



CHAPTER cxlv.

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act, 1870, relating to Newent Gas, Portishead Gas, Sheffield Gas, and Sligo Gas. [27th July 1893.]

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WHEREAS, under the authority of the Gas and Water Works Facilities Act, 1870, the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed :

33 & 34 Vict.
c. 70.

And whereas a Provisional Order made by the Board of Trade under the authority of the Gas and Water Works Facilities Act, 1870, is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

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. This Act may be cited as the Gas Orders Confirmation (No. 2) Act, 1893. Short title.

2. The several 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. Confirmation
of Orders
in schedule.

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Special provisions as to houses of labouring class.

3. The Undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district, ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

For the purposes of this section the expression "labouring class" includes mechanics, artisans, 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.

SCHEDULE OF ORDERS.

NEWENT GAS.—Order empowering the Newent Gas Company Limited to maintain and continue gasworks and to manufacture and supply gas in the parish of Newent in the county of Gloucester.

PORTISHEAD GAS.—Order empowering the Portishead Gas Company Limited to maintain and continue gasworks and to manufacture and supply gas in the parishes of Portishead Portbury Easton in Gordano or Saint George and Weston in Gordano all in the county of Somerset.

SHEFFIELD GAS.—Order empowering the Sheffield United Gas Light Company to create and issue debenture stock and to construct additional works.

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

NEWENT GAS.

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Order empowering the Newent Gas Company Limited to maintain and continue Gasworks and to manufacture and supply Gas in the Parish of Newent in the County of Gloucester.

Newent.

1. This Order may be cited as the Newent Gas Order 1893.

Short title.

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 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) of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by this Order) and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains pipes and works of the Undertakers laid down or constructed before the commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order.

Incorporation of Acts.

4. In this Order the expression "the prescribed rates" means the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have 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 this Order authorised to be maintained and continued.

Interpretation.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parish of Newent in the county of Gloucester.

Limits of Order.

Undertakers.

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

Undertakers.

Capital.

7. The share capital of the Undertakers for the purposes of the undertaking shall not exceed six thousand pounds consisting of the share capital of four thousand pounds already raised or authorised to be raised by the Undertakers (in this Order referred to as "the original capital") and of additional capital (in this Order referred to as the "additional capital") to be issued subject

Capital.

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to the provisions of this Order not exceeding two thousand pounds including any premiums that may be obtained on the sale of any shares under the provisions of this Order unless the Undertakers are hereafter authorised to raise for such purposes further additional capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

New shares to be offered by auction or tender.

8. The Undertakers shall when any shares forming part of the additional capital are to be issued and before offering the same to the holder of any other share or stock of the Undertakers offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine. Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares and that the reserve price put upon such shares shall not be less than the nominal amount thereof and notice of the amount of such reserve price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

Where proprietor tender same amount as any other person proprietor to be declared the purchaser.

9. When the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any such lot of shares so offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for the same lot by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and to be entitled to such lot.

Purchase money of shares to be paid within three months.

10. It shall be one of the conditions of any sale of shares under the provisions of this Order that the whole nominal amount of each share together with any premium given by any purchaser at such sale in respect thereof shall be paid to the Undertakers within three months after such sale.

Notice to be given as to sale of shares.

11. The intention to sell any shares by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the secretary of the committee 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 notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Shares not sold by auction or by tender to be offered to shareholders.

12. When any shares have been offered for sale by auction or tender under the provisions of this Order and not sold the same shall be offered at the reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of the ordinary shares or ordinary stock of the Undertakers in such manner as may be prescribed by a special resolution passed by the Undertakers. Provided that any shares so offered and not accepted within the time prescribed by such resolution shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital.

13. Any sum of money which may arise from the issue of any shares under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers and shall not be considered as part of the capital of the Undertakers entitled to dividend.

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Application
of premium
arising on
issue of shares.

14. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividends on the original and additional capital than the standard rates of dividend herein-after mentioned namely ten pounds in respect of every one hundred pounds actually paid up of such original capital and seven pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as ordinary capital or six pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as preference capital.

Limits of
dividend on
capital.

15. In case in any year or in any half year if the Undertakers declare a dividend half-yearly the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the original and additional capital a proportionate reduction shall be made in the dividends payable on each class.

Dividends on
different classes
of ordinary
shares or
stock to be
paid propor-
tionately.

16. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares under the provisions of this Order and no higher rate of interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

Limit of bor-
rowing powers.

Purchase of Land.

17. The Undertakers may for the purposes of the undertaking from time to time purchase or take on lease by agreement but not otherwise and hold in addition to the lands described in Schedule A to this Order annexed any lands which they may require Provided that they shall not create or permit a nuisance on any such lands and that 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 schedule 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 schedule.

Power to pur-
chase additional
lands by
agreement.

Maintenance and continuance of Gasworks Manufacture and Sale of Gas Coke and Residual Products.

18. The Undertakers may on the lands shown on the map deposited for the purposes of this Order and described in Schedule A to this Order annexed while they are possessed of the same maintain and continue and from time to time alter

Undertakers
may maintain
and continue
gasworks on

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in schedule
and may make
and sell gas
&c.

and enlarge renew or discontinue their existing gasworks and works connected therewith and may construct erect make and maintain and from time to time alter and enlarge retorts gas holders receivers purifiers meters apparatus and works for the manufacture and storage of gas and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom and they may subject to the provisions of this Order make and store gas on such lands and supply and sell the same within the limits of supply and may on the same lands manufacture and store coal-tar coke pitch asphaltum and ammoniacal liquor oil and all such other residual products as aforesaid and may sell and dispose of the same at the works and elsewhere and they may also construct and maintain and from time to time alter enlarge renew or discontinue houses offices buildings and other works connected with the undertaking.

Power to
Undertakers to
purchase and
supply gas
appliances and
apparatus &c.

19. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters fittings gas stoves and cooking and other apparatus and may also manufacture purchase hire sell let deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to take
licences for
patents.

20. The Undertakers may subject to the provisions of this Order (but only for the purposes of the undertaking within the limits of supply and not so as to acquire any exclusive right therein) contract for take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of any product obtainable in or arising from such manufacture or production or from the materials used therein.

For protec-
tion of
Gloucester-
shire County
Council.

21.—(1.) Any main or service pipe or part of any such pipe which the Undertakers may after the commencement of this Order require to lay or renew under the footway of any street shall be laid within a trunk line of glazed stoneware socket jointed pipes or other suitable trunk line of pipes or tubes of sufficient diameter to allow the internal pipes to be removed without disturbing the surface of the footway.

(2.) The Undertakers shall so lay all main and service pipes which may after the commencement of this Order be laid or relaid in the roadway of any street that the uppermost part thereof shall be not less than two feet below the surface of such street.

For protec-
tion of Great
Western Rail-
way Company.

