



CHAPTER cviii.

An Act to confirm certain Provisional Orders of the Local Government Board under the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875, relating to the Urban Sanitary Districts of Richmond (Yorks) and Selby. A.D. 1891.
[3rd July 1891.]

WHEREAS the Local Government Board have made the Provisional Orders set forth in the schedule hereto, under the Gas and Water Works Facilities Act, 1870, and the Public Health Act, 1875:

33 & 34 Vict.
c. 70.
38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament, and that the provisions herein contained should be enacted with reference thereto:

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

1. The Orders as amended and set out in the schedule hereto shall be and the same are hereby confirmed, and all the provisions thereof shall have full validity and force. Orders in schedule confirmed.

2. Notwithstanding anything in the Richmond (Yorkshire) Gas Order, 1891, contained, the sanitary authority may continue to supply gas to the North Eastern Railway Company for the lighting of their station at Richmond and otherwise for use there, although the said station is outside the limits of supply, and may from time to time enter into and carry into effect agreements with the North Eastern Railway Company relative to such supply. Special provision relating to the Richmond Order.

3. The sanitary authorities mentioned in the said Orders shall not under the powers of this Act or of those Orders, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, or in any Restriction of power to take houses of labouring class.

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891. parish or part of a parish not being within an urban sanitary district, ten or more houses which after the passing of this Act have been, or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section, the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

Short title. 4. This Act may be cited as the Local Government Board's Provisional Orders Confirmation (Gas) Act, 1891.

SCHEDULE.

A.D. 1891.

BOROUGH OF RICHMOND (YORKS).

Richmond
(Yorks)
(Gas)
Order.

Provisional Order under the Gas and Water Works Facilities
Act, 1870.

To the Mayor, Aldermen, and Burgesses of the Borough of Richmond
(Yorks), being the Urban Sanitary Authority for that Borough ;—

And to all others whom it may concern.

WHEREAS the Mayor, Aldermen, and Burgesses of the Borough of Richmond, in the North Riding of the County of York (herein-after called "the Borough"), acting as the Municipal Authority for the Borough, have constructed gasworks, and are supplying gas within the Borough ;

And whereas the Municipal Authority have from time to time borrowed various sums of money for various purposes, including the purposes of their said gasworks, on mortgage of freehold lands within the Borough (other than the lands mentioned in the Schedule hereto), and the proportion attributable to the said gasworks of the sums so borrowed and now owing by the said Authority amounts to the sum of one thousand three hundred and nineteen pounds nineteen shillings and fourpence, which is repayable by yearly instalments, the last of which is payable on the Twentieth day of March, One thousand nine hundred and five ;

And whereas the said Mayor, Aldermen, and Burgesses, acting by the Council of the Borough, as the Urban Sanitary Authority for the Borough, are, under the Public Health Act, 1875, empowered in that capacity to supply gas for the Borough, and have applied to the Local Government Board to issue a Provisional Order authorising them in that capacity to take over, and to maintain and continue the said gasworks, and to manufacture and supply gas, and to borrow money for those purposes ;

And whereas the expenses incurred by the Sanitary Authority are in accordance with the provisions of the Public Health Act, 1875, charged on and defrayable out of the borough fund and borough rate :

Now therefore, We, the Local Government Board, in pursuance of the powers given to Us by Section 161 of the Public Health Act, 1875, and by any other enactments in that behalf, do hereby order that, from and after the First day of January, One thousand eight hundred and ninety-two, the following provisions shall take effect ; viz.,—

Art I. This Order may be cited as "The Richmond (Yorkshire) Gas Order, 1891."

Art. II. The several words 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

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.

Richmond
(Yorks)
(Gas)
Order.

meanings (unless there be something in the subject or context repugnant to that construction); and in this Order the expression "Municipal Authority" means the Mayor, Aldermen, and Burgesses of the Borough, acting by the Council as the Municipal Authority for the Borough; the expression "Sanitary Authority" means the said Mayor, Aldermen, and Burgesses, acting by the Council as the Urban Sanitary Authority for the Borough; the expression "gas undertaking" means the gasworks, and all mains, pipes, plant, and effects of the Municipal Authority used for the purposes of or in connexion with the supply of gas, and includes the lands described in the Schedule hereto, and all buildings and erections and works thereon; "existing gas debt" means the aforesaid sum of one thousand three hundred and nineteen pounds nineteen shillings and fourpence.

