



CHAPTER xcvi.

An Act to confirm certain Provisional Orders of the Local Government Board under the Gas and Water Works Facilities Act 1870 and the Public Health Act 1875 relating to Selby and Wenlock. A.D. 1898.
[25th July 1898.]

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

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

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

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

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

2. The Councils mentioned in the said Orders shall not under the powers of those Orders purchase or acquire either compulsorily or by agreement 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. Restriction of power to take houses of labouring class.

For the purposes of this section the expression "labouring class" includes mechanics artizans labourers and others working for wages

[Ch. xcvi.] *Local Government Board's* [61 & 62 Vict.]
Provisional Orders Confirmation (Gas) Act, 1898.

A.D. 1898. hawkers costermongers persons not working for wages but working
— at some trade or handicraft without employing others except
 members of their own family and persons other than domestic
 servants whose income does not exceed an average of thirty
 shillings a week and the families of any of such persons who may
 be residing with them.

Short title. 3. This Act may be cited as the Local Government Board's
 Provisional Orders Confirmation (Gas) Act 1898.

SCHEDULE.

A.D. 1898.

[URBAN DISTRICT OF SELBY.

*Selby (Gas)
Order.*

*Provisional Order under the Gas and Water Works Facilities Act
1870 and the Gas and Water Works Facilities Act 1870
Amendment Act 1873.*

To the Urban District Council of Selby ; —
And to all others whom it may concern.

WHEREAS the Urban District Council of Selby (herein-after referred to as "the District Council") are the Urban Authority within the meaning of the Public Health Act 1875 for the Urban District of Selby (herein-after referred to as "the district") ;

And whereas by the Selby Gas Order 1891 (herein-after referred to as "the Order") which was duly confirmed by the Local Government Board's Provisional Orders Confirmation (Gas) Act 1891 the District Council or their predecessors were empowered on the land described in the schedule thereto if and when acquired to maintain repair renew and continue and from time to time construct alter enlarge or when necessary remove buildings apparatus and works for the manufacture and storage of gas and of coke asphaltum pitch coal-tar ammoniacal liquor and other refuse or residual products arising from the manufacture of gas and any matters producible therefrom but they were not empowered to acquire lands otherwise than by agreement or to acquire any lands by agreement other than those mentioned in the schedule thereto and it was provided that they should not manufacture gas or any residual products arising in the manufacture of gas or store gas on any land other than that specified in the schedule thereto ;

54 & 55 Vict.
c. cviii.

And whereas the District Council have applied to the Local Government Board to issue a Provisional Order for the purposes herein-after appearing :

Now therefore We the Local Government Board in pursuance of the powers given to Us by the Gas and Water Works Facilities Act 1870 Section 12 of the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and Section 161 of the Public Health Act 1875 and by any other Statutes in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect and the Order shall be amended and varied accordingly viz,—

33 & 34 Vict.
c. 70.
36 & 37 Vict.
c. 89.
38 & 39 Vict.
c. 55.

Art. I. This Order may be cited as the Selby Gas Order 1898 and the Order and this Order may be cited together as the Selby Gas Orders 1891 and 1898.

[Ch. xcvi.] *Local Government Board's* [61 & 62 VICT.]
Provisional Orders Confirmation (Gas) Act, 1898.

A.D. 1898. Art. II. The District Council may for the purposes of the Order purchase by
Selby (Gas) agreement but not otherwise the land described in the schedule hereto and
Order. that land when acquired shall be deemed and taken to be land described and
 included in the schedule to the Order.

The SCHEDULE above referred to.

All that piece of land situate in the Parish of Selby in the County of the West Riding of Yorkshire containing a superficial area of four thousand nine hundred and fifty-nine square yards or thereabouts bounded on the north by the existing gasworks of the District Council on the south by land belonging or reputed to belong to the Earl of Loudesborough on the east by other land belonging or reputed to belong to and in the possession of the District Council and on the west by other land now or lately belonging or reputed to belong to the said Earl but sold or contracted to be sold to the North Eastern Railway Company and which said piece of land belongs or is reputed to belong to the said Earl and is in the occupation of James Armstrong and James Fell.

