of 1890 and section 22 (Limit of interest on money borrowed) of the Order of 1899 are hereby repealed.

Application of excess of profits over prescribed rates of dividend.

22. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital and the dividend at the prescribed rates on the ordinary capital of the Undertakers the excess shall be carried to the credit of the divisible profits of the undertaking for the next following year. Provided that the sum standing to the credit of such divisible profits shall not at any time exceed the amount required to pay one year's dividend on the preference capital and at the prescribed rates on the ordinary capital.

Power to create special purposes fund.

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

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

- (a) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or
- (b) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the paid-up capital of the Undertakers including premiums.

(4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised

by law to invest or may be applied for the general purposes of the Undertakers to which capital is properly applicable or may be used partly in the one way and partly in the other. A.D. 1917.
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(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section.

(6) Subject to the provisions of subsection (3) of this section the Undertakers may transfer to the credit of the special purposes fund such sum as they shall think fit out of the amount standing on the thirty-first day of December one thousand nine hundred and sixteen to the credit of the profit and loss account which was carried forward to the next account.

Quality Testing and Pressure of Gas.

24.—(1) As from one month after the commencement of this Order so much of the provisions of sections 12 28 29 30 32 33 and 36 of the Gasworks Clauses Act 1871 as relate to the illuminating power of gas shall cease to apply to the Undertakers or in respect of the gas supplied by them and sections 34 (Quality of gas) and 37 (Testing gas) of the Order of 1890 shall be and the same are hereby repealed and there shall be substituted a standard of calorific power for the prescribed illuminating power. Standard
calorific
power.

(2) The gas supplied by the Undertakers shall (subject to the provisions of this section) be of a calorific power of not less than five hundred British thermal units when tested in accordance with the provisions of this Order and in the interpretation of this Order the expression "standard calorific power" shall mean five hundred British thermal units and the expression "calorific power" shall mean gross calorific power per cubic foot of gas.

(3) Within one month after the commencement of this Order or such further time as the Board of Trade may allow the Undertakers shall provide and shall thereafter keep and maintain at their works a testing-place (which shall for all the purposes of the Gasworks Clauses Act 1871 be the prescribed testing-place) with apparatus for testing the calorific power of the gas supplied by the Undertakers and such apparatus shall be similar to the apparatus for the time being prescribed by the Metropolitan Gas Referees for testing the calorific power of the gas supplied by the companies referred to in the London Gas Act 1905 and shall be used in the mode and under the conditions for the time being prescribed by the said Referees. When the Undertakers shall have provided in accordance with the provisions of this subsection apparatus for testing the calorific power of the gas they shall be at liberty to remove from the said testing-place any apparatus which they have provided thereat for testing the illuminating power of such gas.

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(4) Any gas examiner appointed in accordance with the provisions of the Gasworks Clauses Act 1871 may by means of the apparatus provided by the Undertakers as aforesaid at the testing-place at any reasonable time test the calorific power of the gas supplied by the Undertakers.

(5) Not more than one testing for calorific power shall be made on any one day. Provided that if on any occasion of testing the calorific power of the gas is found to be below the standard calorific power a second testing shall be made on the same day after an interval of not less than one hour and the average of the two testings shall be deemed to be the calorific power of the gas on that day.

(6) The gas examiner shall on the day immediately following that on which any testing has been made under this section make and deliver a report of the results of his testing to the Undertakers and to the local authority or the justices by whom he was appointed and such report shall be receivable in evidence.

(7) If on any such testing the calorific power of the gas supplied by the Undertakers is found to be below the standard calorific power they shall be liable to the following penalties (that is to say):—

If the deficiency does not exceed fourteen British thermal units two pounds;

If the deficiency exceeds fourteen but does not exceed twenty-eight British thermal units a sum not exceeding five pounds;

If the deficiency exceeds twenty-eight British thermal units then for each complete twenty-eight British thermal units of defective power a sum not exceeding ten pounds.

(8) Any penalty under the provisions of this section may be sued for and recovered in manner provided by section 36 of the Gasworks Clauses Act 1871 for the recovery of penalties under that Act.

Pressure of
gas.

25.—(1) One month after the commencement of this Order section 48 (Pressure of gas) of the Act of 1872 shall be repealed and all gas supplied by the Undertakers to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than fifteen-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.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Order 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 and the Undertakers shall afford to the examiner all reasonable facilities for making any such test.

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26. If after the expiration of five years from the commencement of this Order application is made to the Board of Trade by the Undertakers or by any body or person who may appear to the Board of Trade to have a substantial interest in the matter to reduce or increase the standard calorific power or the pressure prescribed by this Order the Board of Trade after hearing the parties and any other persons who appear to the Board to be interested may make such reduction or increase of the standard calorific power or of the prescribed pressure as they think fit.