22.—(1.) Any mains or pipes which the Undertakers may lay down in or along any road crossing either over under or on the level of the railway of the Great Western Railway Company (hereinafter referred to as the Great Western Company) shall so far as they may affect such railway be laid down by the Undertakers at such times as may be reasonably required by and under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the Great Western Company and in accordance with plans and

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sections (when necessary in the opinion of such engineer) previously submitted to and reasonably approved of by him in writing and any of such mains or pipes from time to time renewed or repaired by the Undertakers shall be renewed and repaired in the same manner and under the like conditions. Provided that where any mains or pipes required to be laid under or over any level crossing of the said railway the Great Western Company may if they elect so to do themselves lay the said mains or pipes at the costs charges and expenses of the Undertakers.

(2.) The said mains or pipes shall be so laid down maintained repaired and used by the Undertakers as not to cause any damage or injury to or to impede the free and uninterrupted use of the said railway and works.

(3.) The Undertakers shall at all times keep the Great Western Company indemnified against all damages losses expenses or injuries which they or the traffic on the said railway may sustain or incur by reason or in consequence of the failure of any such mains and pipes as aforesaid.

23. If any difference arise between the Undertakers and any railway canal or other company whose lands or works the Undertakers have power to cross under the authority of this Order as to the mode of laying down repairing altering or enlarging their mains pipes or other works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

Difference
with rail-
way and other
companies.*Quality of Gas.*

24. The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce a light equal in intensity to the light produced by fifteen sperm candles and shall in all respects be in accordance with the provisions of the Gasworks Clauses Act 1871.

Quality of gas.

Price of Gas.

25. The price to be charged by the Undertakers for gas supplied by them shall not exceed five shillings and tenpence per thousand cubic feet and so in proportion for any less quantity supplied. Provided that at any time after the expiration of three years from the commencement of this Order the Board of Trade may if they think fit by order in writing signed by a secretary or an assistant secretary of the said Board alter the said maximum price either by substituting any other sum for the said sum of five shillings and tenpence or by fixing a standard price with sliding scale as to profits and as from the date specified in such Order (hereinafter referred to as "the specified date") the price to be charged by the Undertakers for gas supplied by them shall be in accordance with such Order. Provided further that in case such Order shall prescribe a standard price with sliding scale as to profits then as from the specified date the provisions set forth in Schedule B to this Order annexed shall be in force and have effect and this Order shall be read and construed accordingly. A copy of any such Order made by the Board of Trade shall be published in the London Gazette and a copy of the said gazette containing such Order shall be conclusive evidence of the due making and validity of the same and of the contents thereof.

Price of gas.

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Pressure of Gas.

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Pressure of gas. 26. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water not less than eight-tenths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing Gas.

Testing gas. 27. The Undertakers shall within six months after the commencement of this Order cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act 1871 and the burner to be used for testing 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. Provided that any other description of burner may be used which may from time to time be approved for the purpose by the Board of Trade and 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 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 not being the immediate approach to any railway or canal bridge or railway station vested in or under the control of any local or road authority.

Miscellaneous.

Exemption from penalty in certain cases. 28. No penalty shall be incurred by the Undertakers for insufficiency of pressure defect of illuminating power or for excess of impurity in the gas supplied by them in any case in which it is proved that such insufficiency defect or excess was produced by an unavoidable cause or accident.

Undertakers to pay interest on deposit. 29. Where any money is deposited by any person by way of security with the Undertakers 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 Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

8 Vict. c. 16. s. 140, incorporated. 30. Section one hundred and forty of the Companies Clauses Consolidation Act 1845 shall be and is hereby incorporated with this Order. Provided that for the purpose of such incorporation the expression "the company" in the said section shall be construed to mean the Undertakers.

Costs of Order. 31. 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.

SCHEDULE A.

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Gas Lands.

(i.) Lands belonging or reputed to belong to the Undertakers containing by admeasurement one thousand and seventy-six square yards or thereabouts situate in Watery Lane in the parish of Newent in the county of Gloucester bounded on the west by the said lane on the north and east by lands belonging or reputed to belong to and in the occupation of Audrey Archdale and on the south by the lands next herein described.

(ii.) Lands belonging or reputed to belong to John Hatton being part of the fields numbered 990 and 991 on the ordnance map of the said parish of Newent containing by admeasurement one thousand and sixty-two yards or thereabouts bounded on the north by the lands above described on the south and east by other lands belonging or reputed to belong to the said John Hatton and on the west by Watery Lane aforesaid.

SCHEDULE B.

The foregoing Order shall after the making by the Board of Trade of an order in pursuance of the provisions in that behalf therein contained prescribing a standard price for gas supplied by the Undertakers with sliding scale as to profits and as from the specified date be read and construed subject to the modifications following:—

(i.) Sections thirty to thirty-four (both inclusive) of the Gasworks Clauses Act 1847 shall not continue to be incorporated with or form part of the foregoing Order and in construing the said Act for the purposes of the foregoing Order section thirty-five of the said Act shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rates as defined by the foregoing Order together with any sum which under the provisions of this schedule might lawfully be carried to the insurance fund.

Sections thirty to thirty-four of Gasworks Clauses Act 1847 to cease to be incorporated.

(ii.) Notwithstanding anything contained in the foregoing Order the standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter shall be the price prescribed by such Order of the Board of Trade as aforesaid per thousand cubic feet.

Price of gas with sliding scale as to dividend.

Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary shares or stock in the share capital of the Undertakers as follows:—

In respect of any year during which the price so charged by the Undertakers shall have been one penny or more above the standard price the dividend so payable by the Undertakers shall in respect of each

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penny by which the price so charged has exceeded the standard price be reduced below the standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds.

And in respect of any year during which the price so charged by the Undertakers shall have been one penny or more below the standard price the dividend so payable by the Undertakers may in respect of each penny by which the standard price has exceeded the price so charged be increased above the standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds.

If profits exceed amount limited excess may be invested and form an insurance fund.

(iii.) If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess beyond the sum necessary for that purpose may from time to time to the extent of one per centum per annum upon the paid-up capital of the Undertakers be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth part of the paid-up capital of the Undertakers which fund shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Undertakers from accident strike or other circumstance which in the opinion of two justices due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction happens Provided that when and so often as the said fund reaches the said limit of one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may from time to time be had to the insurance fund to meet any such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of the paid-up capital as aforesaid.

Application of further excess of profits over prescribed rates.

(iv.) If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess or such portion of it as is not carried to the insurance fund shall be carried to the credit of the divisible profits of the undertaking for the next following year.

Power to create a reserve fund and application thereof.

