

**CHAPTER cxxiv.**

An Act for effecting the sale and transfer to the Wombwell Local Board of the Undertaking of the Wombwell and Darfield Gas Company, Limited; and for other purposes.

A.D. 1879.

[3d July 1879.]

WHEREAS in the year one thousand eight hundred and sixty-nine several persons formed themselves into a Company, under the name of the Wombwell and Darfield Gas Company (in this Act referred to as "the Company"), for the purpose of supplying the townships of Wombwell and Darfield, in the West Riding of the county of York, with gas, and generally for carrying on the business usually carried on by gas companies, and such Company was duly registered under the Companies Act, 1862:

25 & 26 Vict.
c. 89.

And whereas the Company have erected gasworks, and have expended in and about the same, and in supplying Wombwell and Darfield with gas, the sum of four thousand pounds and upwards:

And whereas an agreement for the sale and transfer by the Company and for the purchase by the Wombwell Local Board (in this Act referred to as "the Local Board") of the undertaking, rights, powers, and privileges of the Company was made and entered into on the twenty-sixth day of September one thousand eight hundred and seventy-eight:

And whereas it is expedient that effect be given to the purposes of the said agreement in manner by this Act authorised, and that the Local Board be empowered to raise money for the purposes of the said purchase and transfer, and that all necessary and proper powers for the making of gas and the supply of gas within the township of Wombwell and the township of Darfield, in the parish of Darfield, be conferred on the Local Board:

And whereas the demand for gas in the district heretofore supplied by the Company has increased and is increasing, and it is expedient that the works should be improved and extended, and

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A.D. 1879. that further money should be provided for such improvement and extension :

And whereas an estimate has been prepared by the Local Board for the purchase of the undertaking, rights, powers, and privileges of the Company, and for the extension and improvement of the works, and such estimate amounts to the sum of fourteen thousand pounds :

38 & 39 Vict.
c. 55. And whereas the undertaking agreed to be purchased and the proposed extension and improvement of the works are permanent works within the meaning of the two hundred and thirty-fourth section of the Public Health Act, 1875 :

And whereas an absolute majority of the whole number of the members of the Local Board, at a meeting held on the fifteenth day of November one thousand eight hundred and seventy-eight, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the *Sheffield Daily Telegraph*, a local newspaper published or circulating in the district of the said Board, such notice being in addition to the ordinary notices required for summoning such meeting, resolved that the expense in relation to promoting the Bill for this Act should be charged on the general district rate of the district :

And whereas such resolution was published twice in the *Sheffield Daily Telegraph*, a newspaper circulating in the district of the Local Board, and has received the approval of the Local Government Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the members of the Local Board at a further special meeting held in pursuance of a similar notice on the thirteenth day of January one thousand eight hundred and seventy-nine, being not less than fourteen days after the deposit of this Bill in Parliament :

And whereas the owners and ratepayers of the district of the Local Board, by resolution passed in the manner prescribed by the Public Health Act, 1875, Schedule III., have consented to the promotion of the Bill for this Act :

And whereas the objects aforesaid 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 ; that is to say,

Short title. 1. This Act may be cited as the *Wombwell Local Board Gas Act, 1879.*

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2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (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), and the Gasworks Clauses Act, 1847 (except the provisions thereof with respect to the amount of profit to be received by the undertakers when the gasworks are carried on for their benefit), so far as the same respectively are applicable for the purposes of and are not inconsistent with the provisions of this Act, are incorporated with and form part of this Act, and the Gasworks Clauses Act, 1871, shall apply to the gas undertaking of the Local Board as if the same were hereby authorised.

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Incorporation of
general Acts.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 19.

10 & 11 Vict.
c. 15.

34 & 35 Vict.
c. 41.

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; and the expression "superior court" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall for the purposes of this Act be read and have effect as if the debt or demand in respect of which the expression is used were a simple contract debt, and not a debt or demand created by statute.

Interpreta-
tion of terms.