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 Power to Board of Trade to vary standard calorific power and prescribed pressure.

27. The Undertakers if and when required at any time within two years after the commencement of this Order by any consumer of gas supplied by the Undertakers shall supply to such consumer and fix free of charge flat-flame burners suitable in all respects for the consumption of gas of the standard calorific power prescribed by this Order in substitution for any burners (not being incandescent burners) in use by the consumer before the commencement of this Order Notice of this condition shall be given on each demand note of the Undertakers during the period of two years hereinbefore mentioned.

Undertakers to supply burners.

28. As from one month after the commencement of this Order the Undertakers shall not be liable to any penalty or forfeiture by reason of the presence in the gas supplied by them of sulphur or sulphur compounds other than sulphuretted hydrogen.

Remission of penalties.

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

Exemptions from penalties in certain cases.

Price of Gas.

30. Notwithstanding anything contained in the Act and Orders 1872 to 1899 it shall be lawful for the Undertakers to charge for gas supplied within the additional limits of supply such a price per thousand cubic feet as shall not exceed by more than ninepence per thousand cubic feet the price for the time being charged by them for a like supply within the limits of supply as defined by the Act of 1872 Provided that the price charged by the Undertakers for gas supplied within the additional limits of supply shall in no case exceed four shillings and sixpence per thousand cubic feet.

Price of gas within additional limits of supply.

Power Gas.

31. The Undertakers in addition to affording a supply of gas under any other power for the time being vested in them may by agreement with the occupier of any premises within the limits of supply

Undertaker may supply gas for power and provi-

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sions as to
charges &c
and condi-
tions in
respect of
gas supplied
therefor.

supply gas to such premises for utilisation as power (hereinafter called "power gas") and the provisions of sections 11 12 24 to 34 36 and 37 of the Gasworks Clauses Act 1871 shall not apply to the Undertakers in respect of power gas and the provisions of this Order and of the Act and Orders 1872 to 1899 with respect to the calorific power pressure or purity of gas supplied by the Undertakers and the testing thereof or with respect to the price of gas shall not be applicable in respect of power gas supplied by the Undertakers or to the Undertakers in respect of power gas and the Undertakers may charge in respect of power gas supplied to the occupier of any such premises such sums as may be agreed between the Undertakers and such occupier as aforesaid.

Conditions
as to quality
of power gas
supplied.

32.—(1) It shall not be lawful for the Undertakers at any time to supply power gas which does not possess a distinctive and readily perceptible smell.

(2) For every contravention of this section the Undertakers shall be liable on summary conviction to a fine not exceeding fifty pounds.

(3) It shall be the duty of the inspectors of factories and the inspectors of mines to enforce the provisions of this section within their district so far as regards factories workshops and mines inspected by them respectively and such inspectors shall for this purpose have all the powers and authorities conferred upon them by section 17 of the Metalliferous Mines Regulation Act 1872 section 119 of the Factory and Workshop Act 1901 and section 98 of the Coal Mines Act 1911 respectively :

Provided that no proceedings shall be taken against the Undertakers by any such inspector in respect of any contravention of the provisions of this section discovered by him on any inspection of a factory workshop or mine unless he shall have given notice in writing to the Undertakers at their principal office of such contravention and of the nature of the contravention as soon as possible after he discovers the same.

Power gas
not to be
supplied for
illumination.

33.—(1) The Undertakers shall not supply power gas for the purpose of illumination and no power gas supplied by the Undertakers shall be used for that purpose.

(2) If any person supplied by the Undertakers with power gas shall use the same for the purposes of illumination the Undertakers shall forthwith upon becoming aware thereof discontinue the supply.

(3) If the Undertakers act in contravention of the provisions of this section they shall for every such offence be liable to a penalty not exceeding twenty pounds and to a penalty not exceeding five pounds for each day during which such offence shall continue after conviction thereof.

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34.—(1) The Secretary of State for the Home Department may at any time either before or after the Undertakers shall have commenced to give a supply of power gas to consumers (after holding such inquiries as he may think fit and considering any representations made to him by the Undertakers) make or impose in the interests of safety to persons regulations terms and conditions with respect to such supply.

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Home Secretary may make regulations as to supply of power gas.

(2) The Undertakers shall not under the powers of this Order or of the Act and Orders 1872 to 1889 supply or continue to supply power gas otherwise than in accordance with any regulations and upon and subject to any terms and conditions which shall have been so made or imposed and shall for the time being be in force. Provided that if in the opinion of the Undertakers compliance with any such regulations terms and conditions would render the supply or continued supply of power gas by them unremunerative or impracticable it shall be lawful for the Undertakers upon giving to all consumers of power gas supplied by them not less than six months' notice of their intention so to do to discontinue such supply and in that event the Undertakers shall not be under any obligation to supply or continue to supply power gas to any person.

