



CHAPTER xxiv.

An Act to authorise the Llanelly Gaslight Company to raise additional capital and for other purposes. A.D. 1908.

[18th June 1908.]

WHEREAS by the Llanelly Gas Act 1874 (hereinafter called "the Act of 1874") the Llanelly Gaslight Company (hereinafter called "the Company") were incorporated for the purpose of (amongst other things) making and supplying gas to and within the town and parliamentary borough of Llanelly and all places and lands within but not beyond the county of Carmarthen situate wholly or in part within the distance of five miles from the entrance door of the town hall of the said borough :

And whereas by the Act of 1874 it was enacted that the capital of the Company should be fifty thousand pounds divided into two thousand five hundred shares of the nominal value of twenty pounds each and that one hundred and fifty of such shares should be called and are hereinafter referred to as "original shares" and the remainder of such two thousand five hundred shares should be distinguished as new shares and of such new shares six hundred and thirty-six should be distinguished as and are hereinafter referred to as "new shares Class A" and the remainder of such new shares should be distinguished as and are hereinafter referred to as "new shares Class B" :

And whereas it was provided by the Act of 1874 that the profits of the Company applicable to the payment of dividends should in each year be appropriated first in payment of a dividend not exceeding five pounds per centum on all the paid-up share capital of the Company secondly in payment

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And whereas by the Act of 1874 the Company were authorised to borrow on mortgage any sums (inclusive of the sum of two thousand pounds then due on mortgage) not exceeding in the whole one-fourth part of the capital of the Company for the time being :

And whereas the whole of the said capital has been issued and paid up and the Company have created and issued bonds to the sum of twelve thousand five hundred pounds :

And whereas the demand for gas within the Company’s limits of supply has increased and is increasing and it is expedient that the Company be authorised to raise additional capital as hereinafter provided in order to enable them to meet such increased demand :

And whereas by section 38 of the Act of 1874 the local board of health for the district of the borough of Llanelly were empowered annually to elect and depute one member of the said local board of health to be a member of and to act upon the board of directors of the Company and the exercise of the said power by the said local board of health and subsequently by their successors the urban district council of Llanelly has been found inconvenient and objectionable to the Company and it is expedient that the said section should be repealed :

And whereas the objects 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 King’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 Llanelly Gas Act 1908.

Incorporation of general Acts.

2. The following Acts and parts of Acts are (subject to the provisions of and so far as applicable to the purposes of this Act) hereby incorporated with and form part of this Act (namely) :—

The Gasworks Clauses Acts 1847 and 1871 (except sections 30 to 34 of the former Act and provided that section 13

of the same Act shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the Company shall be alike in terms and amount under like circumstances to all consumers" were added at the end of that section):

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):

The 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 non-payment 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;

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:

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.

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.

Interpretation.

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Power to sell
and lease
land.

4. Subject to the provisions of the Lands Clauses Consolidation Act 1845 the Company may sell or let on lease for such periods as they think fit any lands for the time being belonging to them and which may not at the time be required for the purposes of their undertaking and may retain and hold sell and dispose of any interest in or reversion to any lands so let and any such sale disposal or lease may be for such consideration and subject to such reservations stipulations restrictions and provisions and generally upon such terms and conditions as the Company think fit.

Power to
purchase
lands by
agreement.

5. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to any lands now belonging to them or which they have power to acquire any lands and hereditaments not exceeding in the whole five acres which the Company may require 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 schedules to the Act of 1874.

Power to
Company to
raise addi-
tional capital.

6. The Company may from time to time raise additional capital not exceeding in the whole forty-five thousand pounds by the creation and issue of new ordinary shares or stock or new preference shares or stock or wholly or partially 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 stock vest in the person or corporation accepting the same unless and until the full price of such share or stock including any premium obtained upon the sale thereof shall have been paid in respect thereof Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of forty-five thousand pounds.

Company not
to convert
borrowed
money into
capital.

7. Notwithstanding anything in the Act of 1874 contained from and after the passing of this Act the Company shall not exercise in respect of any money borrowed by them the powers of the Companies Clauses Consolidation Act 1845 with respect to the conversion of borrowed money into capital.

Power to create
a special pur-
poses fund.