4. Whereas by the Elsecar, Wentworth, and Hoyland Gas Act, 1863, certain rights, powers, privileges, and authorities for the supply of gas within the township of Wombwell were conferred on the Elsecar, Wentworth, and Hoyland Gaslight and Coke Company (herein-after called "the Elsecar Company"), and the Elsecar Company are now actually supplying gas within a small portion only thereof: And whereas it is expedient that all such rights, powers, privileges, and authorities should be relinquished by the Elsecar Company in favour of the Local Board, and it has been agreed between the Elsecar Company and the Local Board that in consideration of the payment of five hundred pounds by the Local Board to the Elsecar Company all the said rights, powers, privileges, and authorities of the Elsecar Company within the township of Wombwell shall be extinguished: Be it enacted, that from and after the passing of this Act so much of section four of the Elsecar, Wentworth, and Hoyland Gas Act, 1863, as includes the township of Wombwell in the limits within which the Elsecar Company may supply gas shall be and the same is hereby repealed, and the limits of this Act for the supply of gas shall be the township of Wombwell and the township of Darfield, both in the parish of Darfield, in the West Riding of the county of York, which townships are in this Act referred to as

Transfer to
Local Board
of powers of
Elsecar,
Wentworth,
and Hoyland
Gas Com-
pany to
supply gas
within
township of
Wombwell,
and defining
limits of Ac..
26 & 27 Vict.
c. xci.

A.D. 1879. "the limits of supply," and the Local Board shall pay the said sum of five hundred pounds to the Company by such instalments as may be agreed upon, and in default of agreement within five years from the passing of this Act: Provided that, notwithstanding such repeal and anything in this section contained, all rights, powers, privileges, and authorities of the Elsecar Company in force immediately before the passing of this Act in that portion of the said township in which they were then supplying gas, shall remain in full force and effect until the expiration of three months after notice in writing under the seal of the Board shall have been served upon the Elsecar Company stating that the Board are prepared to take upon themselves all future obligations of the Elsecar Company in connexion with such portion, and on and after the expiration of the said period, and the payment by the Board to the said Company of all rents and sums of money due to them with respect to such supply, all the said rights, powers, privileges, and authorities of the said Company in the said portion of the said township shall cease.

Sale and transfer to Local Board of undertaking of Gas Company.

5. With respect to the sale and transfer to the Local Board of the undertaking of the Company, the following provisions shall be observed and have effect:

- (1.) The said undertaking and the sale thereof shall comprise all the lands, gasworks, gasholders, pipes, meters, minute books, books of account, and all other the real and personal property and effects whatsoever of the Company, together with all the powers, authorities, and privileges of the Company, subject as herein-after mentioned:
- (2.) The Local Board shall be and be deemed to have been entitled on and from the first day of January one thousand eight hundred and seventy-eight to all gas and meter rents received by the Company, and to all rents, issues, dividends, and profits of the said undertaking as herein-before defined:
- (3.) The purchase money to be paid by the Local Board for the said undertaking shall be the sum of eight thousand pounds, and the same shall be paid by them to the Company on the thirty-first day of December one thousand eight hundred and seventy-nine, or at such later date as may be mutually agreed by the Local Board and the Company:
- (4.) In addition to the said sum of eight thousand pounds payable as aforesaid, the Local Board shall, as from the first day of January one thousand eight hundred and

seventy-eight, be liable to pay and shall pay to the Company the following sums; that is to say,

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For and in respect of the year ending the thirty-first of December one thousand eight hundred and seventy-eight the sum of two hundred pounds, and for and in respect of the year ending the thirty-first of December one thousand eight hundred and seventy-nine the further sum of two hundred pounds, and if from any cause the said purchase money or any portion thereof shall remain unpaid after the thirty-first of December one thousand eight hundred and seventy-nine the Local Board shall pay to the Company interest at the rate of five pounds per centum per annum for every subsequent year or portion of a year during which the said purchase money or any part thereof shall remain unpaid, and the Local Board shall likewise bear and defray all expenses of or incidental to the preparation and execution of the said agreement of the twenty-sixth day of September one thousand eight hundred and seventy-eight, and of and incidental to the preparation and execution of the deed hereinafter mentioned :

- (5.) On payment by the Local Board to the Company of the said purchase money and of the further sums herein-before mentioned, or so much thereof as shall not previously have been paid, and on the execution by the Company of the deed herein-after mentioned, the said undertaking shall be transferred to and absolutely vest in the Local Board :
- (6.) The Company shall out of the purchase money and the further sums so paid to them by the Local Board be bound to pay and discharge all debts and liabilities of the Company which on the first day of January one thousand eight hundred and seventy-eight had been incurred by them and were then unpaid :
- (7.) Until the purchase of the said undertaking has been completed and the same shall have become vested in the Local Board, the Company shall continue to manage the said undertaking (as trustees, however, for the Local Board), and shall keep just and true accounts of all transactions, matters, and things relating to the said undertaking, and of all moneys from time to time owing by or to the Company in respect of the said undertaking, and shall from