(v.) When in any year the prescribed rates on the ordinary share capital or stock of the Undertakers exceed the standard rates by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of the excess of dividends over the standard rates the Undertakers may in such year set apart such sum as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the specified date in relation to the undertaking may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or like securities in order that the same may accumulate at compound interest and the fund so

formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers are insufficient to enable the Undertakers in such year to pay the prescribed rates and save as by this schedule specially provided no sum shall in respect of the undertaking in any year be carried by the Undertakers to any reserve fund.

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(vi.) Nothing in this schedule contained shall alter vary or affect any contract or agreement duly made or any liability incurred or notice given before the specified date with respect to the gasworks of or the supply of gas by the Undertakers.

Saving of
existing
contracts.

PORTISHEAD GAS.

Portishead.

Order empowering the Portishead Gas Company Limited to maintain and continue Gasworks and to manufacture and supply Gas in the parishes of Portishead Portbury Easton in Gordano or Saint George and Weston in Gordano all in the county of Somerset.

1. This Order may be cited as the Portishead Gas Order 1893.

Short title.

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."

Commence-
ment of Order.

3. 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) of the Gasworks Clauses Act 1847 (except sections thirty to thirty-four both inclusive) and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order (except where the same are expressly varied by this Order) and the said provisions of the said Gasworks Clauses Acts shall apply as well to the mains pipes and works of the Undertakers laid down or constructed before the commencement of this Order and situate within the limits of supply as defined by this Order as to any mains pipes or works which may be laid down or constructed under the authority of this Order. Provided that for the purpose of such incorporation section thirty-five of the said Gasworks Clauses Act 1847 shall be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rates as defined by this Order together with any sum which under the provisions of this Order might lawfully be carried to the insurance fund and section thirty-five of the said Gasworks Clauses Act 1871 shall be read and construed as though the words "thirtieth day of September" were substituted therein for the words "twenty-fifth day of March" and the words "thirtieth day of June" for the words "thirty-first day of December."

Incorporation
of Acts.

4. In this Order the expression "the prescribed rates" means the rates of dividend authorised by this Order on the capital of the Undertakers or such

Interpretation.

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rates as reduced or increased in accordance with the provisions of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have 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 this Order authorised to be maintained and continued.

Limits of
Order.

5. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be the parishes of Portishead Portbury Easton in Gordano or Saint George and Weston in Gordano all in the county of Somerset.

Undertakers.

Undertakers.

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

Capital.

Capital.

7. The capital of the Undertakers for the purposes of the undertaking shall not exceed nineteen thousand pounds consisting of the sum of ten thousand pounds already raised or authorised to be raised by the Undertakers (in this Order referred to as "the original capital") and of additional capital (in this Order referred to as "the additional capital") to be issued subject to the provisions of this Order not exceeding nine thousand pounds including any premiums which may be obtained on the sale of any shares under the provisions of this Order unless the Undertakers are hereafter authorised to raise for such purposes further additional capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament.

New shares to
be offered by
auction or
tender.

8. The Undertakers shall when any shares forming part of the additional capital are to be issued and before offering the same to the holder of any other share or stock of the Undertakers offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares and that the reserve price put upon such shares shall not be less than the nominal amount thereof and notice of the amount of such reserve price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

When pro-
prietor ten-
ders same
amount as
any other
person pro-
prietor to be
declared the
purchaser.

9. When the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any such lot of shares so offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for the same lot by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and to be entitled to such lot.

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10. It shall be one of the conditions of any sale of shares under the provisions of this Order that the whole nominal amount of each share together with any premium given by any purchaser at such sale in respect thereof shall be paid to the Undertakers within three months after such sale.

Portishead.

Purchase money of shares to be paid within three months.

11. The intention to sell any shares by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the secretary of the committee 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 notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Notice to be given as to sale of shares.

12. When any shares have been offered for sale by auction or tender under the provisions of this Order and not sold the same shall be offered at the reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of the ordinary shares or ordinary stock of the Undertakers in such manner as may be prescribed by a special resolution passed by the Undertakers. Provided that any share so offered and not accepted within the time prescribed by such resolution shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares forming part of the additional capital.

Shares not sold by auction or tender to be offered to shareholders.

13. Any sum of money which may arise from the issue of any shares under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Application of premium arising on issue of shares.

14. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividends on the original and additional capital than the standard rates of dividend herein-after mentioned namely ten pounds in respect of every one hundred pounds actually paid up of such original capital and seven pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as ordinary capital or six pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as preference capital.

Limits of dividend on capital.

15. In case in any year or in any half year if the Undertakers declare a dividend half-yearly the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the original and additional capital a proportionate reduction shall be made in the dividends payable on each class.

Dividends on different classes of ordinary shares to be paid proportionately.

16. The amount of all moneys borrowed by the Undertakers and secured by mortgage of the undertaking shall not at any time exceed in the whole one-fourth of the amount of the capital of the Undertakers actually raised by the issue of shares or stock including any premiums that may be obtained on the sale of any shares under the provisions of this Order and no higher rate of

Limit of borrowing powers.

A.D. 1893. interest than five pounds per centum per annum shall be paid by the Undertakers without the consent of the Board of Trade in respect of any moneys borrowed by the Undertakers after the commencement of this Order and secured as aforesaid.

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If profits exceed the amount limited excess may be invested and form an insurance fund.

17. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess beyond the sum necessary for that purpose may from time to time to the extent of one per centum per annum upon the paid-up capital of the Undertakers be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth part of the paid-up capital of the Undertakers which fund shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Undertakers from accident strike or other circumstance which in the opinion of two justices due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said limit and so from time to time as often as such reduction happens. Provided that when and so often as the said fund reaches the said limit of one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend. Provided also that resort may from time to time be had to the insurance fund to meet any such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of the paid-up capital as aforesaid.

Application of excess of profits over prescribed rates.

18. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess or such portion of it as is not carried to the insurance fund shall be carried to the credit of the divisible profits of the undertaking for the next following year.

Power to create a reserve fund and application thereof.

19. Where in any year the prescribed rates on the ordinary shares or stock in the original and additional capital exceed the standard rates by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of the excess of dividend over the standard rates the Undertakers may in such year set apart such sum as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the commencement of this Order may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers are insufficient to enable the Undertakers in such year to pay the prescribed rates and save as by this Order specially provided no sum shall in any year be carried by the Undertakers to any reserve fund.

Purchase of Land.

Power to purchase additional land.

20. The Undertakers may for the purposes of the undertaking from time to time purchase or take on lease by agreement but not otherwise and hold in

addition to the lands described in the schedule to this Order annexed any lands which they may require. Provided that they shall not create or permit a nuisance on any such lands and that 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 schedule 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 schedule.

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—
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Maintenance and continuance of Gasworks Manufacture and Sale of Gas Coke and Residual Products.