Art. III. This Order shall come into force on the First day of January, One thousand eight hundred and ninety-two, which date is herein-after referred to as "the commencement of this Order."

Art. IV. The limits within which this Order shall be in force and have effect shall be the boundaries of the Borough.

Art. V. The Sanitary Authority shall, in relation to the purposes of this Order exercise and be subject to all the powers and provisions of the Public Health Act, 1875, so far as the same are applicable to the purposes of this Order, but nothing herein contained shall empower the Sanitary Authority to acquire lands otherwise than by agreement, or to acquire any lands by agreement except to the extent limited by this Order.

Art. VI. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking, and except Section 127 of the Lands Clauses Consolidation Act, 1845), and the provisions of the Gasworks Clauses Act, 1847 (except Sections 30 to 38, both inclusive, and Sections 41, 43, 45, 46, and 47 thereof), and of the Gasworks Clauses Act, 1871 (except Sections 24 to 27, both inclusive, Sections 29 and 35, and Schedule B. thereof), are incorporated with this Order, but subject to such alterations as this Order may make therein; and the said provisions of the said Gasworks Clauses Acts shall apply to mains, pipes, or works acquired by or vested in the Sanitary Authority under or by virtue of the Public Health Act, 1875, or of this Order, and to mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Art. VII. As from the commencement of this Order the gas undertaking of the Municipal Authority shall be and the same is hereby vested in the Sanitary Authority.

Art. VIII. Notwithstanding such transfer, all rates, rents, and charges, and all other debts or sums due at the commencement of this Order to the Municipal Authority, on account of the gas undertaking may be collected and the payment thereof may be enforced after such date as if this Order had not been made.

Art. IX. The Sanitary Authority may from time to time purchase by agreement, and, subject to the provisions of this Order, may hold for any of the purposes of this Order, any land not exceeding two acres in addition to the land described in the Schedule hereto.

[54 & 55 VICT.] *Local Government Board's* [Ch. cviii.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.
—
Richmond
(Yorks)
(Gas)
Order.

Art. X. The Sanitary Authority may, upon the lands described in the Schedule hereto, maintain, repair, renew, and continue, and from time to time construct, alter, enlarge, or, when necessary, remove buildings, apparatus, and works for the manufacture and storage of gas, and of coke, culm, asphaltum, pitch, coal-tar, oil, ammoniacal liquor, and other refuse or residual products arising from the manufacture of gas, and any matters producible therefrom, and dwellings for any persons employed in the said works, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the Borough for public and private purposes, and may convert or manufacture coke, culm, asphaltum, pitch, coal-tar, oil, ammoniacal liquor, and all refuse or residual products arising from the manufacture of gas by them, and any matters producible therefrom, and may sell and dispose of the same at the gasworks and elsewhere.

Art. XI. The Sanitary Authority shall not manufacture gas, or any residual products arising in the manufacture of gas, on any land other than that specified in the Schedule hereto, neither shall they store gas on any land other than that specified in the said Schedule which shall be situated within three hundred yards of any dwelling-house existing prior to the date on which such storage shall commence without the previous consent in writing of the owner, lessee, and occupier of such dwelling-house.

Art. XII. The quality of the gas supplied by the Sanitary Authority shall, with respect to its illuminating power, be such as to produce at the testing place herein-after mentioned a light equal in intensity to the light produced by sixteen sperm candles of six to the pound, and shall, in all respects, be in accordance with the provisions of the Gasworks Clauses Act, 1871.

Art. XIII. The Sanitary Authority shall, before supplying, or within one month after commencing to supply, gas under the authority of this Order, provide and maintain a suitable photometer and other necessary appliances for the purpose of testing the quality of the gas, and shall at all times keep the same in proper order and repair.