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time to time furnish the same on request to the Local Board or permit the same to be inspected by the Local Board or any Committee thereof :

- (8.) The Company shall until the purchase is completed and the said undertaking is vested in the Local Board keep the said undertaking in good going order and condition, and shall keep the works and premises included in the said undertaking in as good condition as they were on the twenty-sixth day of September one thousand eight hundred and seventy-eight, fair wear and tear and damage by fire, storm, and tempest and accident excepted :
- (9.) The Company, in accordance with directions to that effect of the Local Board, shall from time to time, and until completion of the purchase, pay to the Local Board all sums of money which may be in the hands of the Company arising from the said undertaking as profits or otherwise since the first day of January one thousand eight hundred and seventy-eight, but the Company shall be at liberty to deduct from any sums so paid over to the Local Board the said further sums of two hundred pounds annually (or four hundred pounds, as the case may be), so far as the same or any part thereof may at the time be actually due :
- (10.) On the completion of the purchase, all deeds, evidences, and writings in the possession, custody, or power of the Company relating to the said undertaking shall be delivered by them to the Local Board.

Transfer of
undertaking
by deed.

6. The purchase and transfer of the said undertaking shall be evidenced and carried into effect by a deed duly stamped and truly stating the consideration (which deed may be in the form set forth in the Second Schedule to this Act, or to the like effect), and on the execution thereof by the Company, or by three directors of the Company, the said undertaking shall, subject to and in accordance with the provisions herein-before contained, become and thenceforth be by virtue of this Act absolutely vested in the Local Board for all the estate and interest of the Company therein, and such period is herein-after in this Act referred to as the transfer.

Receipt of
three
directors of
Company
for purchase
money to be
a sufficient
discharge.

7. The receipt in writing of three of the directors of the Company for the purchase money to be paid to them by the Local Board, indorsed upon the said deed, shall effectually discharge the Local Board from the sum which in such receipt shall be acknowledged to have been received, and from being answerable or accountable

for the loss, misapplication, or non-application thereof, or of any part thereof. A.D. 1879.

8. The Company shall hold the purchase money, and all other sums of money paid to them by the Local Board under this Act, in trust to pay thereout all debts and liabilities (if any) properly payable by the Company as herein-before mentioned, and further to pay thereout all expenses of the Company attending the distribution of their assets, and to divide and distribute the residue among the shareholders of the Company, their respective executors, administrators, or assigns, rateably in proportion to their respective shares and interests in the capital of the Company, and for the purpose of such division and distribution the several persons whose names shall appear in the books of the Company at the time of the passing of this Act to be the proprietors of shares therein, unless the contrary be proved to the satisfaction of the directors, shall be considered to be shareholders of the Company, and the receipt in writing of the committee or guardian of the estate of any shareholder in or member of the Company who shall be an idiot, lunatic, or minor, shall effectually discharge the Company and the directors thereof from the money therein expressed to be received, and from any obligation affecting the share or interest in respect whereof that money is paid.

Application of purchase money.

9. If the directors of the Company are for six months after the receipt by them of the purchase money unable, after diligent inquiry, to ascertain the person to whom any part thereof ought to be paid, or cannot obtain a sufficient discharge for the same, they may pay the same into the Chancery Division of the High Court of Justice under any Act from time to time in force for the relief of trustees, and every such payment into court shall conclusively discharge the said directors and the Company from all further liability with respect to the money so paid into court.

Payments into court by the Company.

10. The directors of the Company may exercise all powers necessary and proper for giving effect to the provisions of this Act, and for paying such debts (if any) as aforesaid, and for distributing the assets and winding up the affairs of the Company, and when and so soon as the assets of the Company have been distributed and their affairs have been wound up the Company shall be by virtue of this Act dissolved.

Winding-up and dissolution of Company.

11. All debts, rents, rates, charges, liabilities, and sums of money, actions, suits, and proceedings, and causes of action, suit, or proceeding, which at the time of the transfer are due from or pending or existing against the Company (other than any debts or liabilities

Company's debts, &c. to be paid, &c. by Local Board.