8.—(1) The directors of the Company may if they think fit in any year appropriate out of the revenue of the Company

as part of the expenditure on revenue account any sum not exceeding an amount equal to one per cent. of the paid-up capital of the Company including premiums to a fund to be called "the special purposes fund." A.D. 1908.

(2) The special purposes fund shall be applicable only to meet such charges as a chartered accountant or incorporated accountant being the auditor of the Company or appointed for the purpose by the Board of Trade shall approve as being—

(a) Expenses incurred by reason of accidents strikes or circumstances which due care and management could not have prevented; or

(b) Expenses incurred in the replacement or removal of plant or works other than expenses requisite for maintenance and renewal of plant and works.

(3) The maximum amount standing to the credit of the special purposes fund shall not at any time exceed an amount equal to one-tenth part of the paid-up capital of the Company including premiums.

(4) The moneys forming the special purposes fund or any portion thereof may be invested in securities in which trustees are authorised by law to invest or may be applied for the general purposes of the Company to which capital is properly applicable or may be used partly in the one way or partly in the other.

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the credit of the fund is for the time being less than the maximum allowed by this section.

9. If the clear profits of the undertaking of the Company in any half-year amount to a larger sum than is sufficient to pay the dividend at the authorised rate on the ordinary capital of the Company the excess or such portion of it as is not carried to the special purposes fund shall be carried to the credit of the divisible profits of such undertaking for the next following half-year. Application of excess of profits over authorised rate of dividend.

10. Where in any half-year the dividend on the ordinary capital of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such half-year being below the standard price then out of the amount of the divisible profits of the Company applicable to Power to create a reserve fund.

A.D. 1908. the payment of such excess of dividend the Company may in such half-year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and any reserve or other fund of the Company existing at the passing of this Act may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the sum so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any half-year in which the clear profits of the Company shall be insufficient to enable the Company in such half-year to pay the dividend at the authorised rate on the ordinary capital of the Company and save as in this Act provided no sum shall in any half-year be carried by the Company to any reserve fund.

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

11.—(1) All shares or stock created under the powers of this Act shall be issued in accordance with the provisions of this section.

(2) All shares or stock so to be issued shall be offered for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided as follows:—

(a) Notice of the intended sale shall be given in writing to the clerk of the district council of every district wholly or partly within the Company's limits of supply and to the secretary 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 shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

(b) A reserve price shall be fixed and notice thereof shall be sent by the Company in a sealed letter to be received by the Board of Trade not less than twenty-four hours before but not to be opened till after the day of auction or last day for the receipt of tenders as the case may be:

(c) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds:

(d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum. In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid: A.D. 1908.

(e) It shall be one of the conditions of sale that the total sum payable by the purchaser shall be paid to the Company within three months after the date of the auction or of the acceptance of the tender as the case may be.

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary shares or stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of gas supplied by the Company in such proportions as the Company may think fit or to one or more of these classes of persons only. Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

(4) Any shares or stock which have been offered for sale in accordance with subsection (2) or with subsections (2) and (3) and are not sold shall be again offered for sale by public auction or by tender in accordance with the provisions of this section and any such shares or stock then remaining unsold may be otherwise disposed of at such price and in such manner as the directors may determine for the purpose of realising the best price obtainable.

(5) As soon as possible after the conclusion of the sale or sales the Company shall send a report thereof to the Board of Trade stating the total amount of the shares or stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for the shares or stock.

12. 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 part of the capital of the Company entitled to dividend. Application of premium arising on issue of shares or stock.

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Power to
borrow.

13. The Company may subject to the provisions of this Act borrow on mortgage of the undertaking firstly an additional sum not exceeding four thousand one hundred and sixty-six pounds in respect of the capital authorised by the Act of 1874 and secondly in respect of the additional capital authorised by this Act to be raised any sum or sums not exceeding in the whole one-third part of the amount at the time actually issued by shares or stock but no part of such sums firstly and secondly mentioned 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 such shares or stock and premium (if any) 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.

Appoint-
ment of a
receiver.

14. Section 28 of the Act of 1874 is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the passing of this Act. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. 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 two thousand five hundred pounds in the whole.

Debenture
stock.