Art. XIV. All gas supplied by the Sanitary Authority to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six-tenths of an inch in height, and from sunset to midnight a column of water not less than eight-tenths of an inch in height, at the main or as near as may be to the junction therewith of the service pipe supplying such consumer.

Art. XV. For the purposes of the Gasworks Clauses Act, 1871, the prescribed testing place shall be a testing place to be provided by the Sanitary Authority at the gasworks situate on the land described in the Schedule hereto, before supplying, or within one month after commencing to supply, gas under the authority of this Order, and the burner to be used for testing the gas shall be a Sugg's "London" Argand No. 1, with a six-inch by one-and-three-quarter inch glass chimney, and if at any time the gas flame tails over the top of the glass a six-inch by two-inch chimney shall be used. Any gas examiner appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, not being the immediate approach to any railway bridge or railway station, as

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.

—
Richmond
(Yorks)
(Gas)
Order.

and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

Art. XVI. No penalty shall be incurred by the Sanitary Authority for insufficiency of pressure, defect of illuminating power, or for 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 an unavoidable cause or accident.

Art. XVII. The price to be charged by the Sanitary Authority for gas supplied by them to consumers shall not exceed five shillings and sixpence per one thousand cubic feet, and so on in proportion for any less quantity supplied: Provided nevertheless that every odd fraction or portion of one hundred cubic feet may be charged for as one hundred cubic feet.

Art. XVIII. The Sanitary Authority may, with the sanction of the Local Government Board, and for the purposes of this Order (which purposes shall be deemed to include the costs payable by the Sanitary Authority of and connected with the preparation and making of this Order), borrow money upon the security of the moneys from time to time received by them by way of revenue under this Order, and upon the security of the borough fund and borough rate of the Borough, or upon either of such securities.

Art. XIX. For the purpose of raising money under this Order the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Sanitary Authority, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under this Order, other than money borrowed under the provisions of the Local Loans Act, 1875.

Art. XX. The moneys borrowed for the purposes of this Order shall be repaid within such period (not exceeding thirty years from the date of borrowing) as the Sanitary Authority, with the sanction of the Local Government Board, shall determine, and the period so determined and sanctioned shall be deemed to be the "prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

Art. XXI. The Sanitary Authority shall repay the money borrowed for the purposes of this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest the same in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Sanitary Authority, the Sanitary Authority being at liberty from time to time to vary and transpose such investments.

Art. XXII. The Sanitary Authority may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the

[54 & 55 VICT.] *Local Government Board's* [Ch. cviii.]
Provisional Orders Confirmation (Gas) Act, 1891.

repayment of which the fund is established: Provided that the Sanitary Authority pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

A.D. 1891.
Richmond
(Yorks)
(Gas)
Order.

Art. XXIII. The Sanitary Authority may re-borrow for the purpose of paying off moneys borrowed under this Order (other than moneys borrowed under the Local Loans Act, 1875) and not paid off by means of any sinking fund set aside for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account (not being borrowed moneys): Provided that the money borrowed for such purpose shall be repaid in the manner provided by Articles XX. and XXI. of this Order, and the time for repayment of the money so borrowed shall not, except with the sanction of the Local Government Board, extend beyond the unexpired portion of the prescribed period, and shall in no case be extended beyond the period of thirty years from the date of the original loan.

Art. XXIV. All money borrowed or re-borrowed under this Order shall be appropriated to the purposes for which it is authorised to be so borrowed or re-borrowed, and all money received by the Sanitary Authority, either as purchase money of lands sold, or for equality of exchange, or as consideration for a lease, shall be applied to works or objects on which capital may properly be expended, when the Local Government Board have sanctioned the application of the same to those purposes, or shall be applied, according as the Sanitary Authority may determine, towards the reduction of the debt owing by the Sanitary Authority or towards the increase of the sinking fund set apart under this Order: Provided that it shall not be in any way incumbent on any mortgagee to see to the application of any moneys so borrowed or re-borrowed, nor shall the mortgagee be responsible for any misapplication thereof.

Art. XXV. The powers of borrowing and re-borrowing conferred by this Order shall be deemed to be distinct from, and in addition to, the powers of borrowing and re-borrowing conferred on the Sanitary Authority by the Public Health Act, 1875.