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properly payable by the Company as herein-before mentioned) shall be paid, discharged, settled, and satisfied by the Local Board, and any action, suit, or proceeding, or cause of action, suit, or proceeding, so pending or existing shall not abate or be discontinued or be in anywise prejudicially affected by reason of the sale or of the transfer, but the same may be continued, prosecuted, and enforced against the Local Board as and when it might have been continued, prosecuted, or enforced against the Company if this Act had not been passed, but not further or otherwise, without prejudice to any remedy over for the Local Board against the Company under or by virtue of any provisions of this Act.

Gas rent, &c.
due to Com-
pany to be
paid to Local
Board.

12. After the transfer of the gas undertaking, all moneys which immediately before the transfer shall be due and payable or accruing to the Company for or in relation to the supply of gas or meters or fittings shall be payable to and may be collected and recovered by and in the name of the Local Board.

Officers of
Gas Com-
pany to
continue
until re-
moved.

13. All officers and servants of the Company who were in office immediately before the transfer shall hold or enjoy their respective offices and employments, together with the salaries and emoluments thereunto annexed, until they shall resign the same or be removed therefrom by the Local Board, and shall be subject and liable to the like conditions, obligations, pains, and penalties, and to the like powers of removal, and to the like rules, restrictions, and regulations in all respects whatsoever as if they had been appointed under this Act.

Powers as to
construction
and main-
tenance of
gasworks,
&c.

14. After the transfer of the gas undertaking to the Local Board, subject to the provisions of this Act, the Local Board may from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue the existing gasworks of the Company upon the lands described in the First Schedule to this Act, and they may also erect, lay down, provide, and from time to time maintain, alter, improve, enlarge, extend, and renew or discontinue additional and other gasworks, and all engines, retorts, gasholders, condensers, purifiers, drains, sewers, mains, pipes, meters, lamps, lamp-posts, burners, stopcocks, machinery, and other works, apparatus, and conveniences, and may do all such acts as they may think proper for making and storing gas within the limits of this Act, and may make, store, and supply gas accordingly, and may manufacture, sell, provide, supply, let on hire, and deal in coal, coke, tar, pitch, asphaltum, ammoniacal liquor, lime, and all other products or residuum of any materials employed in or resulting from the manufacture of gas, and also engines, meters, fittings, tubes, pipes, gas-cooking apparatus, and

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other articles and things in any way connected with gasworks or with the supply of gas as they may from time to time think fit. A.D. 1879.

15. The Local Board may from time to time, under the authority of this Act, in addition to any moneys they are authorised to borrow under the Public Health Act, 1875, borrow at interest on mortgage of the revenue of their gas undertaking, and of the general district rate, or of any such securities, either together or separately, all such sums as they may from time to time think requisite for any of the purposes of this Act, not exceeding in the whole (except with the consent of the Local Government Board) the sum of fourteen thousand pounds, and sections 236 to 239 (inclusive) of the Public Health Act, 1875, shall apply to all such mortgages. Power to borrow on mortgage.

16. The Local Board may from time to time in manner prescribed by the Local Loans Act, 1875, and subject to the provisions thereof, borrow at interest on the securities described in the last preceding section or any of them the money therein authorised to be borrowed, and they may raise such money by the issue of debentures, debenture stock, or annuity certificates. Power to borrow under provisions of 38 & 39 Vict. c. 83.

17. The powers of borrowing money by this Act given shall not be restricted by any of the regulations contained in section two hundred and thirty-four of the Public Health Act, 1875, and in calculating the amount which the Local Board may borrow under that Act any sums which they may borrow under this Act shall not be reckoned. Certain regulations of the Public Health Act as to borrowing not to apply.

18. The Local Board shall pay off all money borrowed by them under the powers of this Act, and the interest thereon, within fifty years after the same is borrowed, by any one or more of the methods (including a sinking fund) mentioned in the Local Loans Act, 1875, with respect to the discharge of loans borrowed in the manner provided by that Act, but they shall not be bound to commence the payment off of any of such moneys until the expiration of one year from the time when such moneys were borrowed in each case. The annual return provided for by section sixteen of the Local Loans Act, 1875, shall, so far as the same is applicable, apply and extend to the sinking fund, annual instalments, and other periodical payments to be formed or made for the discharge of loans borrowed under this Act, and so far as the same may not be applicable, the provisions next herein-after contained shall be observed and have effect: Payment off of money borrowed.

