



CHAPTER lxi.

An Act to extend the limits of supply of and confer further powers on the Gloucester Gas Light Company and for other purposes. A.D. 1898.
[1st July 1898.]

WHEREAS by the Gloucester Gas Light Company's Act 1856 (herein-after called "the Act of 1856") the Gloucester Gas Light Company (herein-after called "the Company") were continued incorporated and were by the said Act and the Gloucester Gas Light Company's Act 1872 (herein-after called "the Act of 1872") authorised to supply gas within the city of Gloucester and places and parts of places in the vicinity thereof:

And whereas the several parishes of Down Hatherley Church-down Hucclecote Brockworth Upton St. Leonards Brookthorpe Whaddon Quedgeley and Hardwicke in the county of Gloucester are partly within the said limits and it is expedient that the said limits be extended so as to include the whole of the said parishes:

And whereas the authorised capital of the Company is as follows:—

Act under which Capital defined or authorised.	Description of Capital and Maximum Dividend.	Total Amount authorised.
Act of 1856	- Gloucester Gas Light Company's Class A Shares 10 per cent.	£ 25,000
Act of 1856	- Gloucester Gas Light Company's Class B Shares 7½ per cent.	21,400
Act of 1872	- Gloucester Gas Light Company's Class C Shares 7 per cent.	53,600

and the whole of such capital has been created and issued and fully paid up and the Company have borrowed twenty-five thousand pounds on mortgage:

And whereas it is expedient that the existing shares in the capital of the Company be consolidated into one stock in the

A.D. 1898. manner and subject to the provisions herein-after contained and that the Company be authorised to raise additional capital and that the other powers herein-after contained be conferred upon the Company :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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 :—

Short title.

1. This Act may be cited as the Gloucester Gas Act 1898.

Incorporation of general Acts.

2. The Lands Clauses Acts (except the provisions thereof 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) the Gasworks Clauses Act 1847 the Gasworks Clauses Act 1871 and the clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say) :—

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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

The forfeiture of shares for nonpayment of calls ;

The remedies of creditors of the Company against the shareholders ;

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

The consolidation of the shares into stock ;

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

The making of dividends ;

The giving of notices ; and

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

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts are (so far as the same respectively are applicable for the purposes of and are not inconsistent with the provisions of this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated

herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. A.D. 1898.

4. Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court. Recovery of demands under fifty pounds.

5. From and after the passing of this Act the limits of the Company for the supply of gas shall extend to and include (in addition to the limits as defined by section 5 of the Act of 1872) so much of the parishes of Down Hatherley Churchdown Hucclecote Brockworth Upton St. Leonards Brookthorpe Whaddon Quedgeley and Hardwicke in the county of Gloucester as is not now included within the existing limits of supply of the Company as defined as aforesaid and the Company shall have and may exercise within such extended limits all such and the like powers rights privileges authorities and immunities and be subject to the obligations which they now have or may exercise and are subject to within such existing limits of supply and the Act of 1856 and the Act of 1872 as amended by this Act shall be in force and have effect within such extended limits accordingly. Extension of limits of supply.

6. The Company may construct or contribute towards the construction of railway sidings and other similar works in connexion with their undertaking on any lands for the time being belonging or leased to them and for such purposes and the general purposes of their undertaking may purchase take on lease and hold (by agreement but not otherwise) in addition to any lands which they are otherwise authorised to acquire any lands and hereditaments not exceeding in the whole five acres but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to the Act of 1872. Power to purchase lands by agreement.

7. The Company shall not under the powers of this Act purchase or acquire in any city borough or other urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December next before the passing of this Act were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers nor except with the consent of the Local Government Board ten or more houses in any city borough or urban district or any parish or part of a parish not being within an urban district which were Restriction on taking houses of labouring class.

A.D. 1898. — 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 such persons who may be residing with them.

Application
of accumu-
lated profits.