21. The Undertakers may on the lands shown on the map deposited for the purposes of this Order and described in the schedule to this Order annexed while they are possessed of the same maintain and continue and from time to time alter and enlarge renew or discontinue their existing gasworks and works connected therewith and may construct erect make and maintain and from time to time alter and enlarge retorts gasholders receivers purifiers meters apparatus and works for the manufacture and storage of gas and of coke and other residual products obtained in the manufacture of gas and matters producible therefrom and they may subject to the provisions of this Order make and store gas on such lands and supply and sell the same within the limits of supply and may on the same lands store coal and store and manufacture patent fuel coal-tar coke pitch asphaltum and ammoniacal liquor oil and all such other residual products as aforesaid and may sell and dispose of the same at the works and elsewhere and they may also construct and maintain and from time to time alter enlarge renew or discontinue houses offices buildings and other works connected with the undertaking.

Undertakers may maintain and continue gasworks on lands described in schedule and may make and sell gas &c.

22. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters fittings gas stoves and cooking and other apparatus and may also manufacture purchase hire sell let deal in and contract for doing work in connexion with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to Undertakers to purchase and supply gas appliances and apparatus &c.

23. The Undertakers may subject to the provisions of this Order (but only for the purposes of the undertaking within the limits of supply and not so as to acquire any exclusive right therein) contract for take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilisation of any products obtainable in or arising from such manufacture or production or from the materials used therein.

Power to take licences for patents.

24.—(1.) Any mains or pipes which the Undertakers may lay down (not being the repair or renewal of existing works of which the character and position are not altered) in or along any road crossing either over under or on the level of the railway of the Great Western Railway Company or the tramways or tramroad of the Weston-super-Mare Clevedon and Portishead Tramway Company shall so far as they may affect any such railway tramway or tramroad be laid down by the Undertakers at such times as may be reasonably required

For protection of the Great Western Railway Company and the Weston-super-Mare Clevedon and Portishead Tramway Company.

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by and under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of such of the said companies as may be affected thereby and in accordance with plans and sections (when necessary in the opinion of such engineer) previously submitted to and approved of by him in writing and any of such mains or pipes from time to time renewed or repaired by the Undertakers shall be renewed and repaired in the same manner and under the like conditions and the reasonable charges of such engineer shall be borne by the Undertakers. Provided that where any mains or pipes required to be laid under or over any level crossing of any such railway or tramway or tramroad such of the said companies as is affected thereby may if they elect so to do themselves lay the same at the costs charges and expenses of the Undertakers.

(2.) The said mains or pipes shall be so laid down repaired and used by the Undertakers as not to cause any damage or injury to or to impede the free and uninterrupted use of the said railway tramways or tramroad.

(3.) The Undertakers shall at all times keep the said companies indemnified against all damages losses expenses or injuries which they or the traffic on their railway or tramways or tramroad may sustain or incur by reason or in consequence of the laying down maintaining and using such mains and pipes as aforesaid.

(4.) The Undertakers shall acquire only such an easement across over or under any of the railway tramway or tramroad works or property of the said companies or any lands belonging to either of the said companies as may be necessary for constructing or maintaining any of the works of the Undertakers and shall pay to the company from whom they acquire such easement such sum either annual or otherwise as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Consolidation Act 1845 for settling cases of disputed compensation with respect to the purchase and taking of lands otherwise than by agreement and the easements so to be taken shall be deemed to be lands so far as regards the proceedings for the acquisition thereof and also for the purposes of such arbitration.

(5.) If either of the said companies at any time or times hereafter require to construct any additional or other works upon their lands or railway or tramways or tramroad or to alter or repair their railway or tramways or tramroad bridges viaducts or works upon across over or under which any of the works of the Undertakers may have been constructed or laid such company may on giving to the Undertakers seven days' notice in writing under the hand of their secretary or general manager for the time being and in case of emergency of which their engineer shall be the sole judge without notice divert support or carry the said works of the Undertakers across over or under their lands railway or tramways or tramroad bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will permit and doing as little damage as may be without being liable to pay compensation in respect thereof.

For the
 protection of
 the Long
 Ashton District
 Highway
 Board.

25. For the protection of the Long Ashton District Highway Board (in this section referred to as "the highway board") the following provisions shall have effect:—

(1.) No pipes or other materials shall be deposited by the Undertakers on the surface or by the sides of any highway except where such highway is

sufficiently wide to permit the same without causing any obstruction or inconvenience to the traffic or annoyance to foot passengers and residents adjoining the highway and in no case shall any such materials remain deposited for a greater period than seven days :

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- (2.) A correct plan and section on a sufficient scale of every highway along or under which it is intended to lay mains or pipes shall be furnished to the highway board by the Undertakers at least ten days before the commencement of any part of the work and such plan and section shall show the position of all known existing drains pipes tanks sewers or culverts on the highway (the district surveyor of the highway board at the expense of the Undertakers to furnish them with any information in his power as to the position of such drains pipes tanks sewers or culverts) and any further drains or culverts that may be met with in opening any trench shall be marked by the Undertakers upon the said plan and section :
- (3.) No pipes bridges culverts drains tanks or sewers or any cellars foundations or other underground works which may be met with in the course of the work which are not shown on the said plan and section shall be interfered with by the Undertakers until they shall have given twenty-four hours' notice in writing to the district surveyor of the highway board and obtained his permission which shall not be unreasonably withheld to interfere with the same unless the owners of such pipes bridges culverts drains tanks or sewers shall have consented to such interference and the Undertakers shall repair and make good the same as soon as practicable and pay compensation for all loss injury or damage (if any) resulting from such interference :
- (4.) Not more than fifty yards in length of the trench made for laying the mains and pipes shall be open at one time where only one vehicle can pass or one hundred yards where two vehicles can pass at the same time.
- (5.) The main pipes shall be laid at such a depth that there may be not less than two feet from the surface of the highway to the top of such mains All culverts and drains broken open shall be carefully replaced and the levels of such culverts and drains shall not be altered without the special permission in writing of the highway board or their surveyor :
- (6.) No works affecting any highway shall be executed by the Undertakers except in such manner and under such conditions as to the mode of breaking up repairing or replacing the surface or soil of such highway as shall satisfy the reasonable requirements of the said surveyor :
- (7.) The highway board may from time to time appoint a proper person to superintend the carrying out of the foregoing provisions and the Undertakers shall from time to time upon the request in writing of the said district surveyor pay to the said highway board a sum calculated at the rate of one pound ten shillings per week as wages for such person during the time the work is being carried out and the Undertakers shall from time to time comply with and carry out all the reasonable orders and directions of such person and if they shall object to any such orders or directions the same shall be referred to arbitration in manner hereinafter provided and on the completion of each and every portion of the work the Undertakers shall also pay to the said surveyor a reasonable fee in respect of the extra work entailed on him by reason thereof :