Art. XXVI. The town clerk shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is required to be paid as an instalment or to be set apart for a sinking fund in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing, for the year next preceding the making of such return, the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of any wilful default in making such return, such town clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.

Richmond
(Yorks)
(Gas)
Order.

be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner may be recovered by parties aggrieved within the meaning of that Act.

Art. XXVII. If it appears to the Local Government Board by that return, or otherwise, that the Sanitary Authority have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. XXVIII. When the Sanitary Authority require money to be deposited by any person with them by way of security for the payment to them of any moneys which may become due to them by such person in respect of any supply of gas, or of the purchase or hire of any meter, the Sanitary Authority shall pay interest at the rate of three pounds per centum per annum on every sum of ten shillings so deposited, for every six months during which the same remains in their hands: Provided that the Sanitary Authority may, if they think fit, invest any money so deposited with them in the manner provided by Article XXI. of this Order as to the sinking fund, and in that case the Sanitary Authority shall pay no higher rate of interest than they themselves receive thereon.

Art. XXIX. The Sanitary Authority shall keep separate capital and revenue accounts of all receipts, credits, payments, liabilities, and transactions in and about the execution of this Order, and from or on account of the gas undertaking hereby authorised, which accounts shall be distinct from the other accounts of the Sanitary Authority, and shall be called respectively "the Gas Capital Account" and "the Gas Revenue Account."

Art. XXX. All moneys from time to time received by the Sanitary Authority by way of revenue under this Order shall be applied for the following purposes :—

In payment of the gas establishment charges (that is to say) of the expenses properly chargeable to revenue of establishing, conducting, managing, and maintaining the gasworks and works connected therewith ;

In payment of the interest on the existing gas debt ;

In payment of the yearly instalments payable in respect of the existing gas debt ;

In payment of the interest on the moneys borrowed or re-borrowed for the purposes of this Order ;

In providing for the discharge of any moneys borrowed or re-borrowed for the purposes of this Order in accordance with the provisions of this Order, or if such money was borrowed thereunder, of the Local Loans Act, 1875 ;

In setting apart, if the Sanitary Authority think fit, a yearly sum not exceeding ten pounds per centum of such revenue, for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by

any sudden accident to the said gasworks and works connected therewith, or any other extraordinary expenditure authorised by this Order: Provided that such reserve fund shall be accumulated by way of compound interest by investment in the manner specified in Article XXI. of this Order as to the sinking fund, until it amounts, according to the market price of such investments, to the sum of two thousand pounds, and that whenever the reserve fund amounts, according to the market price of such investments, to the sum of two thousand pounds the income therefrom shall be applied in the same manner as money received by the Sanitary Authority by way of revenue under this Order;

A.D. 1891.

—
Richmond
(Yorks)
(Gas)
Order.

In payment, if the Sanitary Authority think fit, of the expenses of executing any permanent works authorised by this Order;

The residue (if any) of such revenue shall be carried to the credit of the borough fund, but no part of such revenue shall be carried to the credit of the borough fund when the price of gas to private consumers exceeds four shillings and sixpence per one thousand cubic feet.

Art. XXXI. The Sanitary Authority shall keep separate records of the quantities of gas supplied to private consumers and for public lighting respectively. The price charged for gas for public lighting shall not be less than that charged to private consumers by more than ten per cent.

Art. XXXII. The Sanitary Authority shall not defray any of the charges and expenses of carrying this Order into execution, other than payments required to be made in respect of money borrowed on mortgage of the borough fund and borough rate, out of that fund or rate when the price of gas to private consumers is less than five shillings and sixpence per one thousand cubic feet.

Art. XXXIII. If any difference arise between the Sanitary Authority and any railway, canal, or other company whose lands or works the Sanitary Authority have power to cross under the authority of this Order for the purpose of meeting the demands for gas within the Borough, as to the mode of laying down, repairing, altering, or enlarging the pipes or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Local Government Board at the request of either party; and the costs and expenses of and incidental to such appointment shall be paid by the Sanitary Authority and the Company in equal moieties, unless the Local Government Board otherwise direct.