(a.) The clerk to the Local Board shall within twenty-one days after the expiration of each year during which any sum is required to be appropriated to the discharge of the moneys borrowed under this Act, transmit to the Local Government

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Board a return in such form as may be prescribed by that Board, and verified by statutory declaration if so required by them, showing the amount which has been appropriated and applied to the discharge of such moneys during the year next preceding the making of such return, and the description of the securities upon which any investment has been made, and the purposes to which any portion of the amount appropriated, or of the investment, or of the sums accumulated by way of interest, has been applied during the same period, and the total amount (if any) remaining invested at the end of the year, and in the event of any wilful default in making such return such clerk shall be liable to a penalty not exceeding twenty pounds.

- (b.) If it appears to the Local Government Board, by that return or otherwise, that the Local Board have failed to appropriate the amount required to be appropriated, or have applied any portion of the money so appropriated or set apart, or of the sums accumulated by way of interest, to any purposes other than those authorised, they may, by order, direct that a sum not exceeding double the amount in respect of which default had been made shall be appropriated to the discharge of the moneys borrowed, and any such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of Her Majesty's High Court of Justice.

Power to
re-borrow.

19. The Local Board may from time to time re-borrow any amount borrowed by them under this Act, and paid off otherwise than in compliance with the provisions of the last preceding section: Provided that all sums so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in respect of which such re-borrowing has been made, and that the moneys originally borrowed, and any sums from time to time re-borrowed as aforesaid, shall for purposes of repayment thereof be deemed to form the same loan; and the obligations of the corporation with respect to the sinking fund to be set aside in respect of such moneys, and with respect to the appropriation and application of a fixed annual sum for the repayment of such moneys, shall not be affected by reason of such re-borrowing.

Deficiency
in gas
account.

20. If in any year the amount standing to the credit of the gas account herein-after mentioned be insufficient for the payment of the charges thereon, and the execution of this Act, the deficiency shall be made up out of the general district rate by carrying an

adequate sum therefrom to the credit of the gas account; and the Local Board from time to time, in preparing the estimates of the amount required in their judgment to be raised by means of a general district rate for the purposes of the district, may include therein such sums respectively (if any) as in the judgment of the Local Board are necessary to be provided in aid of the deficiency from time to time arising as aforesaid in the gas account, and shall collect the same as part of such general district rate.

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21. The Local Board shall keep accounts in respect of their gas undertaking separate from all their other accounts, and shall apply all money from time to time received by them in respect of their gas undertaking, except borrowed money (or money derived from the re-sale of any portion of their undertaking), as follows :

Application
of revenue.

In payment of the expenses properly chargeable to revenue of conducting, managing, and maintaining the gasworks and otherwise carrying on the gas undertaking of the Local Board ;

In payment of the interest upon money borrowed under the provisions of this Act ;

In providing the requisite instalments, sinking fund, or other periodical payments under this Act ;

and shall carry to the general district fund any balance remaining in any year.

22. From and after the transfer the Local Board shall keep separate accounts of the receipts and expenditure for gas purposes on capital and revenue account, and they may apportion between their accounts any expenditure incurred for purposes common to both.

Separate
accounts.

23. Section two hundred and forty-seven of the Public Health Act, 1875 (audit when urban authority are not a town council), is hereby incorporated with this Act.

Audit of
accounts.

24. All moneys borrowed by the Local Board under this Act shall be applied in payment of the costs, charges, and expenses of and incidental to the obtaining and passing of this Act, and in carrying into effect the provisions of this Act with respect to the transfer of the said undertaking of the Company, so far as the same relate to objects in respect of which capital money is properly applicable, and in and towards the extension and improvement of the gas undertaking of the Local Board, and for no other purpose; and all moneys, if any, received by the Local Board from the re-sale of any portion of their gas undertaking shall be similarly applied.

Application
of money
borrowed.

25. The Local Board may for the purposes of their gas undertaking purchase (by agreement, but not otherwise), and may, subject

Power to
purchase

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lands by agreement. hold and use, in addition to the lands described in the First Schedule
to this Act annexed, any lands and hereditaments, not exceeding in
the whole three acres, which they may from time to time require
for the purposes of their gas undertaking.

Power to
lay pipes
against
buildings.

26. The Local Board, with the consent of the owner and occupier
of any building, may lay any pipe, branch, or other necessary
apparatus from any main or branch pipe into, through, or against
such building for the purpose of lighting it, and may, with the like
consent, provide and set up any apparatus necessary for securing to
such building a proper and complete supply of gas, and for
measuring and ascertaining the extent of such supply, and may
from time to time, with the like consent, repair, replace, alter, dis-
continue, and remove any such pipe, branch, or apparatus.

