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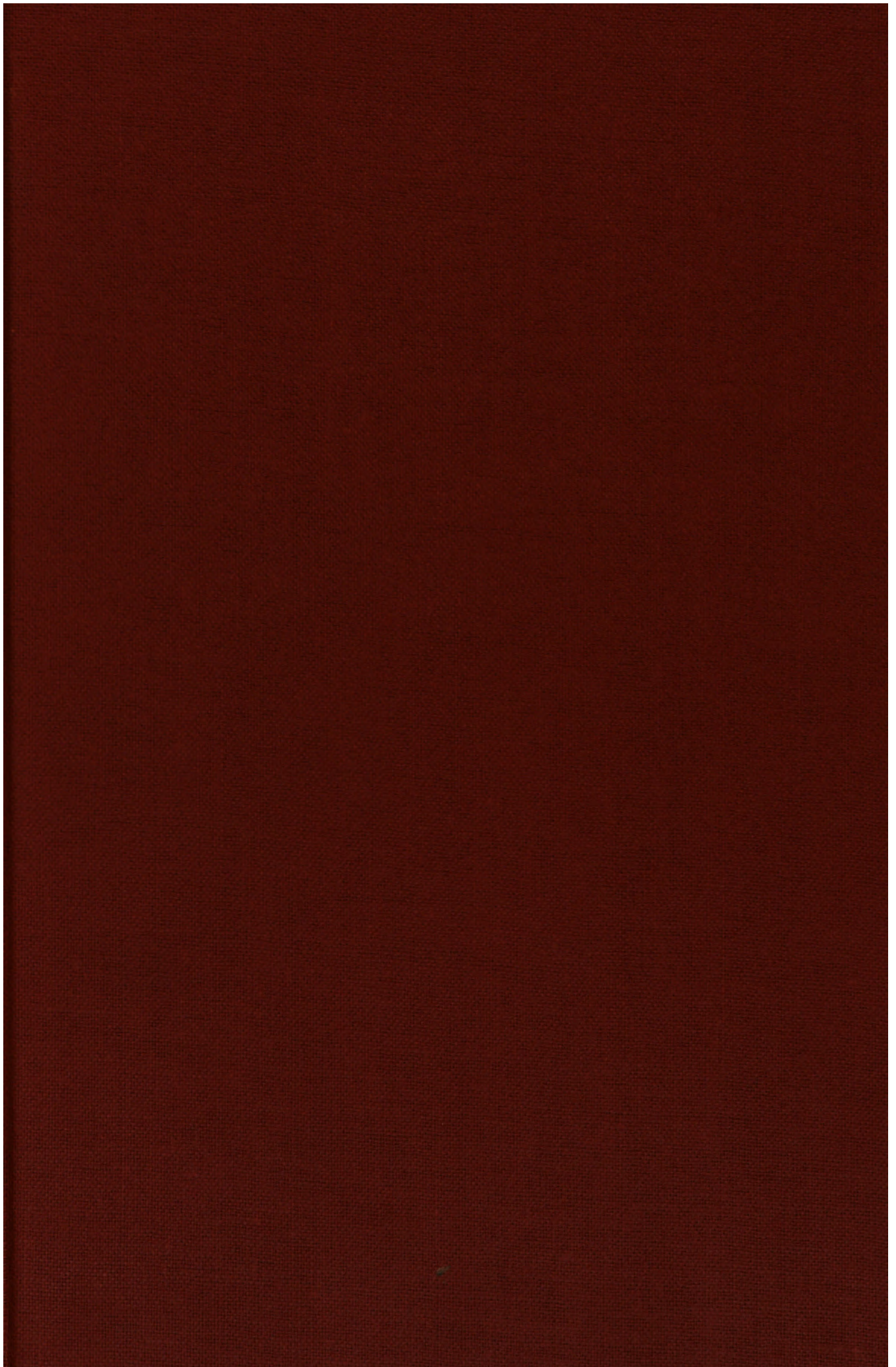
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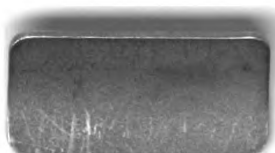
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THE
SESSIONAL PAPERS

PRINTED BY ORDER

3866
191

OF

THE HOUSE OF LORDS,

OR PRESENTED BY ROYAL COMMAND,

IN THE

Session 1905,

(5 EDWARD VII.,)

ARRANGED IN VOLUMES.

VOL. IV.

PUBLIC BILLS,

(Four Volumes.)

THE SUBJECTS ALPHABETICALLY ARRANGED:

ADV - - ELE

1905.

PUBLIC BILLS, 1905.

(FOUR VOLUMES.)

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A

B I L L

INTITULED

An Act for authorising Local Authorities to make A.D. 1905.
Byelaws respecting the Exhibition of Advertisements. —

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 :--

5 1. This Act may be cited as the Advertisements Regulation Act, 1905. Short title.