The SCHEDULE above referred to.

All those two pieces of land belonging to the Municipal Authority, and situate in the Parish and Borough of Richmond, in the County of the North Riding of Yorkshire, and consisting of—

- (a.) All that piece of land containing one rood and thirty-one perches or thereabouts, bounded on the north and east by a street or road called Millgate, on the south by the Castle Paper Mills, and on the west by other land known as the Castle Bank; and

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.

Richmond
(Yorks)
(Gas)
Order.

(b.) All that piece of land containing thirty-one perches or thereabouts, bounded on the north by property of, or reputed to belong to, James Miller, on the east by the River Swale, on the south by the Castle Paper Mills, and on the west by the aforesaid street or road called Millgate.

Given under the Seal of Office of the Local Government Board, this
Twenty-second day of April, One thousand eight hundred and
ninety-one.

(I.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

Selby (Gas)
Order.

LOCAL GOVERNMENT DISTRICT OF SELBY.

Provisional Order under the Gas and Water Works Facilities
Act, 1870.

To the Selby Local Board of Health, being the Sanitary Authority for the
Urban Sanitary District of Selby, in the County of the West Riding of
Yorkshire ; —

And to all others whom it may concern.

WHEREAS the Selby Local Board of Health (herein-after referred to as
“the Local Board”), being the Sanitary Authority for the Urban Sanitary
District of Selby, in the County of the West Riding of Yorkshire (herein-after
referred to as “the District”), have (subject to the sanction of the Local
Government Board) agreed to buy, and the Selby Gas Company (herein-after
referred to as “the Company”), have, in pursuance of a special resolution of the
members passed in manner provided by the Companies Act, 1862, agreed to sell
and transfer to the Local Board, all the interest of the Company in the land,
buildings, gas-making apparatus, plant, and utensils, and other effects of the
Company (in this Order referred to as “the undertaking of the Company”);

And whereas the Local Board are, under the Public Health Act, 1875, them-
selves empowered to supply gas for the whole of their District, and have applied
to the Local Government Board to issue a Provisional Order authorising them
to maintain and continue the undertaking of the Company, if and when the same
shall be acquired by them, to manufacture and supply gas, and to borrow money
for those purposes :

Now therefore, We, the Local Government Board, in pursuance of the powers
given to Us by Section 161 of the Public Health Act, 1875, and by any other
Statutes in that behalf, do hereby Order that, from and after the date of the
Act of Parliament confirming this Order (herein-after referred to as “the
“ commencement of this Order”), the following provisions shall take effect ;
viz.,—

Art. I. This Order may be cited as “The Selby Gas Order, 1891.”

Art. II. The several words 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.

[54 & 55 VICT.] *Local Government Board's* [Ch. cviii.]
Provisional Orders Confirmation (Gas) Act, 1891.

Art. III. The limits within which this Order shall be in force and have effect shall be the boundaries of the District. A.D. 1891.

Art. IV. The Local Board shall, in relation to the purposes of this Order, exercise and be subject to all the powers and provisions of the Public Health Act, 1875, so far as the same are applicable to the purposes of this Order, but nothing herein contained shall empower the Local Board to acquire lands otherwise than by agreement, or to acquire any lands by agreement other than those mentioned in the Schedule hereto. Selby (Gas)
Order.

Art. V. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the Promoters of the undertaking, and except Section 127 of the Lands Clauses Consolidation Act, 1845), and the provisions of the Gasworks Clauses Act, 1847 (except Sections 30 to 38, both inclusive, and Sections 41, 43, 45, 46, and 47, thereof), and of the Gasworks Clauses Act, 1871 (except Sections 24 to 27, both inclusive, Sections 29 and 35, and Schedule B. thereof), are incorporated with this Order, but subject to such alterations as this Order may make therein; and the said provisions of the said Gasworks Clauses Acts shall apply to mains, pipes, or works acquired by the Local Board under or by virtue of the Public Health Act, 1875, or of this Order, and to mains, pipes, or works which may be laid down or constructed under the authority of this Order.