15. The Company may subject to the provisions of Part III. of the Companies Clauses Act 1863 create and issue debenture stock but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under 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 or mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages and charged upon the undertaking. Notice of

the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock. A.D. 1908.

16. All debenture stock created and issued under the powers of this Act shall be issued and be transferable only in amounts of ten pounds or multiples of ten pounds Notice of the effect of this enactment shall be stated in all certificates of debenture stock. Debenture stock to be transferable in multiples of 10l.

17. All money to be raised by the Company on mortgage or by the issue of debenture stock under the provisions of this Act 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 which is entitled to rank in priority to or pari passu with the interest or dividend on their mortgages or debenture stock. Priority of mortgages and debenture stock over other debts.

18. If any money is payable to a shareholder stockholder or mortgagee or debenture stock holder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt in cases of persons not sui juris.

19. All moneys raised under this Act whether by shares stock debenture stock or borrowing including premiums 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. Application of money.

20. Except as by this Act provided the profits of the Company to be divided among the shareholders or stockholders in any year shall not exceed the following rates (which are in this Act referred to as "the standard rates of dividend") (that is to say) On the original capital and the "new shares Class A" and the "new shares Class B" the rates prescribed by the Act of 1874 in respect of every one hundred pounds of such capital and on the additional capital to be raised under the powers of this Act the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital Profits of Company limited.

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Sliding scale.

21. On and after the first day of January one thousand nine hundred and nine the standard prices to be charged by the Company for gas supplied by them to persons who shall burn the same by meter shall be four shillings and one penny per thousand cubic feet within the parliamentary borough of Llanelly and four shillings and sixpence per thousand cubic feet outside the said borough :

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

In respect of any half-year during any part of which the prices charged by the Company shall have been one penny or part of a penny above the said standard prices respectively the dividend payable by the Company shall in respect of each penny or part of a penny by which the said standard prices shall have been increased be reduced below the standard rate of dividend by two shillings and sixpence on every one hundred pounds of ordinary paid-up capital with a ten per centum per annum standard rate of dividend and by one shilling and ninepence on every one hundred pounds of such capital with a seven per centum per annum standard rate of dividend and by one shilling and threepence on every one hundred pounds of such capital with a five per centum per annum standard rate of dividend and so in proportion for any fraction of one hundred pounds but such reduction shall be calculated only upon whichever of the said prices shall have been increased to the greater extent :

In respect of any half-year during the whole of which the prices charged by the Company shall have been one penny or more below the said standard prices respectively the dividend payable by the Company may in respect of each penny by which the said standard prices shall have been reduced be increased above the standard rate by two shillings and sixpence on every

hundred pounds of ordinary paid-up capital with a ten per centum per annum standard rate of dividend and by one shilling and ninepence on every one hundred pounds of such capital with a seven per centum per annum standard rate of dividend and by one shilling and threepence on every one hundred pounds of such capital with a five per centum per annum standard rate of dividend and so in proportion for any fraction of one hundred pounds but such increase shall be calculated only upon whichever of the said prices shall have been reduced to the less extent.

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22. The Company may lay down place repair alter remove and renew mains pipes and culverts for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from any manufacture of gas or any residual products thereof or for any purpose connected with their business and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid shall so far as applicable extend and apply to the laying down and placing repairing altering or removing and protection of such mains pipes and culverts.

Power to lay down and utilise pipes for ancillary purposes.

23. For the protection of the Great Western Railway Company (hereinafter referred to as "the Great Western Company") the following provisions shall apply:—

For protection of Great Western Railway Company.

- (A) In laying down altering improving enlarging extending maintaining or renewing or in executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across under or adjoining or in any way affecting the railways lands and property now or hereafter belonging to or used or occupied by the Great Western Company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the Great Western Company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the Great Western Company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him in writing or in case of difference

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as may be determined by arbitration in manner hereinafter provided Provided that if such principal engineer shall not approve or disapprove any plans or proposals so submitted to him within twenty-eight days after the same are delivered or shall refuse or neglect to superintend the work the Company may proceed with the same without the approval of the plans as aforesaid or without the superintendence of the said engineer :