(3) For every contravention of this section the Undertakers shall be liable on summary conviction to a fine not exceeding fifty pounds.

(4) For the purpose of enforcing this section or for the purpose of any inquiry by the said Secretary of State thereunder inspectors of factories and inspectors of mines shall have such and the like powers and authorities as are conferred by the enactments referred to in the section of this Order of which the marginal note is "Conditions as to quality of power gas supplied."

35. Nothing in this Order shall exempt the Undertakers from the provisions of any general Act relating to the manufacture or supply of power gas passed before or after the commencement of this Order or from any regulations which may be made under any such general Act.

Provisions as to general Acts relating to power gas.

Miscellaneous.

36. For the protection of the South Eastern Railway Company and the South Eastern and Chatham Railway Companies Managing Committee (hereinafter called "the railway company") the following provisions shall unless otherwise agreed in writing between the Undertakers and the railway company apply and have effect:—

For protection of South Eastern Railway Company and South Eastern and Chatham Railway Companies Managing Committee.

(1) Before laying down or executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in the Act and Orders 1872 to 1899 and

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in this Order upon across over under or in any way affecting the railway lands or property now or hereafter belonging to or used by the railway company and before entering upon the said railway lands and property the Undertakers shall give at least fourteen days notice in writing to the railway company of their desire so to do (except in case of emergency in which case the Undertakers shall give notice in writing to the railway company forthwith after they shall have entered upon the railway lands or properties aforesaid) and shall before such entry for the purposes aforesaid or any of them obtain the written consent thereto of the railway company under the hand of their principal engineer for the time being:

- (2) Fourteen days at least before commencing to lay down any main pipe or other work or (except in case of urgent necessity) to execute or effect any repair or renewal of any main pipe or other works as aforesaid upon across over under or in any way affecting the railway lands or property of the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways plans sections and specifications shall be submitted to the said engineer for his approval and shall be reasonably approved by him in writing or in the event of such engineer failing to signify his approval or disapproval or to give such other direction within fourteen days after the submission of such plans as aforesaid he shall be deemed to have approved the same and in the event of any difference thereon arising between the railway company and the Undertakers such work shall be executed in such manner as shall unless otherwise agreed be determined by an engineer to be appointed by the Board of Trade on the application of either the railway company or the Undertakers and the decision of such engineer shall be final and conclusive between both parties and such work shall be executed in accordance with such plans sections and specifications as so approved and under the superintendence of and subject to the reasonable approval of the said engineer of the railway company Provided that nothing herein contained shall authorise the Undertakers to occupy or use permanently with their works the surface of any land or property of the railway company without the previous consent in writing of the secretary of the railway company and all such works shall be done by and at the expense of the Undertakers who shall also restore and make good to the reasonable satisfaction of the railway company's engineer the roads over any

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bridges level crossings and approaches which the railway company either alone or jointly are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Undertakers and all such works and operations shall be constructed executed and done so as not to cause any injury to such railway bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon and if any such injury or interruption shall arise from or in any way be owing to any of the works operations and matters aforesaid or the failure of any such mains pipes or works the Undertakers shall make compensation to be determined by arbitration in the manner hereinafter provided and such compensation together with full costs shall be recoverable by the railway company from the Undertakers by all and the same means as any simple contract debt of like amount is recoverable :

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- (3) In the event of any dispute or difference arising between the railway company and the Undertakers as to any of the matters aforesaid the same shall be determined by arbitration by an engineer to be agreed upon between the Undertakers and the railway company or failing agreement by an engineer to be appointed by the Board of Trade at the request of either party after notice in writing to the other and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference.

37. In the event of any dispute arising between the Upper Medway Conservancy (hereinafter called "the conservancy") and the Undertakers as to the carrying out of any of the works authorised by this Order so far as they may affect the property of the conservancy the same shall be determined by arbitration by an engineer to be agreed upon between the Undertakers and the conservancy or failing agreement by an engineer to be appointed by the Board of Trade at the request of either party after notice in writing to the other and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference.

For protection of Upper Medway Conservancy.

38. Sections 36 (Number of directors) and 38 (Quorum) of the Act of 1872 are hereby repealed and from and after the commencement of this Order the number of directors shall be seven but the Undertakers may from time to time reduce the number provided that the number shall not be less than five.

Number of directors.

The quorum of a meeting of directors shall be four until the number of directors be reduced under the provisions of this Order

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Qualification
of directors.