Art. VI. The Local Board may (when the undertaking of the Company shall have been acquired by them), upon the lands described in the Schedule hereto, maintain, repair, renew, and continue, and from time to time construct, alter, enlarge, or, when necessary, remove buildings, apparatus, and works for the manufacture and storage of gas, and of coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and other refuse or residual products arising from the manufacture of gas and any matters producible therefrom, and dwellings for any persons employed in the said works, and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the District for public and private purposes, and may convert or manufacture coke, asphaltum, pitch, coal-tar, ammoniacal liquor, and all refuse or residual products arising from the manufacture of gas by them and any matters producible therefrom, and may sell and dispose of the same at the gasworks and elsewhere.

Art. VII. The Local Board shall not manufacture gas, or any residual products arising in the manufacture of gas, or store gas, on any land other than that specified in the Schedule hereto.

Art. VIII. The Local Board may manufacture, purchase, or hire, and sell or let on hire, gas cooking-ovens, stoves, meters, ranges, burners, or other fittings or apparatus used in the supply or consumption of gas for lighting or heating purposes.

Art. IX. The quality of the gas supplied by the Local Board shall, with respect to its illuminating power, be such as to produce at the testing place herein-after mentioned a light equal in intensity to the light produced by fifteen sperm candles of six to the pound, and shall, in all respects, be in accordance with the provisions of the Gasworks Clauses Act, 1871.

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.
Selby (Gas)
Order.

Art. X. The Local Board shall, before supplying, or within one month after commencing to supply, gas under the authority of this Order, provide and maintain a suitable photometer and other necessary appliances for the purposes of testing the quality of the gas, and shall at all times keep the same in proper order and repair.

Art. XI. All gas supplied by the Local Board to any consumer of gas shall be supplied at such pressure as to balance from midnight to sunset a column of water not less than six-tenths of an inch in height, and from sunset to midnight a column of water not less than eight-tenths of an inch in height, at the main or as near as may be to the junction therewith of the service pipe supplying such consumer.

Art. XII. For the purposes of the Gasworks Clauses Act, 1871, the prescribed testing place shall be a testing place to be provided by the Local Board at the gasworks situate on the land described in the Schedule hereto, before supplying, or within one month after commencing to supply, gas under the authority of this Order, and the burner to be used for testing the gas shall be a Sugg's "London" Argand No. 1, with a six-inch by one-and-three-quarter inch glass chimney, and if at any time the gas-flame tails over the top of the glass a six-inch by two-inch chimney shall be used. Any gas examiner appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place or elsewhere, not being the immediate approach to any railway bridge or railway station, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may open any street, road, passage, or place vested in or under the control of any local or road authority.

Art. XIII. No penalty shall be incurred by the Local Board for insufficiency of pressure, defect of illuminating power, or for 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 an unavoidable cause or accident.

Art. XIV. The price to be charged by the Local Board for gas supplied by them to consumers shall not exceed five shillings and sixpence per one thousand cubic feet, and so on in proportion for any less quantity supplied: Provided nevertheless that every odd fraction or portion of one hundred cubic feet may be charged for as one hundred cubic feet.

Art. XV. The Local Board may, with the sanction of the Local Government Board, and for the purposes of this Order (which purposes shall be deemed to include the costs payable by the Local Board of and connected with the preparation and making of this Order), borrow money upon the security of the moneys from time to time received by them by way of revenue under this Order, and upon the security of the district fund and general district rate of the District, or upon either of such securities.

Art. XVI. For the purpose of raising money under this Order the provisions of the Local Loans Act, 1875 (including the power of creating debenture stock), shall be available to the Local Board, and Sections 236 to 239, both inclusive, of the Public Health Act, 1875, shall apply to all money raised and borrowed under

[54 & 55 VICT.] *Local Government Board's* [Ch. cviii.]
Provisional Orders Confirmation (Gas) Act, 1891.

this Order, other than money borrowed under the provisions of the Local Loans Act, 1875. A.D. 1891.