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

(l.s.)

HENRY CHAPLIN President.
HUGH OWEN Secretary.

BOROUGH OF WENLOCK.

Wenlock
(Gas)
Order.

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

To the Mayor Aldermen and Burgesses of the Borough of Wenlock ; —
And to all others whom it may concern.

WHEREAS the Borough of Wenlock (herein-after referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the council are the Urban District Council (herein-after referred to as "the Urban District Council") ;

And whereas by the Borough of Wenlock Order 1889 (herein-after referred to as "the Order of 1889") which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 4) Act 1889 the Borough was for all sanitary purposes divided into four parts called the Barrow Sanitary Division the Broseley Sanitary Division the Madeley Sanitary Division and the Wenlock Sanitary Division and it was ordered that the Urban District Council should make separate assessments and levy a rate or rates in the nature of a general district rate upon each of the said sanitary divisions to defray (inter alia) all expenditure incurred for sanitary purposes within or in relation to such division ;

52 & 53 Vict.
c. xxii.

[61 & 62 VICT.] *Local Government Board's* [Ch. xcvi.]
Provisional Orders Confirmation (Gas) Act, 1898.

And whereas the Urban District Council have (subject to the sanction of the Local Government Board) agreed to buy and Charles George Milnes Gaskell of the Abbey Much Wenlock in the County of Salop Esquire trading under the name or style of the Much Wenlock Gasworks (berein-after called "the vendor") has agreed to sell and transfer to the Urban District Council certain lands gasworks mains and pipes meters plant and appliances for the manufacture and supply of gas (herein-after referred to as "the gas undertaking") now belonging to the vendor and used by him for the manufacture of gas for the purpose of supplying gas to consumers within the Wenlock Sanitary Division of the Borough ;

A.D. 1898.

—
*Wenlock
(Gas)
Order.*

And whereas the Urban District Council are under the Public Health Act 1875 themselves empowered to supply gas for the whole or any part of the Borough and have applied to the Local Government Board to issue a Provisional Order authorising them to maintain and continue the gas undertaking if and when the same shall be acquired by them and to manufacture and supply gas in the Wenlock Sanitary Division of the Borough and to borrow money for those purposes :

38 & 39 Vict.
c. 55.

Now therefore We the Local Government Board in pursuance of the powers given to Us by Section 161 of the Public Health Act 1875 and by any other enactments in that behalf do hereby order that from and after the date of the Act of Parliament confirming this Order the following provisions shall take effect viz.,—

Art. I. This Order may be cited as the Wenlock Gas Order 1898.

Art. II. The several words and expressions to which by the Acts in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings (unless there be something in the subject or context repugnant to that construction).

Art. III. The limits within which this Order shall be in force and have effect shall be the Wenlock Sanitary Division of the Borough.

Art. IV. The Urban District Council shall in relation to the purposes of this Order exercise and be subject to all the powers and provisions of the Public Health Act 1875 so far as the same are applicable to the purposes of this Order but nothing herein contained shall empower the Urban District Council to acquire lands otherwise than by agreement.

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

A.D. 1898.

*Wenlock
(Gas)
Order.*

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

Art. VII.—(1.) The Urban District Council may from time to time purchase by agreement and subject to the provisions of this Order any land within the Wenlock Sanitary Division of the Borough not exceeding one acre in addition to the land described in the schedule hereto.

(2.) The Urban District Council shall not manufacture gas or any residual products arising in the manufacture of gas on any land other than that specified in the schedule hereto neither shall they commence the storage of gas on any land other than that specified in the said schedule which shall be situated within three hundred yards of any dwelling-house without the previous consent in writing of the owner lessee and occupier of such dwelling-house.

Art. VIII. The Urban District Council may manufacture purchase or hire and sell or let on hire supply and otherwise deal in and fix set up alter remove and re-fix gas meters and fittings gas engines gas-cooking ovens stoves ranges pipes burners and other apparatus appliances articles and things used in the supply or consumption of gas for lighting or heating purposes and for all other purposes for which gas can or may be used and may require and take such remuneration in money or such rents and charges for and make such terms and conditions with respect to the supply sale letting fixing setting up altering or removing of such meters fittings engines ovens stoves ranges and pipes burners and other apparatus appliances articles and things as aforesaid and for securing their safety and return to the Urban District Council as may be agreed upon between the Urban District Council and the person to or for whom the same are sold supplied let fixed set up altered or removed.