39.--(1) Section 24 (Qualification of directors) of the Order of 1890 is hereby repealed and from and after the commencement of this Order the qualification of a director shall be the possession in his own right of not less than two hundred and fifty pounds in the capital of the undertaking.

(2) Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Undertakers by reason of his holding any office or place of trust or profit under the Undertakers or by reason of his being interested in any contract with the Undertakers nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract. Provided that in the case of his being or becoming interested in any contract with the Undertakers whether such interest shall arise before or after his appointment as director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and also in the next annual report of the Undertakers and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Undertakers to give to the directors or any of them any security by way of indemnity.

Notice of
candidature
for office of
director.

40. Except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected at a general meeting a director of the Undertakers unless notice in writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the secretary or left at the office of the Undertakers fourteen days at least before the day of election.

Minimum
charge for
gas laid on
to premises
having a
supply of
electricity
or power gas.

41. Where any person has for the purposes of a stand-by only a supply of gas laid on by the Undertakers to any premises (not being a dwelling-house or sales shop) for which he has at the same time a separate supply of electricity or gas for power or other purposes (not being domestic purposes) the Undertakers shall be entitled to charge and receive from him in respect of the supply of gas so laid on such minimum sum as shall be fixed by them not exceeding twenty-five shillings for any one quarter of a year notwithstanding that the ordinary charge for gas actually consumed in such quarter would

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amount to a lower sum Provided that in fixing the amount of such minimum charge the Undertakers shall have regard to the probable maximum supply of gas which might at any time be required for such premises Provided also that in respect of any premises for which the whole supply of gas afforded by the Undertakers is taken through a meter having a nominal capacity of less than ten lights the amount of the minimum charge shall not exceed five shillings for any one quarter of a year.

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42. The Undertakers may contract with any local authority company body or persons authorised to supply gas under parliamentary powers in any district adjacent to the limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such period not exceeding in any case seven years from the making of the contract as may be agreed upon but nothing in this section shall authorise the Undertakers to lay any mains or interfere with any street beyond the limits of supply.

Undertakers
may contract
with local
authority &c.
for supply in
bulk.

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

Charge for
gas supplied
by means of
prepayment
meters.

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

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

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

(5) For the purpose of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

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Fittings not to be subject to distress and though fixed to premises to remain property of Undertakers.

44.—(1) Subject as hereinafter provided any meters engines ranges pipes stoves fittings apparatus and appliances and things (in this section called "fittings") let by the Undertakers on hire under the provisions of section 30 (Power to make stoves and gas apparatus) of the Order of 1890 and the last preceding section or otherwise shall not be subject to distress or the landlord's remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against the persons in whose possession the same may be.

(2) Subject as hereinafter provided all fittings let by the Undertakers on hire as aforesaid shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under such premises at all times continue to be the property of and removable by the Undertakers Provided that nothing in this subsection shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

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

Anti-fluctuators.

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

Saving as to general Acts.

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

Costs of Order.

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

The SCHEDULE referred to in the foregoing Order.

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GAS LANDS.

All that piece or parcel of land situate and being near Cannon Bridge in the parish of Tonbridge in the county of Kent formerly forming part of the Postern Estate and containing six acres and a half or thereabouts bounded on the north-west by the River Medway on the north by the road leading from Tonbridge to the Postern on the east by land belonging or reputed to belong to Edward Chapman Holding on the south by land belonging or reputed to belong to the urban district council of Tonbridge and on the west by other land of the Undertakers.

RICKMANSWORTH AND UXBRIDGE
VALLEY WATER.

Order empowering the Rickmansworth and Uxbridge Valley Water Company to extend their limits of supply to raise additional capital and for other purposes.

Rickmansworth and Uxbridge Valley.

1. This Order may be cited as the Rickmansworth and Uxbridge Valley Water Order 1917 and the Rickmansworth and Uxbridge Valley Water Acts and Order 1884 to 1906 and this Order may be cited together as the Rickmansworth and Uxbridge Valley Water Acts and Orders 1884 to 1917.

Short and collective titles.

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

Commencement of Order.

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

Incorporation of Acts.

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

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

The consolidation of the shares into stock ;

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worth and
Uxbridge
Valley.*

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) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts and the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by this Order) incorporated with and form part of this Order :

Provided that section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" were omitted therefrom.

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

Interpreta-
tion.

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

Undertakers.

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

Extension
of limits of
supply.