8. The Company shall immediately on the commencement of this Act transfer to the credit of the capital account of the Company the sum of ten thousand pounds part of the sum of thirteen thousand seven hundred and twenty pounds four shillings and twopence shown by the annual accounts of the Company for the year ended December thirty-first one thousand eight hundred and ninety-seven to be standing to the credit of the profit and loss (net revenue) account after deducting the half-year's dividend up to the thirty-first December one thousand eight hundred and ninety-seven and such sum of ten thousand pounds shall not be considered as capital of the Company entitled to dividend or as available for distribution as profits of the Company.

Consolida-
tion of
shares.

9. As from the first day of January one thousand eight hundred and ninety-nine all the classes of shares in the existing capital of the Company shall be consolidated into an equivalent amount of consolidated ordinary stock bearing a uniform dividend of five pounds per centum per annum according to the following scale (that is to say):—

For every existing Gloucester Gas Light Company's Class A share fifty pounds consolidated ordinary stock ;

For every existing Gloucester Gas Light Company's Class B share thirty-seven pounds and ten shillings consolidated ordinary stock ;

For every existing Gloucester Gas Light Company's Class C share thirty-five pounds consolidated ordinary stock ;

and as from that date there shall be by virtue of this Act created such a nominal amount of consolidated ordinary stock of the Company as shall be necessary for the purpose of carrying into effect such consolidation and conversion and the amounts of consolidated ordinary stock to which the holders of such existing shares by virtue of this Act respectively become entitled in substitution for such shares shall be vested in such holders as from the aforesaid first day of January one thousand eight hundred and

ninety-nine and shall be forthwith registered in their respective names in the books of the Company : A.D. 1898.

Provided that the amount which the Company may carry to reserve fund in respect of the capital represented by the shares so consolidated shall not be increased or affected by reason of such consolidation.

10. Consolidated ordinary stock shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in upon or to which the existing shares for which the consolidated ordinary stock is substituted were held or were subject to immediately before the said first day of January one thousand eight hundred and ninety-nine and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such existing shares and trustees executors or administrators or other incapacitated parties may accept consolidated ordinary stock in substitution for existing shares held by them in the capital of the Company and may subject to the provisions of this Act retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have retained disposed of or otherwise dealt with such existing shares. Consolidated stock to be held on the same trusts &c. as shares for which it is substituted.

11. The Company shall call in the certificates of the shares for which consolidated ordinary stock shall be substituted by virtue of this Act and shall issue in exchange for those certificates to the respective proprietors thereof free of charge certificates of consolidated ordinary stock of the respective amounts to which those proprietors are by this Act respectively entitled but no shareholder shall be entitled to a new certificate until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction thereof Provided always that until the issue of such new certificates the existing certificates shall (according to the amounts of consolidated ordinary stock to be substituted by virtue of this Act for the existing shares which they respectively represent) have and possess the same rights and advantages as if they were certificates for those respective amounts of consolidated ordinary stock created by virtue of this Act but if any holder of any of the existing shares of the Company neglect or omit to send or deliver to the Company his existing certificate or certificates for the period of one year after notice in writing sent by post to the address appearing in the shareholder's "address book" the Company may suspend the payment of any dividend declared or made payable Certificates of shares to be called in and others issued.

A.D. 1898. — upon or in respect of the consolidated ordinary stock so held by him until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors of the Company to have been lost or destroyed.

Transfers of shares although by present name to be valid.

12. All transfers or other dispositions of any existing shares in the capital of the Company as existing up to the conversion thereof into consolidated ordinary stock by virtue of this Act shall after such conversion and notwithstanding this Act be valid and have due effect given to them respectively as transfers of the respective amounts of consolidated ordinary stock which the shares thereby expressed to be transferred or disposed of represent or which are or may be substituted for the same under the provisions of this Act although the instrument transferring or disposing thereof shall describe the same by the name or denomination which the shares transferred or disposed of had before such conversion and the bequest of or any covenant or provision of any deed or agreement relating to any specific nominal amount of any such existing shares converted by this Act into stock of larger nominal amount shall be held to apply to a nominal amount of consolidated ordinary stock equal to that into which such existing shares shall have been converted under the provisions of this Act.