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

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

[61 & 62 VICT.] *Local Government Board's* [Ch. xcvi.]
Provisional Orders Confirmation (Gas) Act, 1898.

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

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

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

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

Art. XV. The Urban District Council may with the sanction of the Local Government Board and for the purposes of this Order (which purposes shall be deemed to include the costs payable by the Urban District Council of and connected with the preparation and making of this Order and the sum to be paid for the purchase of the gas undertaking) borrow money upon the security of the moneys from time to time received by them by way of revenue under this Order and upon the security of the rate or rates in the nature of a general district rate levied in the Wenlock Sanitary Division in pursuance of subdivision (2) of Article XXI. of the Order of 1889 or upon either of those securities.

Art. XVI. For the purpose of raising money under this Order the provisions of the Local Loans Act 1875 shall be available to the Urban District Council and Sections 236 to 238 both inclusive of the Public Health Act 1875 shall apply to all moneys borrowed and re-borrowed on mortgage under this Order.

Art. XVII. The moneys borrowed under this Order shall be repaid within such period (not exceeding thirty years from the date of borrowing) as the

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Urban District Council with the sanction of the Local Government Board shall in each case determine and the period so determined and sanctioned is hereinafter referred to as "the prescribed period" and shall be with reference to the moneys to be repaid therein the prescribed period for the purposes of the Local Loans Act 1875.

Art. XVIII.—(1.) The Urban District Council shall repay the moneys borrowed or to be borrowed under this Order (other than moneys borrowed under the provisions of the Local Loans Act 1875) by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of these methods and partly by another or the others of them.

(2.) Subject to the provisions of Article XIX. of this Order if the Urban District Council determine to repay by means of a sinking fund any moneys borrowed or to be borrowed under this Order such sinking fund shall be formed and maintained either—

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or

(b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(3.) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 other than the Urban District Council the Urban District Council being at liberty from time to time to vary and transpose such investments.

(4.) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Urban District Council towards the equal annual payments to the fund.

(5.) The Urban District Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Urban District Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund or the part of the sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

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(6.)—(a.) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Urban District Council.

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(Gas)
Order.

(b.) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(7.) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the Urban District Council in addition to the payments provided for by this Order.

Art. XIX.—(1.) If it appears to the Urban District Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Urban District Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Local Government Board that any such increase is necessary the Urban District Council shall increase the payments to such extent as the Board may direct.

(2.) If the Urban District Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3.) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Urban District Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as that Board shall approve.

(4.) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the Local Government Board be sufficient to repay the loan in respect of which it is formed within the prescribed period the Urban District Council may with the consent of that Board discontinue the equal annual payments to such sinking fund until the Local Government Board shall otherwise direct.

(5.) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Urban District Council with the consent of the Local Government Board may determine.

Art. XX. The Urban District Council shall except as herein-after provided have power to re-borrow for the purpose of paying off any moneys borrowed or re-borrowed under this Order which have not been repaid and are

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Provisional Orders Confirmation (Gas) Act, 1898.

A.D. 1898. intended to be forthwith repaid or in respect of any moneys which have been repaid by the temporary application of funds at the disposal of the Urban District Council within twelve months before the re-borrowing and which at the time of the repayment it was intended to re-borrow :

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Provided that the Urban District Council shall not have power to re-borrow for the purpose of paying off any moneys repaid by instalments or annual payments or by means of a sinking fund or out of moneys derived from the sale of land or out of any capital moneys properly applicable to the purpose of such repayment other than moneys borrowed for that purpose. Provided also that any moneys re-borrowed shall be deemed to form the same loan as the money for the repayment of which the re-borrowing has been made and shall be repaid within the prescribed period.