6. The limits within which the Undertakers may supply water shall extend to and include in addition to their present limits of supply the parish and portions of parishes following (in this Order referred to as "the new limits") (that is to say):—

In the county of Buckingham—

The parish of Chartridge in the rural district of Amersham ;

So much of the parish of Lee in the rural district of Amersham as lies to the east of the centre of King's Lane and to the south of a line drawn from the south-eastern corner of Jones Hill Wood to the point of junction in Arrewig Lane of the boundaries of the parishes of Lee Aston Clinton and Chartridge ;

So much of the parish of Hughenden in the rural district of Wycombe as lies to the north of a straight line drawn from the western corner of Oaks Wood Hunts Hill to the point

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of junction in the Wycombe and Amersham Road of the boundaries of the parishes of Hughenden Penn and Chepping Wycombe Rural :

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In the county of Hertford—

So much of the parish of Watford Rural in the rural district of Watford as extends in a westerly and northerly direction from a line drawn in a southerly direction from the point where the boundary of that parish crosses Grovemill Lane along the centre of that lane and of the road across Cassiobury Park from near Sparrowpot Lodge through the Avenue to the bridge at Iron Bridge Lock thence in a southerly direction along the centre of the Grand Junction Canal to the boundary of the said parish and so much of the said parish as extends in a northerly and easterly direction from a line drawn from a point in the boundary of that parish at the junction of the three watercourses in direct continuation in an easterly direction of the centre of Cow Lane along an imaginary straight line to that lane thence along the centre of that lane as far as the western boundary of the Saint Albans Branch of the London and North Western Railway thence along the northern boundary of that lane and of the footpath leading therefrom to Saint Albans Road thence along the western boundary of that road to the private road and footpath leading therefrom through Leggatts Farm to Russell Lane thence along the northern side of such private road and footpath to Russell Lane :

And from and after the commencement of this Order the provisions of the Rickmansworth and Uxbridge Valley Water Acts and Order 1884 to 1906 and of this Order shall so far as applicable be in full force and have effect throughout the limits for the supply of water by the Undertakers as extended by this Order :

Provided that the water to be supplied by the Undertakers in the said parishes of Chartridge Lee and Hughenden shall be water derived from works of the Undertakers situate in the parish of Great Missenden in the county of Buckingham and from no other source and the water derived by the Undertakers from that source shall not be supplied by them or used for supply outside the county of Buckingham.

7. Notwithstanding anything contained in section 5 (Power to acquire lands and exercise other powers) of the Rickmansworth and Uxbridge Valley Water Act 1900 or any other enactment relating to the Undertakers the Undertakers shall not construct any works for taking or intercepting water from any lands acquired by them unless the works are authorised by and the lands upon which the same are to be constructed are specified in some Order or Act of Parliament.

Limiting
powers of
Undertakers
to abstract
water.

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Where Undertakers not furnishing sufficient supply local authority or company may supply.

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

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

Confirmation of existing main in parish of Lee.

9. The Undertakers may maintain use renew alter enlarge extend and repair the existing main and other works already laid down by them in the parish of Lee and situate in the road leading from Lee Common to Chartridge between a point immediately to the north of Little Bassibones Farm buildings and the boundary between the parishes of Lee and Chartridge and the laying down of the said main and other works and the expenditure of capital thereon are hereby sanctioned and confirmed.

As to exercise of powers of section 12 of Waterworks Clauses Act 1847.

10. The Undertakers may on all or any of the lands for the time being held by them in connexion with their undertaking execute for the purposes of or in connexion with the said undertaking any of the works (other than wells and works for taking and intercepting water) and exercise any of the powers mentioned in or conferred by section 12 of the Waterworks Clauses Act 1847 Provided that the Undertakers shall not under the powers of this section create or permit the creation or continuance of any nuisance on any such lands purchased or taken on lease nor erect any buildings thereon except offices and dwellings for persons in their employment and such buildings and works as may be incident to or in connexion with their undertaking.

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

11. The Undertakers may but only with the consent in writing of the owner of the soil of such street on the application of the owner or occupier of any premises within the limits for the supply of water by the Undertakers abutting on or being erected in any street laid out but not dedicated to public use supply those premises with water and for that purpose the Waterworks Clauses Act 1847 shall apply as if section 29 of that Act were excepted from incorporation with the Rickmansworth and Uxbridge Valley Water Acts and Order 1884 to 1906 and this Order.

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12. Subject to the provisions of the Waterworks Clauses Act 1847 the Undertakers may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Undertakers and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose break up and interfere temporarily with public and private streets roads lanes footways courts passages trainways gas or water pipes electric wires and apparatus Provided that the Undertakers shall not break up or interfere with any electric lines wires or apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

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Detection of waste.

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

Maintenance of common pipe.

14. For the purpose of complying with any obligation under the Waterworks Clauses Act 1847 to maintain any pipe or apparatus the person liable to maintain the same shall have the like power to open the ground as is conferred upon him by and subject to the conditions of sections 48 to 52 of the Waterworks Clauses Act 1847 in relation to the laying of communication pipes.