Consolidated stock to be transferable in multiples of a pound.

13. Consolidated ordinary stock shall be transferable in amounts of one pound or multiples of a pound and in every case where under the provisions herein-before contained a holder of existing shares in the capital of the Company would be entitled to any fractional part of a pound of consolidated ordinary stock and in every case where a fractional part of a pound of consolidated ordinary stock has on the original issue thereof been registered and is transferred or transmitted the Company shall not be bound to register such fractional part of a pound of stock but may at the option of the Company pay to such holder of existing shares or transferee of consolidated ordinary stock as the case may be such a sum in cash as shall be equal to the market value of such fractional part or receive from such holder or transferee such a sum in cash as will make up the amount of stock to be vested in him to an integral number of pounds and the amount of such consolidated ordinary stock vesting in such holder or transferee shall thereupon be reduced or increased accordingly and the directors may raise the money necessary to enable the Company to make such cash payment as aforesaid by the issue and sale from time to time of such an amount of consolidated ordinary stock as may be requisite in that behalf.

14. At all general meetings of the Company held after the first day of January eighteen hundred and ninety-nine every holder of a complete sum of twenty-five pounds of consolidated ordinary stock shall be entitled to vote and shall have one vote in respect of every complete sum of twenty-five pounds of such stock held by him up to five hundred pounds and one vote for every complete sum of one hundred pounds of such stock held by him beyond the first five hundred pounds and holders of consolidated ordinary stock shall be entitled to participate in the dividends and profits of the Company according to the amount of their respective interests in that stock and such interests shall in proportion to the amount thereof confer on the respective holders of such stock the same privileges and advantages as to qualification for the office of directors or auditors and subject to the provisions of this Act for all other purposes as would have been conferred by ordinary shares of equal amount in the capital of the Company but so that none of such privileges or advantages except participation in the dividends and profits of the Company shall be conferred by any aliquot part of such amount of consolidated ordinary stock as would not if existing in such shares have conferred such privileges or advantages.

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Rights of
holders of
consolidated
stock.

15. Subject to the provisions of this Act the following provisions incorporated with this Act of the Companies Clauses Consolidation Act 1845 that is to say sections 11 to 13 and 62 and 63 shall extend and apply to consolidated ordinary stock and sections 18 to 20 of the said Act shall be deemed and construed to include and apply to consolidated ordinary stock and interest thereon as if such stock and interest respectively had been expressly named in the said sections.

Application
of provisions
of Companies
Clauses Con-
solidation
Act 1845 to
consolidated
stock.

16. The Company may from time to time apply to the purposes of this Act to which capital is properly applicable any moneys they may have already raised or are authorised to raise and may from time to time raise (in addition to the consolidated ordinary stock created by virtue of this Act) additional capital to such nominal amount as shall be sufficient to produce including the premium if any which may be obtained on the sale thereof the sum of seventy thousand pounds by the creation and issue of further amounts of consolidated ordinary stock or preference shares or stock or wholly or partly by one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share or any stock created and issued by the Company under this section vest in the person or corporation accepting the same unless and until

Power to
apply funds
and raise
additional
capital.

A.D. 1898. — the full price of such share or stock together with any premium obtained upon the sale thereof shall have been paid in respect thereof.

Holders of preference capital not to vote.

17. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any shares or stock in such additional capital to which a preferential dividend shall be assigned.

Limit of dividend.

18. The Company shall not in any one year pay out of their profits any larger dividend than five pounds in respect of every one hundred pounds actually paid up of any additional capital to be raised under the powers of this Act.

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

19. Notwithstanding anything in this Act contained the Company shall when any shares or stock in the additional capital created under the powers of this Act are to be issued and before offering the same to the holders of any other shares or stock in the Company and whether the consolidated ordinary stock of the Company is at a premium or not offer the same for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time 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 reserved price put upon such shares or stock shall not be less than the nominal amount thereof and notice of the amount of such reserved price shall be sent by the Company 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 in the Company except that if any bid or offer by tender of any holder or holders of shares or stock in the Company be the same in amount as any bid or offer made by any other person the bid or offer of such holder or holders of shares or stock in the Company shall be accepted in preference.