2. Any local authority as defined by this Act may make byelaws— Purposes for which local authorities may make byelaws.

10 (1) For regulating, restricting, or preventing advertising by means of dazzling light, or special use of light or sound, advertising on pavements, and scattering of advertising papers :

15 (2) For limiting the height of hoardings, or preventing the use for advertising purposes of hoardings above a certain height :

20 (3) For preventing the exhibition of advertisements in such places and in such manner, or by such means as to injuriously affect the amenities of a pleasure resort, public park, promenade, or residential district, or to disfigure the natural beauty of a landscape :

(4) For enforcing the removal or discontinuance of advertisements exhibited in contravention of such byelaws :

25 (5) For enforcing the removal within a prescribed time, not being less than a year after the byelaws come into operation, of any advertisement erected or placed before the making of the byelaws, in such a manner as would be in contravention of the byelaws, if the same had been previously made.

(15.)

A.D. 1905.

Under this Act byelaws may be made with respect to any class or classes of advertisements, and with respect to any particular place or places as may be specified in the byelaws.

Regulations with regard to publication of byelaws.

3. Any byelaws made by a local authority under the provisions of this Act shall not be approved by the sanctioning authority until they shall have been published twice in some newspaper or newspapers circulating in the district of the local authority, nor until two months after the second of such publications, and the sanctioning authority shall before approving the same, consider any objections which may be made thereto by any ratepayer. **5**

Extension of power to make byelaws conferred by Act.

4. The power of making byelaws conferred upon local authorities by this Act shall be deemed to be in extension of the powers conferred by the following enactments (that is to say):—

- (1) As to the London County Council and other county councils in England, by the Local Government Act, 1888, section sixteen: **15**
- (2) As to county councils in Ireland, by the Local Government (Ireland) Act, 1898, section sixteen:
- (3) As to county councils in Scotland, by the Local Government (Scotland) Act, 1889, section fifty-seven: **20**
- (4) As to boroughs in England by the Municipal Corporations Act, 1882, section twenty-three:
- (5) As to burghs in Scotland by the Burgh Police Act, 1892, section three hundred and sixteen: **25**
- (6) As to boroughs in Ireland by the Municipal Corporations (Ireland) Act, 1840, section one hundred and twenty-five.

And subject to the provisions of this Act, byelaws under this Act shall be made in like manner and subject to the same conditions as byelaws under those enactments. **30**

Interpretation.

5. For the purposes of this Act the expression "local authority" means—

- (a) Within the administrative county of London, the London County Council: **35**
- (b) Within any borough in England or Ireland, the council of that borough:
- (c) Within any burgh in Scotland, the council or police commissioners:

[5 EDW. 7.]

Advertisements Regulation.

3

(d) Elsewhere in England, Scotland, or Ireland, the county A.D. 1905.
council.

The expression "district" means the area within which the local authority has jurisdiction.

5 The expression "sanctioning authority" means the authority whose approval is required before the byelaws take effect.

Advertisements
Regulation. [H.L.]

A

B I L L

INTITLED

An Act for authorising Local Authorities to make Byelaws respecting the Exhibition of Advertisements.

The Lord Balfour.

Ordered to be printed 24th February 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
And to be purchased, either directly or through any Bookseller, from
WYMAN and SOXS, LTD., Fetter Lane, E.C.4; and
52, Abingdon Street, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
H. POBSON, 116, Grafton Street, Dublin.

[Price 4d.]

(15.)

A

B I L L

[AS AMENDED ON REPORT]

INTITULED

An Act for authorising Local Authorities to make A.D. 1905.
Byelaws respecting the Exhibition of Advertisements.

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 :—

5 **1.** This Act may be cited as the Advertisements Regulation Short title.
Act, 1905.

2. Any local authority may make byelaws—

10 (1) For the regulation and control of hoardings and similar structures used for the purpose of advertising when they exceed twelve feet in height :

Purposes for which local authorities may make byelaws.

15 (2) For regulating, restricting, or preventing the exhibition of advertisements in such places and in such manner, or by such means as to affect injuriously the amenities of a health or pleasure resort, public park, promenade, or to disfigure the natural beauty of a landscape.

20 **3.**—(1) A byelaw made under this Act shall not have any effect until confirmed by the Secretary of State, and shall not be so confirmed until at least thirty days after the local authority have published it in such manner as the Secretary of State may by general or special order direct.

Powers of Secretary of State to confirm byelaws.

(2) The Secretary of State shall, before confirming any byelaw, consider any objections to it which may be addressed to him by persons affected or likely to be affected thereby.

25 (3) The Secretary of State may, before confirming any byelaw, order that a local inquiry be held with respect to the byelaw or
(43.)

A.D. 1905. with respect to any objections thereto. The person holding any such inquiry shall receive such remuneration as the Secretary of State may determine, and that remuneration and the expenses of the local inquiry shall be paid by the local authority making the byelaw. 5

(4) Byelaws made under this Act may apply either to the whole of the area of the local authority, or to any specified part thereof.

(5) Byelaws made by a county council shall not be of any force or effect within any municipal borough. 10

Defrayment
of expenses.