As to communication pipes.

15. If it should appear to the Undertakers that by reason of any injury to or defect in any communication pipe which the Undertakers are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Undertakers subject to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Undertakers in executing such repairs shall be recoverable by the Undertakers from the owner of the premises supplied or in cases where the communication pipe is repairable by the occupier of such premises from the occupier :

Power to Undertakers to repair communication pipes.

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

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Price of
supply by
measure.

16. As from the first day of April one thousand nine hundred and eighteen section sixteen (Price for water supplied by meter) of the Rickmansworth and Uxbridge Valley Water Act 1900 shall be repealed and the price to be charged by the Undertakers for a supply of water by measure from the said date until the thirty-first day of March one thousand nine hundred and twenty-one shall not exceed two shillings and sixpence per thousand gallons and after such last-mentioned date shall not exceed two shillings per thousand gallons.

Price for
public
supplies.

17. As from the first day of April one thousand nine hundred and eighteen the price to be charged by the Undertakers to the council of any administrative county and of any urban or rural district within the limits for the supply of water by the Undertakers (each of which councils is in this section referred to as "the council") for a supply of water for the following purposes shall not exceed one shilling and sixpence per thousand gallons (that is to say):—

- (a) For such of the purposes set forth in section 37 of the Waterworks Clauses Act 1847 as shall for the time being be under the control of the council ;
- (b) For the purposes of making up rolling constructing and repairing any road street bridge or highway maintainable by the council ;
- (c) For court houses and police stations and for school houses of elementary schools (as defined by the Elementary Education Act 1870) schools of art technical and other educational institutions provided or aided by the council ; and
- (d) For the purposes of such other buildings and works as shall for the time being be maintained aided or carried on out of the proceeds of any rate or contribution leviable by the council :

Provided that the Undertakers shall not be bound to supply water for the purposes in this section mentioned unless such supply is required in or adjoining a road street bridge or highway in which a main or pipe of the Undertakers is or shall be laid or if and so long as such supply would in any way interfere with or unduly diminish the supply for domestic purposes within the limits for the supply of water by the Undertakers Provided also that the Undertakers shall not be required to give or to continue to give any supply of water for any of the said purposes (c) and (d) for a less sum than seven shillings and sixpence for any quarter or part of a quarter in respect of each separate supply.

Rates pay-
able by owners
of certain
houses.

18. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the

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Undertakers so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner Provided that no greater sum shall be recovered at any one time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate.

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

Fittings let
for hire not
to be subject
to distress.

20. The following provisions for the protection of the county council of the administrative county of Hertford (in this section referred to as "the county council") shall unless otherwise agreed between the Undertakers and the county council have effect throughout so much of the limits for the supply of water by the Undertakers as is within the county of Hertford:—

For protec-
tion of Hert-
fordshire
County
Council.

- (1) All new mains pipes and works not being replacements of existing mains pipes and works to be laid or executed in or affecting any main road or bridge for the time being maintainable by the county council shall be laid or executed in such position in or at the side thereof as the county council in writing under the hand of the county surveyor may reasonably direct:
- (2) Except in cases of laying down connecting or repairing consumers' service pipes or except in cases of leakage bursting or other emergency the notice required by section 30 of the Waterworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any such main road or bridge as aforesaid be not less than seven days instead of three days:
- (3) Except in cases of laying down connecting or repairing consumers' service pipes and except in cases of leakage bursting or other emergency the plan required by section 31 of the Waterworks Clauses Act 1847 shall as regards any such main road or bridge as aforesaid be on a scale of not less than twenty-five inches to the mile and such plan shall be drawn to suitable scales to show clearly the

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proposed works and their proposed position and depth and shall be delivered to the county council or the county surveyor by the Undertakers not less than fourteen days before the Undertakers commence to open or break up or interfere with any such main road or bridge as aforesaid :

- (4) All works shall be so executed by the Undertakers as not to stop or (so far as reasonably practicable) impede or interfere with the traffic of any such main road or bridge as aforesaid and the Undertakers shall not break up at any one time a greater consecutive length than fifty yards at any place where only one cart can pass at the side of the opening or one hundred yards where only two carts can pass at the same time :
- (5) The Undertakers shall not without the consent in writing of the county council (which consent shall not be unreasonably withheld) open or break up the roadway over or in any manner interfere with the structure of any bridge for the time being maintainable by the county council but shall if so reasonably required by the county council attach any main or pipe which they may wish to carry across such bridge under or on the outside of such bridge in such manner as the county council may reasonably direct :
- (6) If the county council shall for the purpose of reconstructing or altering any such bridge as aforesaid at any time require the position or level of any main pipe or other work of the Undertakers laid in or by the side of any such bridge as aforesaid to be altered the Undertakers shall at their own expense on receiving notice in writing under the hand of the clerk of the county council so to do alter the same in such manner as may be reasonably required by such notice and under the superintendence of the county surveyor if the same be given and any additional expense in relation to the reconstruction or alteration of any such bridge as aforesaid to which the county council may be put by reason of the necessity for providing for any main pipe or other work of the Undertakers shall be paid by the Undertakers to the county council Provided that during the reconstruction or alteration of any such bridge as aforesaid the county council shall afford all reasonable facilities to enable the Undertakers temporarily to carry such mains pipes and other works across any stream or brook so as not to interrupt the continuous supply of water or to diminish the pressure of such supply through such mains pipes and works :