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

20. It shall be one of the conditions of any sale of shares or stock under this Act that the full amount thereof including any premium given by any purchaser at such sale shall be paid to the Company within three months after such sale.

Notice to be given as to sale of shares or stock.

21. The intention to sell any such shares or stock by auction or by tender shall be communicated in writing to the town clerk of the city of Gloucester and to the clerk of every district council

whose district or part of whose district is included within the limits of the Company for the supply of gas 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 once in each of two consecutive weeks in one or more local newspapers circulated within the said city.

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22. When any shares or stock in the additional capital created under the powers of this Act have been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to the holders of consolidated ordinary stock in manner provided by the Companies Clauses Act 1863 Provided always that any shares 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 by tender in the manner and subject to the provisions of this Act with respect to the sale of shares and stock in the additional capital created under the powers of this Act and any shares or stock not then sold shall be again offered to the holders of consolidated ordinary stock at the reserved price put upon the same at such last mentioned sale and so from time to time until the whole of such shares or stock is sold Provided also that the reserved price put upon such shares or stock at the second or any subsequent sale may if the directors of the Company think fit be less than the nominal value thereof.

Shares or stock not sold by auction or by tender to be offered to holders of consolidated stock.

23. Any sum of money which shall arise from the issue of any such shares or stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending or improving the works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend Provided that the premium received from the sale of shares or stock by auction or tender as herein-before provided shall for the purpose of determining the powers of the Company to raise money by borrowing or the amount which the Company may set aside as a reserve fund be reckoned as part of the paid up capital.

Application of premium arising on issue of shares or stock.

24. The Company may from time to time subject to the provisions of this Act borrow on mortgage of the undertaking in respect of the additional capital by this Act authorised to be created and issued any sum or sums not exceeding in the whole one-fourth part of the amount which the Company have at the time actually raised by the issue of shares or stock in such additional capital but

Power to borrow.

A.D. 1898.

no part thereof shall be borrowed until the whole of the shares or stock at the time issued together with the premium (if any) realised on the sale thereof shall have been fully paid up and the Company 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 such shares and stock together with the premium (if any) realised on the sale thereof have been issued and fully paid up and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Appointment
of receiver.

25. Section 17 of the Act of 1872 (Appointment of a receiver for mortgagees) is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the passing of this Act And in lieu thereof the mortgagees of the Company may enforce payment of arrears of interest or 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 four thousand pounds in the whole.

Debenture
stock.

26. Section 18 of the Act of 1872 is hereby repealed and the Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time after the passing of this Act created and issued or granted by the Company under any previous Act or this or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament 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 issued after the passing of this Act.

Priority of
mortgages
and debenture
stock
over other
debts.

27. All money to be raised by the Company on mortgage or by the issue of debenture stock shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted

by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company which is entitled to rank in priority to or *pari passu* with the interest or dividend on their mortgages or debenture stock.

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28. All mortgages granted by the Company in pursuance of the Act of 1856 or of the Act of 1872 and subsisting at the date of the passing of this Act shall during the continuance thereof have priority over all mortgages granted in pursuance of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Existing mortgages to have priority.

29. The Company shall offer any debenture stock created under the powers of this Act in respect of the additional capital by this Act authorised to be raised for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the directors of the Company shall determine. Provided that at any such sale no single lot shall comprise more than one hundred pounds of the nominal amount of such debenture stock and notice of the amount of the reserved price put upon such debenture stock shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or last day for the reception of tenders 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 in the Company except that if any bid or offer by tender of any holder or holders of shares or stock in the Company be the same in amount as any bid or offer made by any other person the bid or offer of such holder or holders of shares or stock in the Company shall be accepted in preference.

Debenture stock to be offered by auction or tender.

30. It shall be one of the conditions of every sale of debenture stock under this Act that the whole price thereof shall be paid to the Company 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 price shall be payable not later than three months from the time of sale.