- (B) All such works shall be done by and at the expense of the Company except as in this section otherwise provided who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over or under any bridge or over any level crossing of the railway of the Great Western Company or over the approaches to any such bridge or level crossing so far as the same may be disturbed or interfered with by or owing to any operations of the Company Provided always that should the Great Western Company elect so to do where any mains or pipes require to be laid under or across any level crossing of their railway they may themselves lay the same at the costs charges and expenses of the Company but so nevertheless that any mains or pipes so laid by the Great Western Company shall be laid under the superintendence and to the reasonable satisfaction of the Company's engineer :
- (c) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges level crossings approaches viaducts stations works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railways or at to or from any station thereon :
- (D) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid or the leakage or failure of any such mains pipes or works in under or near to any railway bridge level crossing embankment cutting approach viaduct station land works or property of the Great Western Company the Company shall make compensation to the Great Western

Company in respect thereof the amount of such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided: A.D. 1908.

(E) If the Great Western Company at any time or times hereafter require of which they shall be the sole judges 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 works of the Company may have been constructed or laid the Great Western Company may on giving to the Company fourteen days' notice in writing under the hand of their secretary or general manager and in case of emergency of which their engineer shall be the sole judge then on giving as long a notice as possible divert support or carry the said works of the Company across over or under their lands railways bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works Provided that such works shall be done subject to the reasonable satisfaction of the engineer of the Company and without unduly interfering with the supply of gas by the Company :

(F) Except as in this section otherwise provided any dispute or difference which may arise between the Great Western Company and the Company with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the Great Western Company and the Company or either of them.

24.—(1) The Company may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied to private consumers within their limits of supply through any other kind of meter or by any other method of supply. Charges for gas supplied by prepayment meters.

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(2) The Company shall not charge for the hire of any prepayment meter and fittings to be used therewith any sum other than a sum of money calculated according to the quantity of gas supplied through such prepayment meter and the maximum sum to be so charged shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove.

The said charge shall include the providing letting fixing repairing and maintenance of the meter and fittings and the cost of collection and other costs incurred by the Company in connection with the meter and fittings.

(3) The maximum charge for the hire of a prepayment meter without fittings shall be at the rate of ten per centum per annum on the cost of the meter.

(4) For the purpose of this section the expression "prepayment meter" means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

Quality.

25.—(1) The quality of the gas supplied by the Company shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming 120 grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(2) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan argand No. 2 the photometer shall be the bar photometer or the table photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Company or any five consumers approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing.

(3) The Company shall within six months after the passing of this Act provide all the apparatus required by this Act for

the testing of gas and shall at all times keep the same in proper order and repair. A.D. 1908.

26.—(1) All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six tenths of an inch and from sunset to midnight not less than eight tenths of one inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer. Pressure.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Act subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied. The Company shall afford to the examiner all reasonable facilities for making the test.

27. No penalty shall be incurred by the Company for insufficiency of pressure defect of illuminating power or 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 any circumstances beyond the control of the Company. Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company. Saving as to penalties.

28. If any person is required by the Company to give to them security for any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit the Company shall pay interest after 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. Company to pay interest on money deposited as security for gas meter &c.

29. Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an anti-fluctuator and shall at all times at his own expense keep such anti-fluctuator in proper order and in default of his so using the Company may cease to supply gas to such consumer. The Company shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator at all reasonable times such taking off removal testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator be found in proper order but otherwise at the expense of such consumer. Anti-fluctuators for gas engines.

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Power to
lay pipes in
streets not
dedicated to
public use.

30. The Company may on the application of the owner or occupier of any premises abutting on or being erected in any street laid out but not dedicated to public use supply such premises with gas and may lay down take up alter relay or renew in across or along such street such pipes and apparatus as may be requisite or proper for furnishing such supply.

Power to
supply gas
fittings and
fittings not
to be subject
to distress.

31.—(1) The Company may sell let for hire and otherwise deal in fix repair and remove but shall not manufacture engines stoves ranges dynamos motors pipes fittings and other apparatus appliances and things (in this section called "fittings") for lighting for motive power for the 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 provide all materials and do all work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon between the Company and the persons to or for whom the fittings are sold let fixed repaired or removed.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be. Provided that such fittings have upon them respectively 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.