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- (8.) The Undertakers shall maintain and keep in good order and condition to the satisfaction in all respects of the said surveyor for the time being for the space of twelve months next thereafter such part of the surface of the highways as shall have been interfered with by laying the said mains and pipes :
- (9.) If at any time the highway board shall alter the level of any highway in or under which any gas mains or pipes of the Undertakers are laid then the Undertakers if they consider it necessary to make any alteration in the position of their gas mains or pipes shall bear the expense thereof :
- (10.) If in the opinion of the said surveyor default shall have been made by the Undertakers in the performance of any part of the foregoing stipulations he may give notice of such default by writing addressed to the offices of the Undertakers and in the event of any default of the Undertakers continuing after the expiration of four days from the delivery of such notice the said surveyor may make good the default of the Undertakers and the expense incurred by him in so doing shall be forthwith repaid by the Undertakers to the highway board :
- (11.) If any difference arises between the Undertakers and the highway board with respect to any of the provisions of this section or the carrying out of the same such difference shall be submitted to an engineer or other fit person to be appointed by the highway board and the Undertakers and such submission shall be subject to the provisions of the Arbitration Act 1889.

For the
protection of
the Portishead
District Water
Company.

26. For the protection of the Portishead District Water Company (hereafter called "the water company") the following provisions shall unless otherwise agreed between the Undertakers and the water company have effect (that is to say) :—

- (1.) Whenever the Undertakers shall require to dig or sink any trench or to open any ground for the purpose of laying down repairing or renewing any main or pipe or other apparatus or for any other of the purposes of this Order near to any main or service pipe of the water company within any part of the limits of supply the Undertakers shall except in case of accident or emergency give twenty-four hours' previous notice in writing of their intention so to do to the water company and the water company shall be entitled by their officer to superintend the opening of such ground and laying of such main pipe or other apparatus or execution of such other work as the case may be and the Undertakers shall conform to all such reasonable requirements as may be made by the water company or their officer for protecting from injury any water main pipe or work of the water company or for preventing the fouling of any water therein and if any injury shall be done by the Undertakers to any of the water mains pipes or apparatus of the water company the Undertakers shall at their own expense forthwith after notice thereof in writing from the secretary of the water company cause such mains pipes and apparatus to be well and effectually repaired to the satisfaction of the water company or their officer and if the Undertakers shall neglect so to do within twenty-four hours after the receipt of any such notice the water company may repair and make good the defects mentioned in such notice at the expense of the Undertakers and the amount of such expense in addition to damages for such neglect on the part of the

Undertakers shall be a debt due from the Undertakers to the water company and be recoverable accordingly Provided that the water company shall not place any needless impediment but shall give all reasonable facility to the Undertakers in respect of any such repairs :

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(2.) Except as in sub-section (3) of this section otherwise expressly provided all mains or pipes other than service pipes to be laid down by the Undertakers (which mains and pipes are in this section hereinafter referred to as "gas mains") shall be laid parallel with and at a distance of not less than three feet six inches from any main or pipe (not being a service pipe) of the water company (which mains and pipes are in this section hereinafter referred to as "water mains") situate in the same street in which such gas main is proposed to be laid :

(3.) Where it shall be necessary for the purpose of crossing any water main to lay any gas main within a less distance than three feet six inches of such water main such gas main shall be so constructed and laid that no joint therein shall be situate within three feet of any joint of such water main and no part of such gas main shall be laid nearer to any part of such water main than four inches.

27. If any difference arise between the Undertakers and any railway tramway or other company whose lands or works the Undertakers have power to cross under the authority of this Order as to the mode of laying down repairing altering or enlarging their mains pipes or other works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

Differences
with railway
and other
companies.*Quality of Gas.*

28. The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce a light equal in intensity to the light produced by fifteen sperm candles and shall in all respects be in accordance with the provisions of the Gasworks Clauses Act 1871.

Quality of gas.

Price of Gas.

29. The standard price to be charged by the Undertakers for gas supplied by them to private consumers by meter shall be four shillings and sixpence per thousand cubic feet Provided that (subject to the restriction hereinafter contained) the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary shares or stock in the original and additional capital as follows :—

Fixing price
of gas with
sliding scale
as to dividend.

In respect of any year during which the price so charged by the Undertakers shall have been one penny or more above the standard price the dividend so payable by the Undertakers shall in respect of each penny by which the price so charged has exceeded the standard price be reduced below the standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds : And in respect of any year during which the price so charged by the Undertakers shall have been one penny or more below the standard price the dividend so payable by the Undertakers may in respect of each penny by which the standard price has exceeded the price so charged be increased above the

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standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds : Provided that the Undertakers shall not at any time increase the price so charged by them for gas above five shillings and threepence per thousand cubic feet.

*Pressure of Gas.*Pressure of
gas.

30. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water not less than eight-tenths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer.

Testing Gas.

Testing gas.

31. The Undertakers shall within six months after the commencement of this Order cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act 1871 and the burner to be used for testing 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. Provided that any other description of burner may be used which may from time to time be approved for the purpose by the Board of Trade and 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 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 not being the immediate approach to any railway bridge or railway station vested in or under the control of any local or road authority.

*Miscellaneous.*No penalty
in case of
unavoidable
cause.

32. No penalty shall be incurred by the Undertakers for insufficiency of pressure defect of illuminating power or for excess of impurity in the gas supplied by them in any case in which it is proved that such insufficiency defect or excess was produced by an unavoidable cause or accident.

Undertakers
to pay
interest on
deposit.

33. Where any money is deposited by any person by way of security with the Undertakers 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 Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

8 Vict. c. 16.
s. 140 incor-
porated.

34. Section one hundred and forty of the Companies Clauses Consolidation Act 1845 shall be and is hereby incorporated with this Order. Provided that for the purpose of such incorporation the expression "the company" in the said section shall be construed to mean the Undertakers.

Costs of Order.

35. 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.

SCHEDULE.

A.D. 1893.
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Portishead.*Gas Lands.**Site of existing Works.*

(A) A piece of land now belonging or reputed to belong to the Undertakers situate in the parish of Portishead in the county of Somerset containing by admeasurement one acre and five perches or thereabouts upon which the works of the Undertakers are erected bounded on or towards the north and north-east by the Portbury Commission sea wall or sea bank on or towards the south by a field in the occupation of the Undertakers and belonging or reputed to belong to the Great Western Railway Company and on or towards the west by a road leading to the parish wharf and by the Portishead Branch Railway of the Great Western Railway Company.

Site of proposed new Works.