Quality of
gas.

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

Price of gas.

28. The price to be charged by the Local Board for gas supplied
by them to consumers within the district of the township of
Wombwell shall not exceed five shillings and tenpence per thousand
cubic feet, and for gas supplied by them to consumers beyond the
district of the township of Wombwell, but within the limits of the
township of Darfield, shall not exceed six shillings and threepence
per thousand cubic feet.

Pressure of
gas.

29. All gas supplied by the Local Board to any consumer of gas
shall be supplied at such pressure as to balance from midnight to
sunset a column of water not less than six tenths of an inch in
height, and 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; and any gas examiner appointed under the Gas-
works Clauses Act, 1871, for the purposes of this Act, 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 vested in or under the control of any local or
road authority, and at least two hours previous notice shall be given
to the Local Board of the time and place at which such testing shall
be conducted.

30. The Local Board shall within six months after the passing of this Act cause to be provided at their works or their office a testing place with apparatus therein according to the provisions of the Gasworks Clauses Act, 1871, 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.

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Test meter.

31. Any mains, pipes, culverts, or other works which the Local Board may lay down or execute under or over or in such close proximity to any railway or canal or the works of any railway or canal company as to affect the same, shall (except in case of accident or emergency) be laid down and executed under the direction and superintendence and to the reasonable satisfaction of the engineer for the time being of the railway or canal company owning such railway, canal, or works, and in accordance (when necessary) with plans previously approved by such engineer and the engineer of the Local Board, or, in the event of their not agreeing, in such manner as shall be determined by an engineer to be appointed, on the application of either party, by the President of the Institute of Civil Engineers.

Pipes, &c. crossing railways and canals to be laid down under inspection of engineer of railway or canal companies.

32. Where any money is deposited by any person by way of security with the Local Board for the payment to them of all 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 or other apparatus, the Local Board shall pay interest at the rate of four 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.

Local Board to pay interest on deposit.

33. If at any time after the passing of this Act the sanitary authority for the township of Darfield shall give not less than six months' notice in writing to the Local Board of their desire to purchase that portion of the undertaking of the Local Board which is contained within their district, and shall obtain the consent of the Local Government Board to such purchase, and shall apply to Parliament or the Local Government Board for power to purchase such portion of the undertaking of the Local Board (except the mains and pipes or other apparatus which shall be necessary for supplying with gas any other part of the Local Board's limits of supply) and to supply gas within such district, then it shall not be lawful for the Local Board to oppose such application (except as to the details thereof), and if such powers be granted the Local Board

Sale of portion of gas undertaking to sanitary authority of Darfield.

A.D. 1879. — shall sell, and such sanitary authority shall purchase, such portion of the undertaking of the Local Board (except as aforesaid) within the district of such sanitary authority, at such a price as shall be fixed, in default of agreement, by arbitration under the provisions of the Lands Clauses Acts, 1845, 1860, and 1869, and the Local Board shall apply the proceeds of such sale under this section towards the repayment of the money borrowed under this Act: Provided always, that such authority for the township of Darfield shall not be authorised until after completion of such purchase to supply gas to any part of their district, and that after the completion of such purchase all obligation on the part of the Local Board to supply gas within such district shall cease.

Authentica-
tion of
notices.

34. Any summons, warrant, demand, or notice, or other such document to be issued or given for any of the purposes of this Act may be in writing or print, or partly in writing or partly in print, and if the same require authentication by the Local Board the signature thereof by the clerk of the Local Board shall be a sufficient authentication.

Notice to Lo-
cal Board to
discontinue
supply.

35. A notice to the Local Board from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing and be left at the principal office for the time being of the Local Board.

Application
of penalties.

36. Every penalty imposed by this Act shall (except where otherwise expressly provided, and except where the Local Board shall be the party by whom the penalty has to be paid) be paid to the Local Board.

Expenses of
Act.

37. All costs, charges, and expenses preliminary to and of and incident to the preparing and applying for and the obtaining and passing of this Act, including the costs, charges, and expenses connected with the obtaining of the resolution of owners and rate-payers aforesaid, or otherwise in relation thereto, shall be paid by the Local Board out of any moneys standing to the credit of the gas undertaking at the time of the transfer, or out of moneys borrowed under authority of this Act, or, subject to the provisions of the Act 35 & 36 Vict. c. 91., out of the district fund and general district rate.