Art. XXI.—(1.) The town clerk of the Borough shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Local Government Board a return in such form as may from time to time be prescribed by that Board and if required by that Board verified by statutory declaration of such town clerk showing for the year next preceding the making of such return or for such other period as the Board may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such town clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

(2.) If it appears to the Local Government Board by that return or otherwise that the Urban District Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Order or by the Local Government Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised the Local Government Board may by Order direct that the sum in such Order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such Order mentioned and any such Order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

[61 & 62 VICT.] *Local Government Board's* [Ch. xcvi.]
Provisional Orders Confirmation (Gas) Act, 1898.

Art. XXII. All moneys from time to time borrowed or re-borrowed under this Order shall be applied by the Urban District Council only for the purposes for which the same are respectively authorised to be borrowed or re-borrowed excepting that moneys which may have been borrowed or re-borrowed in excess of the amount required shall be applied in such manner as the Urban District Council with the approval of the Local Government Board determine and all money received by the Urban District Council under this Order either as purchase money of lands sold or for equality of exchange or as consideration for a lease shall be applied to works or objects on which capital may properly be expended when the Local Government Board have sanctioned the application of the same to those purposes or shall be applied according as the Urban District Council may determine towards the reduction of the debt owing by the Urban District Council or towards the increase of the sinking fund set apart under this Order. Provided that it shall not be in any way incumbent on any mortgagee to see to the application of any moneys so borrowed or re-borrowed nor shall the mortgagee be responsible for any misapplication thereof.

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Art. XXIII. The powers of borrowing and re-borrowing conferred by this Order shall be deemed to be distinct from and in addition to the powers of borrowing and re-borrowing conferred on the Urban District Council by the Public Health Act 1875.

Art. XXIV.—(1.) Any mortgagee of the Urban District Council by virtue of this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver. The amount of arrears due to such mortgagee or in the case of a joint application by two or more mortgagees to such mortgagees collectively to authorise the appointment of a receiver shall not be less than five hundred pounds in the whole.

(2.) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him.

Art. XXV. When the Urban District Council require money to be deposited by any person with them by way of security for the payment to them of any moneys which may become due to them by such person in respect of any supply of gas or of the purchase or hire of any meter the Urban District Council shall pay interest at the rate of three pounds per centum per annum on every sum of ten shillings so deposited for every six months during which the same remains in their hands. Provided that the Urban District Council may if they think fit invest any money so deposited with them in the manner provided by subdivision (3) of Article XVIII. of this Order as to the sinking fund and in that case the Urban District Council shall pay no higher rate of interest than they themselves receive thereon.

Art. XXVI. The Urban District Council shall keep separate capital and revenue accounts of all receipts credits payments liabilities and transactions in and about the execution of this Order and from or on account of the gas undertaking hereby authorised which accounts shall be distinct from the other accounts of the Urban District Council and shall be called respectively "the

A.D. 1898. *Wenlock Sanitary Division Gas Capital Account*” and “*the Wenlock Sanitary Division Gas Revenue Account.*”

*Wenlock
(Gas)
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Art. XXVII.—(1.) All expenses incurred by the Urban District Council for the purposes of this Order or in carrying on the gas undertaking other than expenditure defrayed by moneys borrowed under this Order shall be charged upon and payable out of the rate or rates in the nature of a general district rate levied in the Wenlock Sanitary Division in pursuance of subdivision (2) of Article XXI. of the Order of 1889.

(2.) All moneys from time to time received by the Urban District Council by way of revenue under this Order shall be applied for the following purposes :—

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

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

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

In setting apart if the Urban District Council think fit a yearly sum not exceeding ten pounds per centum of such revenue for the purpose of forming a reserve fund to provide for the expenses attendant upon or occasioned by any sudden accident to the said gasworks and works connected therewith or any other extraordinary expenditure authorised by this Order Provided that such reserve fund shall be accumulated by way of compound interest by investment in the manner specified in subdivision (3) of Article XVIII. of this Order as to the sinking fund until it amounts according to the market price of such investments to the sum of five hundred pounds and that whenever the reserve fund amounts according to the market price of such investments to the sum of five hundred pounds the income therefrom shall be applied in the same manner as money received by the Urban District Council by way of revenue under this Order ;

In payment if the Urban District Council think fit of the expenses of executing any permanent works authorised by this Order.