(B) A piece of land situate in the parish of Portishead in the county of Somerset containing one rood and thirty-eight perches or thereabouts bounded by an imaginary line drawn from a point on the boundary of the above-mentioned lands of the Undertakers one hundred and twenty-five feet or thereabouts south-east of the south corner of the Undertakers' offices and drawn thence direct in a north-easterly direction for a distance of two hundred and twenty-five feet or thereabouts along the said boundary thence in a south-easterly direction for a distance of one hundred and twenty-three feet or thereabouts parallel with the sea wall of the Portbury Commissioners thence in a south-westerly direction for twenty feet or thereabouts parallel with the said sea wall drawn thence in a south-easterly direction for a distance of twenty-one feet or thereabouts parallel with the said sea wall thence direct in a westerly direction for a distance of two hundred and sixty-seven feet or thereabouts through a field belonging or reputed to belong to the Great Western Railway Company and occupied by the Undertakers to a point on the north-east side of the Undertakers' railway siding thirty-five feet or thereabouts south-east of the starting point on the boundary of the aforesaid lands and drawn thence to and terminating in the said starting point.

SHEFFIELD GAS.

Sheffield.

Order empowering the Sheffield United Gas Light Company to create and issue debenture stock and to construct additional works.

1. This Order may be cited as the Sheffield Gas Order 1893. Short title.
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." Commence-
ment of Order.

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Sheffield.
Construction
of Order.

3. The Sheffield Gas Act 1855 (in this Order referred to as "the Act of 1855") the Sheffield Gas Act 1866 (in this Order referred to as "the Act of 1866") the Sheffield Gas Order 1882 and the Sheffield Gas Order 1890 and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

Undertakers.

4. The Sheffield United Gas Light Company incorporated by the Act of 1855 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers" and in this Order the expression "the directors" means the directors of the said Company for the time being.

Power to
create
debenture
stock.

5. The Undertakers may create and issue debenture stock to the amount of two hundred thousand pounds Part III. of the Companies Clauses Act 1863 so far as the same is not varied by or inconsistent with this Order is incorporated with this Order and for the purpose of this Order shall operate and take effect as if the Undertakers were at the commencement of this Order authorised to raise on mortgage or bond the sum of two hundred thousand pounds and for the purpose of such incorporation the term special Act in the said Act shall be construed to mean this Order.

Interest on
debenture
stock.

6. The rate of interest on the debenture stock to be created and issued by the Undertakers under the powers of this Order shall not exceed four pounds per centum per annum.

Limiting
amount of
debenture
stock to be
raised at any
one time.

7. Not more than fifty thousand pounds of debenture stock shall be issued at any one time and six months at the least shall elapse between each of such issues.

Application
of premium.

8. Any premium arising on the issue of debenture stock shall after deducting therefrom the expenses of and incident to such issue be applied in like manner as the money raised by debenture stock and shall not be entitled to interest.

Debenture
stock to be
offered by
auction.

9. The Undertakers shall when any debenture stock created under the powers of this Order is to be issued offer the same for sale by public auction in such manner at such times and subject to such conditions of sale as the directors shall determine Provided that at any such sale no single lot shall comprise more than five hundred pounds of the nominal amount of such debenture stock and the reserve price put upon such debenture stock shall not be less than the nominal amount thereof and notice of the amount of such reserve price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction and such letter may be opened after such day of auction and not sooner.

Purchase-
money of
debenture
stock to be
paid within
three months.

10. It shall be one of the conditions of every sale of debenture stock under this Order that the whole nominal amount thereof together with any premiums given by any purchaser at such sale in respect thereof shall be paid to the Undertakers at the times or time to be named in the conditions under which the same shall be offered but so that the whole of such nominal amount and premium shall be payable not later than three months from the time of sale.

As to notice to
be given of
sale of
debenture
stock.

11. The intention to sell any debenture stock by auction under the provisions of this Order shall be communicated by the Undertakers in writing to the town clerk of the county borough of Sheffield at least seven days before the day of auction and notice of such intention shall be advertised by the Undertakers once

in each of two consecutive weeks in two or more of the newspapers published within the parish of Sheffield. A.D. 1893.

Sheffield.

12. When any debenture stock has been offered for sale by auction under the provisions of this Order and not sold the same may again be offered for sale by auction in manner by this Order provided for the sale of such debenture stock. Debenture stock not sold by auction to be re-offered.

13. If any dividend on any shares or stock not being debenture stock in the capital of the Undertakers whether already declared or hereafter to be declared shall remain unpaid for twelve years after the time when the same shall have become or shall become payable the directors may declare that such dividend shall be forfeited to the Undertakers and if so declared to be forfeited the same shall be treated as part of the profits of the Undertakers for the year during which the same shall become so forfeited. Unclaimed dividends after twelve years may be forfeited.

14. All moneys raised under this Order shall be applied to the purposes of the Undertaking to which capital is properly applicable. Application of money.

15. Notwithstanding anything in the Act of 1855 or the Act of 1866 contained the Undertakers may on the lands described in the schedule to this Order annexed while they are possessed of the same construct erect and maintain and from time to time alter remove and enlarge works for the making and storing of gas and residual products arising from the manufacture of gas and matters producible therefrom and may on the same lands (subject to the provisions of this Order) make and store gas and all such residual products as aforesaid and supply and sell the same at their works and elsewhere and so far as regards such lands the proviso in section eighteen of the Act of 1866 shall be and the same is hereby repealed Provided that the Undertakers shall take all reasonable precautions for preventing any nuisance arising from the manufacture of gas on the said lands. Power to construct additional works.

16. From and after the expiration of three months after the commencement of this Order section twenty of the Act of 1866 shall be read and have effect as if the words "a Sugg's London Argand Burner No. 1 having twenty-four holes each hole of 0.045 of an inch in diameter with a glass chimney six inches long and one and seven-eighths of an inch in diameter" were substituted for the words "an argand burner having fifteen holes and a seven-inch chimney" and the words "sixteen and a half" were substituted for the word "fifteen" in reference to the candles therein referred to. Quality of gas.

17. When any money is deposited by any person by way of security with the Undertakers for the payment 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 Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands. Undertakers to pay interest on deposits.

18. Nothing in this Order contained shall prejudice or affect the rights of Edward Vickers George Naylor Vickers and Thomas Edward Vickers their executors administrators and assigns (hereinafter referred to as "the lessees") under a lease dated the eighteenth day of July one thousand eight hundred and sixty-four and made between the Right Honourable William Thomas Spencer For protection of Messrs. Vickers.

A.D. 1893.
Sheffield.

Earl Fitzwilliam of the one part and the said Edward Vickers George Naylor Vickers and Thomas Edward Vickers of the other part and for the protection of the lessees the following provisions shall be in force and have effect that is to say :—

In any part of the lands described in the schedule to this Order annexed whereon the Undertakers shall at any time hereafter erect any coke sheds or other buildings or on which the Undertakers shall stack any coal or coke or place any purifiers or otherwise affect the right of access of the lessees to the surface of the ground conferred by the said lease the Undertakers shall in the line of the pipes which under the powers of the said lease have been laid across the said lands construct and afterwards during the continuance of the said lease uphold and maintain a subway or subways of not less than five feet in height and three feet six inches in width and place at the north-west and south-east ends thereof manholes which shall be of such a size as to admit of there being placed in or removed from the said subway iron pipes nine feet in length and during the continuance of the said lease allow the lessees to have at all reasonable times access by the said manholes to the said subway and to the pipes therein.