Art. XVII. The moneys borrowed for the purposes of this Order shall be repaid within such period (not exceeding fifty years) as the Local Board, with the sanction of the Local Government Board, shall determine, and the period so determined and sanctioned shall be deemed to be the "prescribed period" within the meaning of the Local Loans Act, 1875, and is herein-after referred to as "the prescribed period."

*Selby (Gas)
Order.*

Art. XVIII. The Local Board shall repay the money borrowed for the purposes of this Order, other than money borrowed under the provisions of the Local Loans Act, 1875, either by equal annual instalments of principal, or of principal and interest, or by setting apart in every year as a sinking fund such a sum or sums as will, according to a reasonable calculation for the time being, with accumulations in the way of compound interest, be sufficient, after payment of all expenses, to pay off the money so borrowed within the prescribed period, and shall invest the same in the purchase of Exchequer bills or other Government securities, or in securities in which trustees are by law for the time being authorised to invest, or in mortgages, debentures, debenture stock, or other securities issued by any Local Authority as defined by Section 34 of the Local Loans Act, 1875, other than the Local Board, the Local Board being at liberty from time to time to vary and transpose such investments.

Art. XIX. The Local Board may at any time apply the whole or any part of such sinking fund in or towards the discharge of the money for the repayment of which the fund is established: Provided that the Local Board pay into the fund each year, and accumulate until the whole of the money borrowed is discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

Art. XX. The Local Board may re-borrow for the purpose of paying off money borrowed for the purposes of this Order (other than money borrowed under the provisions of the Local Loans Act, 1875) and not paid off by means of any sinking fund set aside for their repayment, or by instalments, or out of the proceeds of the sale or disposition of land, or out of other moneys received on capital account (not being borrowed moneys): Provided that the money borrowed for such purpose shall be repaid in the manner provided by Articles XVII. and XVIII. of this Order, and the time for repayment of the money so borrowed shall not, except with the sanction of the Local Government Board, extend beyond the unexpired portion of the prescribed period, and shall in no case be extended beyond the period of fifty years from the date of the original loan.

Art. XXI. All money borrowed or re-borrowed under this Order shall be appropriated to the purposes for which it is authorised to be so borrowed or re-borrowed, and all money received by the Local Board, either as purchase money of lands sold, or for equality of exchange, or as consideration for a lease, shall be applied to works or objects on which capital may properly be expended, when the Local Government Board have sanctioned the application of the same to those purposes, or shall be applied, according as the Local Board may determine, towards the reduction of the debt owing by the Local Board or

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.

—
*Selby (Gas)
Order.*

towards the increase of the sinking fund set apart under this Order: Provided that it shall not be in any way incumbent on any mortgagee to see to the application of any money so borrowed or re-borrowed, nor shall the mortgagee be responsible for any misapplication thereof.

Art. XXII. The powers of borrowing and re-borrowing conferred by this Order shall be deemed to be distinct from, and in addition to, the powers of borrowing and re-borrowing conferred on the Local Board by the Public Health Act, 1875.

Art. XXIII. The clerk to the Local Board shall, within twenty-one days after the expiration of each year ending on the Twenty-fifth day of March in which any sum is required to be paid as an instalment or to be set apart for a sinking fund in respect of moneys borrowed under the provisions of this Order, transmit to the Local Government Board a return, in such form as may be prescribed by that Board, and verified by statutory declaration, if so required by them, showing, for the year next preceding the making of such return, the amounts which have been paid as instalments, and the amounts which have been invested or applied for the purpose of such sinking fund, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of interest has been applied during the same period, and the total amount (if any) remaining invested at the end of the year; and, in the event of any wilful default in making such return, such clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to the Local Government Board, and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act, 1875, in a summary manner may be recovered by parties aggrieved within the meaning of that Act.