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(7) If the Undertakers in the execution of any works in or affecting any such main road or bridge as aforesaid shall cause any damage injury or disturbance to the same and shall neglect or refuse to make good all such damage injury or disturbance in accordance with the provisions of the Waterworks Clauses Act 1847 then it shall be lawful for the county council after fourteen days' notice to the Undertakers of their alleged neglect or refusal and of the works which they propose to execute to do all works necessary for making good all such damage injury or disturbance and the Undertakers shall repay to the county council all costs charges and expenses which the county council shall reasonably and properly incur in carrying out such works:

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(8) No claim shall be made against the county council for damage to any main pipe or other works of the Undertakers unless the Undertakers shall within forty-eight hours of the discovery by them or their servants of such damage have given written notice thereof to the county surveyor and shall have given him a reasonable opportunity and facilities for inspecting such work:

(9) Any difference which arises between the Undertakers and the county council under this section shall be determined by an engineer to be appointed (in default of agreement between the parties) by the President of the Institute of Civil Engineers on the application of either party under the Arbitration Act 1889.

21. The provisions of section 26 (For protection of Grand Junction Canal) of the Rickmansworth Waterworks Act 1884 shall apply and be in force in relation to the laying down and maintenance altering and relaying of mains pipes or works across over or along the Grand Junction Canal and the towing-paths and property of the Company of Proprietors of the Grand Junction Canal under the powers of this Order.

For protection of Grand Junction Canal.

22. The Amersham Rural District Council (in this section referred to as "the council") shall for the purposes of sections 35 and 36 of the Waterworks Clauses Act 1847 be deemed to be owners or occupiers of houses within the limits of supply of the Undertakers and shall accordingly be entitled to require or join in requiring the Undertakers to cause pipes to be laid down and water to be brought to any part of the district of the council comprised within the said limits upon and subject to the terms and conditions prescribed by the said sections as varied by this section and forthwith after making any such requisitions

For protection of Amersham Rural District Council.

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they shall enter into an agreement with the Undertakers binding themselves to pay to the Undertakers annually such a sum (if any) as together with the aggregate amount (if any) of the water rates from time to time payable by the owners and occupiers of houses in the part of the limits of supply to which such requisition relates shall be required to make up a sum of not less than one-tenth part of the expenses of providing and laying down the necessary pipes Provided always that the amount of such expenses shall be based upon the shortest available route between the nearest main of the Undertakers existing at the date of such requisition and the required point of supply and that notwithstanding anything contained in the said Waterworks Clauses Act the liability of the council shall not terminate until the rates payable in each of any three successive years by such owners and occupiers as last aforesaid shall have amounted to not less than one-tenth part of such expense when all liability of the council under this section in respect of the expense of providing such supply shall finally cease and determine.

Provisions as
to fireplugs.

23. In applying the sections of the Waterworks Clauses Act 1847 relating to fireplugs to any urban or rural district within the limits for the supply of water by the Undertakers the council of such district shall be substituted for the town commissioners and the concluding paragraph of section 38 of the said Act shall be taken to include the pattern and price of the fireplugs as well as their position and number:

Provided that if the pattern of any fireplug which may be decided upon and fixed as a result of an enquiry held under the provisions of the said section 38 shall cause or allow a waste of water or an access of air to the Undertakers' mains then the Undertakers shall be at liberty to have the same removed and the expense thereof shall be borne by the council affected and the Undertakers in equal shares.

Power to
raise addi-
tional capital.

24. The Undertakers may subject to the provisions of Part II. of the Companies Clauses Act 1863 from time to time raise for the purposes of this Order and for the general purposes of their undertaking in addition to the capital which they are authorised to raise by the Rickmansworth and Uxbridge Valley Water Acts 1884 to 1900 any capital not exceeding in the whole one hundred thousand pounds by the creation and issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by one or more of those modes respectively but the Undertakers shall not issue any share created under the authority of this Order of less nominal value than ten pounds nor shall any such share or stock vest in the person or corporation accepting the same unless and until the full price of such share or stock including any premium obtained on

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the sale thereof as hereinafter provided shall have been paid in respect thereof Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of one hundred thousand pounds Provided also that the amount of preference shares or stock to be created and issued under the powers of this Order shall not exceed fifty thousand pounds.