Costs of
Order.

19. 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.

SCHEDULE.

Gas Lands.

A piece of land belonging or reputed to belong to the Undertakers situate in the township of Brightside Bierlow in the parish of Sheffield in the West Riding of the county of York containing by admeasurement six acres two roods and twenty-seven perches or thereabouts bounded on or towards the south-west by the Grimesthorpe Works of the Undertakers on or towards the south-east by the Sheffield and Rotherham Branch of the Midland Railway and on all other sides by lands belonging or reputed to belong to the Right Honourable William Thomas Spencer Earl Fitzwilliam K.G.

Sligo.

SLIGO GAS.

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

Short title.

1. This Order may be cited as the Sligo Gas Order 1893.

Commence-
ment 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."

3. The Sligo Gas Company's Act 1855 (in this Order referred to as "the Act of 1855") and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order. Provided that from and after the commencement of this Order sections thirty to thirty-four both inclusive of the Gasworks Clauses Act 1847 shall cease to be incorporated with or to form part of the Act of 1855 and section thirty-five of the said Gasworks Clauses Act shall for the purpose of incorporation with the said Act be read and construed as though the words from "in case the whole" down to "have been paid" all inclusive had been omitted therefrom and as though the expression "the prescribed rate" included the prescribed rates as defined by this Order together with any sum which under the provisions of this Order might lawfully be carried to the insurance fund.

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*Sligo.*Construction
of Order.

4. So far as the same relate to the powers conferred by this Order the provisions of the Companies Clauses Consolidation Acts 1845 to 1889 with respect to the several matters following (that is to say):

Incorporation
of Acts.

The distribution of the capital of the company into shares;

The transfer or transmission of shares;

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;

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) and Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and the Companies Clauses Act 1869 are (except where expressly varied by this Order) incorporated with and form part of this Order.

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

5. From and after the commencement of this Order the Undertakers shall be subject in all respects to the provisions of the Gasworks Clauses Act 1871 (save so far as the same may be expressly varied or excepted by this Order) and the said provisions save as aforesaid shall apply to the undertaking as though the gasworks and works connected therewith were an undertaking authorised by this Order and shall be held to control and supersede such of the provisions of the Act of 1855 as are inconsistent therewith.

Application of
Gasworks
Clauses Act
1871 to
undertaking.

6. In this Order the expression "the prescribed rates" means the rates of profit authorised by the Act of 1855 and the rates of dividend authorised by this Order on the capital of the Undertakers or such rates as reduced or increased in accordance with the provisions of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings.

Interpretation.

7. The Undertakers shall have and may exercise subject to the provisions of this Order within such parts of the town and precincts of the town of Sligo in

Limits of
supply.

A.D. 1893.
Sligo.

the county of Sligo as were not included within the limits of the Act of 1855 as defined or authorised by that Act and as lie within a distance of one mile and four hundred and eighty yards from a point called the Market Cross of Sligo which said point is indicated by a monumental lamp at the junction of Castle Street Ratcliffe Street and Market Street in the said town all and the like powers privileges and authorities for and in relation to the supply of gas and shall be subject to all and the like duties liabilities and obligations in respect thereof as they now have and are subject to within the said limits of the Act of 1855 and the expression "limits of this Act" in the said Act shall from and after the commencement of this Order be deemed to include all such parts of the said town and precincts thereof as aforesaid.

Undertakers.

Undertakers.

8. The Gaslight Company of Sligo incorporated by the Act of 1855 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Additional Capital.

Additional capital.

9. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1855 (in this Order referred to as "the original capital") they may from time to time—

- (1.) Raise any further sums not exceeding in the whole six thousand pounds by the 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 (in this Order referred to as "the additional capital") 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 and until the full nominal amount of such share or stock together with any premium obtained upon the sale thereof as herein-after 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 six thousand pounds ; and
- (2.) Borrow on mortgage any sum or sums not exceeding in the whole one thousand five hundred pounds but not more than one half of that sum shall be borrowed until 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 the whole of the capital by this Order authorised to be raised has been subscribed for and one half of the amount payable in respect thereof has been 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.

Except as otherwise provided new shares or stock to be

10. Except as by this Order otherwise provided the additional capital 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

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Sligo.

provisions liabilities rights privileges and incidents whatsoever in all respects as if that additional capital were part of the original capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital.

subject to same incidents as other shares or stock.

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

11. The Undertakers shall when any shares or stock created under the powers of this Order are to be issued and before offering the same to the holder of any other share or stock of the Undertakers and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers may from time to time by special resolution determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserve price put upon such shares or stock shall not be less than the nominal amount thereof and notice of the amount of such reserve price shall be sent by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers.

12. When the amount bidden or tendered by the proprietor of any share or stock of the Undertakers for any share or stock offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or stock by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and to be entitled to such share or stock.

Where proprietor tenders same amount as any other person proprietor to be declared the purchaser.

13. It shall be one of the conditions of any sale of shares or stock under the provisions of this Order that the whole nominal amount thereof together with any premium given by any purchaser at such sale in respect thereof shall be paid to the Undertakers within three months after such sale.

Purchase money of capital sold by auction to be paid within three months.

14. The intention to sell any shares or stock by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the secretary of the committee of the Dublin 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 notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

Notice to be given of sale of shares or stock.

15. When any shares or stock have been offered for sale by auction or tender under the provisions of this Order and not sold the same shall be offered at the reserve price put upon the same respectively for the purpose of sale by auction or tender to the holders of the ordinary shares or ordinary stock of the Undertakers in manner provided by the Companies Clauses Act 1863 Provided that any share or stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares and stock created under the powers of this Order but at a lower reserve price than the price put upon the same at the preceding offer thereof for sale by auction or tender (not being less than the nominal value of the shares or stock

Shares or stock not sold by auction or tender to be offered to shareholders.

A.D. 1893.

Sligo.

so offered) and any share or stock not then sold shall be again offered to the holders of ordinary shares or ordinary stock at the last-mentioned reserve price and so from time to time until the whole of such shares or stock is sold.

Application of premium arising on issue of shares or stock.

16. Any sum of money which may arise from the issue of any shares or stock under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Limit of dividend on capital.

17. Except as by this Order expressly provided the Undertakers shall not in any year declare or make out of their profits any larger dividends on the additional capital than the standard rates of dividend herein-after mentioned (namely) seven pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of so much of such additional capital as may be issued as preference capital.

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

18. In case in any year or in any half year (if the Undertakers declare a dividend half-yearly) the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the original and additional capital a proportionate reduction shall be made in the dividends payable on each class.