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

31. The intention to sell any debenture stock by auction or tender under the provisions of this Act shall be communicated by the Company in writing to the secretary of the committee of the London Stock Exchange and to the town clerk of the city of Gloucester at least twenty-eight days before the day of auction or last day for the reception of tenders and notice of such intention

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

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shall be advertised by the Company once in each of two consecutive weeks in one or more local newspapers circulating within the said city.

Debenture stock not sold by auction or tender to be re-offered.

32. When any debenture stock has been offered for sale by auction or tender under the provisions of this Act and not sold the same may if the directors of the Company think fit be offered at the reserved price put upon the same for the purpose of sale by auction or tender to the holders of consolidated ordinary stock of the Company and subject thereto and to the non-acceptance thereof or of any part thereof by such holders shall again be offered for sale by public auction or tender in the manner by this Act provided with respect to the sale of such debenture stock.

Application of premium arising on sale of debenture stock.

33. Any sum of money which shall arise by way of premium on the sale of debenture stock under the provisions of this Act after deducting therefrom the expenses of and incident to such sale shall not be considered as profits of the Company but shall be expended on purposes to which capital is properly applicable.

Application of moneys.

34. All moneys raised under this Act whether by shares stock debenture stock or mortgages shall be applied for the purposes of this Act and for the general purposes of the Company being in all cases purposes to which capital is properly applicable.

Power to supply &c. stoves &c.

35. In addition to the articles and things mentioned in section 25 of the Act of 1872 the Company may manufacture purchase supply hire sell let and otherwise deal in meters and apparatus for the automatic supply of gas and also engines stoves ranges and other apparatus and appliances for motive power and for warming and ventilating of houses and buildings for the cooking of food and for all other purposes for which gas can or may be used and may supply gas for such purposes and may fit up fix alter remove and refix any of the articles and things mentioned in that section or herein-before enumerated and provide all materials and do all work necessary or proper in that behalf and may demand and take such remuneration rents and charges and make such terms and conditions with respect to such supply sale letting fixing fitting up altering removal or refixing and for such materials or work and with respect to the repair of articles and fittings let and for securing the safety and return to the Company of such articles and fittings and otherwise as may be agreed upon between the Company and the persons to or for whom the same are sold supplied let fixed up altered refixed or done Engines stoves ranges pipes fittings and other apparatus and appliances and articles and things let for hire under the provisions of the said section 25 or this section shall neither be deemed to be fixtures and as such the property of the owner of the

premises on which the same may be nor be subject to distress or to the landlord's remedy for rent nor be taken in execution under any process of a court of law or equity or any proceeding in bankruptcy against the persons in whose possession the same may be nor vest in any trustee or other person under or by virtue of the bankruptcy or insolvency of or any deed of arrangement executed by any such person :

Provided that such engines stoves ranges pipes fittings and other apparatus and appliances articles and things have upon them a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

36. Where the Company deem it necessary so to do they may require prepayment for gas required to be supplied for a period of six months or any shorter period and may refuse to supply gas unless the estimated cost thereof for such period as the Company may from time to time fix be prepaid and the Company shall be paid or shall repay any deficiency or excess of money actually payable for gas so supplied at the end of each such period.

Prepayment
in certain
cases.

37. If a person requiring a supply of gas from the Company has previously quitted premises at which gas was supplied to him by the Company without paying to the Company all gas or meter rent or other moneys due from him to the Company they may refuse to furnish to him a supply of gas until he pay the same.

Power to
refuse to
supply
persons in
debt for
other
property.

38. Twenty-four hours' notice in writing shall be given to the Company by every gas consumer before he shall quit any premises supplied with gas by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever shall first occur.

Gas con-
sumers to
give notice
to Company
before
removing.

Notice of the effect of this enactment shall be endorsed on every demand note for gas rent.

39. A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by the consumer and be left at or sent by post to the office of the Company.

Notice to
discontinue
supply of
gas.

40. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act

Period of
error in
defective
meters.

A.D. 1898. — such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in any court of competent jurisdiction for the recovery of debts of like amount.

Expenses of Act.

41. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Company.

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