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25. Except as is by this Order otherwise provided the capital in new shares or stock created by the Undertakers under this Order 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 Undertakers of the same class or description and the new shares or stock were shares or stock in that capital The capital in new shares or stock so created shall form part of the capital of the Undertakers.

Except as otherwise provided new shares or stock to be subject to same incidents as existing shares or stock.

26. 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.

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

27. The Undertakers shall not in any one year make out of their profits any larger dividend on the additional capital to be raised under the powers of this Order than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the said sum of seven pounds per centum per annum or than six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

Dividends on additional share capital limited.

28. In case in any year or half-year the funds of the Undertakers applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividend of each class.

Dividend on different classes of shares or stock to be paid proportionately.

29.—(1) All shares or stock forming part of the additional capital by this Order authorised to be raised shall be issued in accordance with the provisions of this section.

New capital to be sold by auction or tender.

(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

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such conditions of sale as the Undertakers shall from time to time determine Provided as follows:—

- (a) Notice of the intended sale shall be given in writing to the clerk to the district council of every district within the limits for the supply of water by the Undertakers and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the said limits:
- (b) A reserve price shall be fixed and notice thereof shall be sent by the directors of the Undertakers in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:
- (c) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds:
- (d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:
- (e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Undertakers within three months after the date of the auction or of the acceptance of the tender as the case may be.

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

(4) Any shares or stock which have been offered for sale in accordance with the provisions of subsection (2) or of subsections (2) and (3) and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this

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section and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

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

30. Section 14 (Power to borrow) of the Rickmansworth and Uxbridge Valley Water Act 1885 and section 24 (Power to borrow in respect of additional capital) of the Rickmansworth and Uxbridge Valley Water Act 1900 are hereby repealed and the Undertakers may borrow on mortgage of their undertaking any sum or sums not exceeding in the whole (inclusive of the sums already borrowed by them under the said sections) one-third part of the amount of the capital by the Rickmansworth and Uxbridge Valley Water Acts 1884 to 1900 and this Order authorised to be raised and at the time actually issued by shares or stock but no part thereof shall be borrowed until the whole of the shares or stock at the time issued shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock have been issued and fully paid up and upon production to such justice of the books of the Undertakers and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.]

Power to borrow.

31. All mortgages granted by the Undertakers in pursuance of the powers of any Act of Parliament before and subsisting at the commencement of this Order shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by virtue of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.

Priority of principal moneys secured by existing mortgages.

32. Section 26 (Appointment of receiver) of the Rickmansworth and Uxbridge Valley Water Act 1900 is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the commencement of this Order.

Appointment of receiver.

The mortgagees of the Undertakers may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount

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Power to create debenture stock.

33. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by subsequent Acts but notwithstanding anything therein contained the interest of all debenture stock at any time created and issued by the Undertakers shall rank *pari passu* with the interest of all mortgages at any time after the commencement of this Order granted by the Undertakers and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

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

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

Preference shares or stock may be created subject to redemption.

35. Any preference shares or stock created and issued under the powers of this Order may be issued subject to the condition that the same may be redeemed by the Undertakers at such times and on such terms and conditions as shall be expressed on the certificates of such shares or stock.

Application of moneys raised.

36. All moneys raised under this Order whether by shares stock debenture stock or borrowing shall be applied only to the purposes of the undertaking authorised by the Rickmansworth and Uxbridge Valley Water Acts and Orders 1884 to 1917 being in all cases 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 of stock under the provisions of this Order shall not be considered as part of the capital of the Undertakers entitled to dividend and the Undertakers may apply to the purposes of this Order to which capital is properly applicable any moneys which they are already authorised to raise and which may not be required by them for the purposes

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for which the same were authorised to be raised Provided that in any case where a power to raise money by borrowing or to create a reserve or other fund is made proportionate to the paid up or nominal capital the premium received from the sale of shares or stock by auction or tender as hereinbefore provided shall for such purpose be reckoned as part of the paid up or nominal capital.

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37. If any money is payable to a share or stock holder 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 Undertakers.

Receipt in case of persons not sui juris.

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

Consent of Treasury to raising of money.

39. The directors may in any year without calling a meeting of shareholders for the purpose declare interim half-yearly dividends out of the then ascertained profits of the undertaking Provided that the amount of any interim half-yearly dividends so declared shall not exceed in any half-year one-half of the amount of the prescribed rates of dividend respectively.

Interim dividend.

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

Costs of Order.

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