As to conversion of borrowed money into capital.

19. 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.

Debenture stock.

20. 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 or in any Act previous to this Order contained the interest of all debenture stock and of all mortgages at any time after the commencement of this Order created and issued or granted by the Undertakers under any previous Act or 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 the stock and mortgages were authorised and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Limit of interest on moneys borrowed.

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

Appointment of a receiver.

22. Section seventeen of the Act of 1855 (arrears may be enforced by appointment of a receiver) shall be and the same is hereby repealed as from the commencement of this Order but without prejudice to any appointment theretofore made or any proceedings then pending and from and after such commencement the mortgagees of the Undertakers may enforce payment of arrears of interest

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

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Sligo.

23. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess beyond the sum necessary for that purpose may from time to time to the extent of one per centum per annum upon the paid-up capital of the Undertakers be invested in Government or other securities and the dividends and interest arising from such securities shall also be invested in the same or like securities in order that the same may accumulate at compound interest until the fund so formed amounts to a sum equal to one-twentieth part of the paid-up capital of the Undertakers which fund shall form an insurance fund to meet any extraordinary claim demand or charge which may at any time arise against or fall upon the Undertakers from accident strike or other circumstance which in the opinion of two justices due care and management could not have prevented and if such fund be at any time reduced it may thereafter be again made up to the said sum and so from time to time as often as such reduction happens Provided that when and so often as the said fund reaches the said limit of one-twentieth part of the paid-up capital the interest thereon shall be carried to the credit of the fund available for dividend Provided also that resort may be had from time to time to the insurance fund to meet any such extraordinary claim demand or charge as aforesaid although such fund may not at the time have reached or may have been reduced below the full amount of one-twentieth part of the paid-up capital as aforesaid.

If profits exceed the amount limited excess may be invested and form an insurance fund.

24. If the clear profits of the undertaking in any year amount to a larger sum than is sufficient to pay the prescribed rates the excess or such portion of it as is not carried to the insurance fund shall be carried to the credit of the divisible profits of the undertaking for the next following year.

Application of further excess of profits over prescribed rates.

25. Where in any year the prescribed rates on the ordinary shares or stock in the original and additional capital exceed the standard rates by reason of the price charged by the Undertakers for gas in such year being below the standard price then out of the amount of the divisible profits of the Undertakers applicable to the payment of the excess of dividend over the standard rates the Undertakers may in such year set apart such sum as they think fit by way of a reserve fund and all sums (if any) so set apart by the Undertakers and any reserve or other fund of a similar character of the Undertakers existing at the commencement of this Order may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Undertakers are insufficient to enable the Undertakers in such year to pay the prescribed rates and save as by this Order specially provided no sum shall in any year be carried by the Undertakers to any reserve fund.

Power to create a reserve fund and application thereof.

26. All moneys raised under this Order shall be applied to the purposes of the undertaking to which capital is properly applicable.

Application of money

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*Manufacture and supply of Gas Meters. Supply of Gas.**Sligo.*Power to make
gas meters &c.

27. The Undertakers may at the works or elsewhere manufacture purchase hire supply sell or let on hire gas meters gas fittings gas stoves and cooking and other apparatus and may also manufacture purchase hire sell let deal in and contract for doing work in connection with fittings tubes meters pipes apparatus stoves ranges and apparatus for heating for domestic and other purposes by means of gas and all articles and things in any way connected with gasworks or with the supply use or consumption of gas and may take charges and remuneration in respect thereof.

Power to take
licences for
patents.

28. The Undertakers may subject to the provisions of this Order (but only for the purposes of the undertaking within the limits of supply and not so as to acquire any exclusive right therein) contract for take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture supply or distribution of gas or the conversion manufacture or utilization of any products obtainable in or arising from such manufacture or production or from the materials used therein.

Power to
contract for
sale of gas in
bulk.

29. The Undertakers may from time to time enter into and carry into effect and alter or rescind contracts and agreements with respect to the supply of gas in bulk beyond the limits of supply to any urban or rural sanitary authority or any company authorised to supply gas at such price and upon such terms and conditions as may from time to time be agreed on Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or the breaking up of any road or street or the execution of any work beyond the limits of supply in any district without the consent of the local and road authorities of such district.

Differences
with railway
and other
companies.

30. If any difference arise between the Undertakers and any railway canal or other company whose lands or works the Undertakers have power to cross under the authority of this Order as to the mode of laying down repairing altering or enlarging their mains pipes or other works in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

*Quality of Gas.*Quality of
gas.

31. The quality of the gas supplied by the Undertakers shall with respect to its illuminating power be such as to produce a light equal in intensity to the light produced by fifteen sperm candles and shall in all respects be in accordance with the provisions of the Gasworks Clauses Act 1871.

*Price of Gas.*Fixing price
of gas with
sliding scale

32. Notwithstanding anything in the Act of 1855 the standard price to be charged by the Undertakers for gas supplied by them to private consumers by

meter shall be five shillings per thousand cubic feet Provided that the Undertakers may increase or reduce the price so charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Undertakers on the ordinary shares or stock in the original and additional capital as follows:

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—
Stigo.
as to divi-
dend.

In respect of any year during which the price so charged by the Undertakers shall have been one penny or more above the standard price the dividend so payable by the Undertakers shall in respect of each penny by which the price so charged has exceeded the standard price be reduced below the standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so on in proportion for any fraction of one hundred pounds;

And in respect of any year during which the price so charged by the Undertakers shall have been one penny or more below the standard price the dividend so payable by the Undertakers may in respect of each penny by which the standard price has exceeded the price so charged be increased above the standard rates of dividend by five shillings on every hundred pounds of ordinary paid-up capital and so in proportion for any fraction of one hundred pounds.

Pressure of Gas.

33. All gas supplied by the Undertakers 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 to balance from sunset to midnight a column of water not less than eight-tenths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer.

Pressure of
gas.

Testing Gas.

34. The Undertakers shall within six months after the commencement of this Order cause to be provided at their works a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act 1871 and the burner to be used for testing 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 Provided that any other description of burner may be used which may from time to time be approved for the purpose by the Board of Trade and 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 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 not being the immediate approach to any railway or canal bridge or railway station vested in or under the control of any local or road authority.

Testing gas.

Miscellaneous.

35. No penalty shall be incurred by the Undertakers for insufficiency of pressure defect of illuminating power or for excess of impurity in the gas supplied by them in any case in which it is proved that such insufficiency defect or excess was produced by an unavoidable cause or accident.

Exemption
from penalty
in certain
cases.

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*Sligo.*Undertakers
to pay interest
on deposit.

36. Where any money is deposited by any person by way of security with the Undertakers 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 Undertakers shall pay interest at the rate of five pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Costs of Order.

37. 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.

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