Art. XXIV. If it appears to the Local Government Board by that return, or otherwise, that the Local Board have failed to pay any instalment required to be paid, or to set apart any sum required for any sinking fund, or have applied any portion of the moneys set apart for any sinking fund, or of the sums accumulated by way of interest, to any purposes other than those authorised, the Local Government Board may, by Order, direct that the sum in such Order mentioned, not exceeding double the amount in respect of which default has been made, shall be paid by way of instalment, or be set apart and invested or applied as part of the sinking fund, and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

Art. XXV. The Local Board shall keep separate capital and revenue accounts of all receipts, credits, payments, liabilities, and transactions in and about the execution of this Order, and from or on account of the gas undertaking hereby authorised, which accounts shall be distinct from the other accounts of the Local Board, and shall be called respectively "the Gas Capital Account" and "the Gas Revenue Account."

Art. XXVI. All moneys from time to time received by the Local Board by way of revenue under this Order shall be applied for the following purposes:—

In payment of the gas establishment charges (that is to say) of the expenses properly chargeable to revenue of establishing, conducting, managing, and maintaining the gasworks and works connected therewith;

[54 & 55 VICT.] *Local Government Board's* [Ch. cviii.]
Provisional Orders Confirmation (Gas) Act, 1891.

In payment of the interest on the moneys borrowed or re-borrowed for the purposes of this Order ;

In providing for the discharge of any moneys borrowed or re-borrowed for the purposes of this Order in accordance with the provisions of this Order, or if such money was borrowed thereunder, of the Local Loans Act, 1875 ;

In setting apart, if the Local Board think fit, a yearly sum not exceeding ten pounds per centum of such revenue, for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the said gasworks and works connected therewith, or any other extraordinary expenditure authorised by this Order ; Provided that such reserve fund shall be accumulated by way of compound interest by investment in the manner specified in Article XVIII. of this Order as to the sinking fund, until it amounts, according to the market price of such investments, to the sum of two thousand pounds, and that whenever the reserve fund amounts, according to the market price of such investments, to the sum of two thousand pounds the income therefrom shall be applied in the same manner as money received by the Local Board by way of revenue under this Order ;

In payment, if the Local Board think fit, of the expenses of executing any permanent works authorised by this Order

The residue (if any) of such revenue shall be carried to the credit of the district fund, but no part of such revenue shall be carried to the credit of the district fund when the price of gas to private consumers exceeds four shillings per one thousand cubic feet.

Art. XXVII. The Local Board shall keep separate records of the quantities of gas supplied to private consumers and for public lighting respectively. The price charged for gas for public lighting shall not be less than that charged to private consumers by more than ten per cent.

Art. XXVIII. The Local Board shall not defray any of the charges and expenses of carrying this Order into execution, other than payments required to be made in respect of money borrowed on mortgage of the district fund and general district rate, out of the district fund or general district rate when the price of gas to private consumers is less than five shillings and sixpence per one thousand cubic feet.

Art. XXIX. If any difference arise between the Local Board and any railway, canal, or other company whose lands or works the Local Board have power to cross under the authority of this Order for the purpose of meeting the demands for gas within the district, as to the mode of laying down, repairing, altering, or enlarging the pipes or the facilities to be afforded for the same, the same shall be settled by an engineer to be appointed by the Local Government Board at the request of either party ; and the costs and expenses of and incidental to such appointment shall be paid by the Local Board and the Company in equal moieties, unless the Local Government Board otherwise direct.

A.D. 1891.

Selby (Gas)
Order.

[Ch. cviii.] *Local Government Board's* [54 & 55 VICT.]
Provisional Orders Confirmation (Gas) Act, 1891.

A.D. 1891.

*Selby (Gas)
Order.*

The SCHEDULE above referred to.

All that piece of land and premises, together with the gasworks and other buildings thereon, belonging to the Selby Gas Company, situate in the Township of Selby, in the County of the West Riding of Yorkshire, containing three thousand four hundred and fifty-six square yards or thereabouts, and bounded on or towards the north and south by land belonging or reputed to belong to the Earl of Londesborough, on or towards the east by a road leading to the said gasworks and to land belonging or reputed to belong to the said Earl of Londesborough, and on or towards the west by the York and Doncaster Line of the North-Eastern Railway Company.

Given under the Seal of Office of the Local Government Board, this
Twenty-first day of April, One thousand eight hundred and
ninety-one.

(L.S.)

CHAS. T. RITCHIE, President.
HUGH OWEN, Secretary.

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