Period
of error in
defective
meters.

32. 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 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 the like manner as gas rents are recoverable by the Company.

33. 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 them all gas and meter rent due from him to the Company they may refuse to furnish to him a supply of gas until he pays the same.

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

34. The Company may purchase or take on lease houses cottages and buildings for persons in their employ and offices showrooms and other buildings for the purposes of their undertaking and may erect fit up maintain and let any of such buildings upon any lands for the time being belonging or leased to the Company.

Dwelling-houses for persons in Company's employ.

35.—(1) The Company may contract with any local authority company or persons supplying gas under parliamentary powers in any district adjacent to the Company's limits of supply for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon but nothing in this section shall authorise the Company to lay any mains or interfere with any street beyond their limits of supply.

Company may enter into contracts for supply in bulk.

(2) The Company shall not supply gas under any such contract as aforesaid if and so long as such supply would interfere with the supply of gas to private consumers.

36. 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 meter 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 Notice of the provisions of this section shall be endorsed on every demand note for gas rent.

Gas consumers to give notice to Company before removing.

37. 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 or on behalf of the consumer and be left at or sent by post to the office of the Company.

Notice to discontinue supply of gas.

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Recovery of
demands.

38. Proceedings for the recovery of any demand made under the authority of this Act or the Act of 1874 or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Repeal of
section 38 of
Act of 1874.

39. Section 38 of the Act of 1874 (Local board may appoint an additional director) is hereby repealed and on and after the date of the passing of this Act the member of the urban district council of Llanelly elected and deputed by such urban district council to be a member of and to act upon the board of directors of the Company shall cease to be a member of or to act upon such board.

Repeal of
certain sec-
tions of Act
of 1874.

40. The following sections of the Act of 1874 are hereby repealed (that is to say):—

Section 48 (Price of gas);

Section 51 (Pressure);

Section 54 (Quality of gas);

Section 58 (Company to pay interest on money deposited as security for gas meter &c.).

Repeal of
part of sec-
tion 41 of
Act of 1874.

41. So much of section 41 of the Act of 1874 as provides that the ordinary meetings of the Company shall be held in the months of April and October in every year is hereby repealed and in lieu thereof it is hereby enacted that the ordinary meetings of the Company shall be held in the months of March and September in each year.

Providing
for certificate
of auditor as
to lowest
price charged
to any con-
sumer in
borough of
Llanelly.

42. For the purposes of section 49 of the Act of 1874 the Company on being requested so to do in writing under the hand of the clerk to the urban district council of Llanelly shall deliver to the said clerk by leaving the same addressed to him at the urban district council's offices as soon as practicable after the completion of the audit of the accounts of the Company for the year or half-year (as the case may be) immediately preceding the receipt of such request a certificate signed by the Company's auditor certifying the lowest price charged by the Company during such year or half-year to any private consumer within the meaning of the said section within the district of the borough of Llanelly.

43. The Company shall lay down main pipes and supply gas to any public lamps within the urban district of Llanelly which or the first of which shall be erected within fifty-five yards from any main pipe of the Company and which shall be not more than fifty-five yards apart.

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Supply of gas to public lamps in urban district of Llanelly.

44. In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

As to construction and placing of pipes &c. between mains and meters.

- (1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer either in the first instance or on the occasion of any renewal between the Company's mains and the meter and (so far as the same are intended to be covered over) on the consumer's premises:
- (2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:
- (3) The specification shall be published twice in some newspaper or once in each of two newspapers circulating within the Company's limits of supply and a copy thereof shall be kept exhibited in the office of the Company:
- (4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Company's main but within the outside wall of the building:
- (5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Company and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Company Any officer of the Company duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes

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—

or fittings are not according to the Company's specification or if the meter is not placed as required by this section the Company may refuse to supply gas to the premises until the provisions of this section have been complied with:

- (6) Any person to whom the Company refuses a supply of gas under the provisions of this section may appeal to a petty sessional court against such refusal and the court may after hearing the parties and considering any questions as to the reasonableness of the Company's specification make such order as seems to them proper in the circumstances and may order by which of the parties the costs of and incident to the appeal shall be paid.

Costs of Act.

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

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