The residue (if any) of such revenue shall be carried to the credit of the Wenlock Sanitary Division of the borough to be applied towards the expenditure for sanitary purposes within that Division but no part of such revenue shall be so applied when the price of gas to private consumers exceeds five shillings per one thousand cubic feet.

Art. XXVIII. The Urban District Council shall keep separate records of the quantities of gas supplied to private consumers and for public lighting respectively The price charged for gas for public lighting shall not be less than that charged to private consumers by more than ten per centum.

Art. XXIX. The Urban District Council shall not defray any of the charges and expenses of carrying this Order into execution other than payments required to be made in respect of money borrowed on mortgage out of the rate in the

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nature of a general district rate levied in the Wenlock Sanitary Division when the price of gas to private consumers is less than six shillings per one thousand cubic feet.

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Art. XXX. Where the Local Government Board cause any local inquiry to be held with reference to any of the purposes of this Order the costs incurred by that Board in relation to such inquiry (including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid by the Urban District Council and the Local Government Board may certify the amount of the costs so incurred and any sum so certified and directed by that Board to be paid by the Urban District Council shall be a debt due to the Crown from the Urban District Council.

Art. XXXI.—(1.) Any gas mains or pipes which the Urban District Council 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 lands or property now or hereafter belonging to or used or occupied by the Great Western Railway Company (herein-after called the Company) shall so far as they affect such railway lands or property be laid down by the Urban District Council 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 Company and in accordance with plans and sections (when necessary in the opinion of such engineer) previously submitted to and reasonably approved of by him in writing and any such mains or pipes from time to time renewed or repaired by the Urban District Council shall be renewed and repaired in the same manner and under the like conditions Provided that where any such mains or pipes are required to be laid under or over any level crossing of their railway the Company may if they elect so to do themselves lay the same at the costs charges and expenses of the Urban District Council.

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

(3.) Except in any case where the Company elect to themselves lay mains and pipes under subdivision (1) of this Article if any injury shall owing to or by reason of any of the matters aforesaid arise to any such railway works lands or property or interruption to such traffic the Urban District Council shall make full satisfaction in respect thereof to the Company to be recoverable by the Company from the Urban District Council together with the costs of the recovery of the same by all and the same means as any simple contract debt.

(4.) If the Company at any time or times hereafter require to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges viaducts or works upon across over or under which any of the said mains or pipes of the Urban District Council may have been constructed or laid the Company may on giving to the Urban District Council seven days notice in writing under the hand of their secretary or general manager for the time being and in case of emergency without notice divert support or carry the said mains or pipes across over or under the lands railways bridges or works of the Company at any other point or otherwise deal with the same in as convenient a

[Ch. xcvi.] *Local Government Board's* [61 & 62 VICT.]
Provisional Orders Confirmation (Gas) Act, 1898.

A.D. 1898. manner as circumstances will admit and so as not to cause damage to the said mains or pipes or the gas undertaking of the Urban District Council.

*Wenlock
(Gas)
Order.*

(5.) Any dispute as to the amount of satisfaction to be recovered under subdivision (3) of this Article and any difference which may arise between the Urban District Council and the Company under this Article shall be determined by arbitration in manner provided by the Public Health Act 1875 and sections one hundred and seventy-nine to one hundred and eighty-one of that Act shall have effect in any such case.

The SCHEDULE above referred to.

All that piece of land together with the gasworks and other buildings thereon situate in the Parish of Much Wenlock in the Wenlock Sanitary Division of the Borough of Wenlock in the County of Salop containing by admeasurement one thousand four hundred and twelve square yards or thereabouts and numbered 536 on the Ordnance Survey 1882 of the said parish and abutting on the south on Barrow Street and bounded on the north-west by lands belonging or reputed to belong to Thomas Instone and on the north-east by lands belonging or reputed to belong to Charles George Milnes Gaskell.

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

(L.S.)

HENRY CHAPLIN President.
HUGH OWEN Secretary.

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