4. Any expenses incurred by a local authority in England and Wales in carrying into effect the provisions of this Act or any byelaw made thereunder shall be defrayed in the case of a county out of the county fund, in the case of a borough out of the borough fund or borough rate: Provided that a county council shall not raise any sum on account of their expenses under this Act within any borough the council of which is a local authority under this Act. 15

Interpreta-
tion.

5. For the purposes of this Act the expression "local authority" means— 20

- (a) Within the city of London, the mayor, aldermen, and councillors of that city in common council assembled, and within the administrative county of London, the London County Council:
- (b) Within any municipal borough in England or Ireland, the council of that borough: 25
- (c) Within any burgh in Scotland, the council or police commissioners:
- (d) Elsewhere in England, Scotland, or Ireland, the county council. 30

Penalties.

6. If any person acts in contravention of or fails to comply with any byelaw made under this Act, he shall be liable on summary conviction to a penalty not exceeding five pounds, and to a penalty not exceeding twenty shillings for every day during which the offence is continued after his conviction thereof. 35

Advertisements Regulation Bill [H.L.]

[AS AMENDED ON REPORT.]

A M E N D M E N T S

TO BE MOVED IN COMMITTEE (ON RE-COMMITMENT).

BY

THE LORD BALFOUR.

Clause 2, page 1, at end of clause insert (“ Provided that a
 “ local authority in making byelaws under this section shall
 “ provide for the exemption from the operation of such byelaws of
 “ any hoardings and similar structures in use for advertising
 “ purposes, and of any advertisements exhibited at the time of the
 “ making of the byelaws, for such period, not being less than
 “ twelve months, as they may think fit.”

Clause 4, page 2, line 12, leave out (“ and ”), and after
 (“ Wales ”) insert (“ or Ireland ”)

line 14, after (“ fund ”) insert (“ in the
 “ case of the city of London out of the consolidated rate of that
 “ city and ”)

line 17, insert (“ city or ”)

Clause 5, page 2, line 22, leave out (“ councillors ”) and insert
 (“ commons ”)

line 23, leave out (“ administrative ”)

after (“ London ”) insert (“ outside
 “ the city of London ”)

After clause 5 insert as a new clause :

. In the application of this Act to Ireland the Lord
 Lieutenant, acting with the advice of the Privy Council, shall be
 substituted for the Secretary of State.

Advertisements Regulation Bill

[H.L.]

[AS AMENDED ON REPORT.]

AMENDMENTS

TO BE MOVED IN COMMITTEE
(ON RECOMMITTMENT)

BY

THE LORD BALFOUR.

19th April 1905.

PRINTED BY HYE AND SPOTTSWOOD,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
And to be purchased, either directly or through any Bookseller, from
WYMAN and SOBS, LTD., Fetter Lane, E.C.4; and
32, Abchurch Lane, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. POMEROY, 116, Grafton Street, Dublin.

[Price 4d.]

(43 a.)

Advertisements Regulation Bill [H.L.]

A M E N D M E N T S

TO BE MOVED IN COMMITTEE (ON RE-COMMITMENT).

BY THE EARL OF CAMPERDOWN.

Clause 2, page 1, line 16, after (" landscape ") insert as a new subsection :

(3) For preventing the affixing or otherwise exhibiting advertisements upon any wall, tree, fence, gate, or elsewhere on private property, without the consent of either the owner or the occupier previously given in writing.

BY THE LORD BALFOUR.

Clause 5, page 2, line 27, leave out from (" any ") to end of subsection and insert (" royal, parliamentary, or police burgh in Scotland, the town council ")

After clause 4, insert as a new clause :

.—(1) In the application of this Act to Scotland, the Secretary for Scotland shall be substituted for the Secretary of State. Application to Scotland.

(2) The town council of a burgh to which section seventy-seven of the Burgh Police (Scotland) Act, 1903, applies, shall not have power to make byelaws for the regulation and control of hoardings and similar structures in terms of this Act.

(3) Byelaws made by a county council shall not be of any force or effect within a royal, parliamentary, or police burgh.

(4) The section of this Act relating to expenses shall apply to Scotland with the substitution of " general purposes rate " for " county fund " " royal, parliamentary, or police burgh " for " borough " and " burgh general or police assessment " for " borough fund or borough rate."

Advertisements Regulation Bill

[H.L.]

AMENDMENTS

TO BE MOVED IN COMMITTEE
(ON RECOMMITTMENT)

BY

THE EARL OF CAMPERDOWN

AND

THE LORD BALFOUR.

11th May 1905

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SON'S, LTD., Peter Lane, E.C.4; and
32, Abchurch Lane, Westminster, S.W.1; or
OLIVER and BOND, Edinburgh; or
E. POKEWORTH, 116, Grafton Street, Dublin.

[Price 4d.]

(43 b.)

A

B I L L

[AS AMENDED IN COMMITTEE ON RE-COMMITMENT]

INTITULED

An Act for authorising Local Authorities to make Byelaws respecting the Exhibition of Advertisements. A.D. 1905.

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 :—

5 **1.** This Act may be cited as the Advertisements Regulation Act, 1905. Short title.

2. Any local authority may make byelaws—

10 **(1)** For the regulation and control of hoardings and similar structures used for the purpose of advertising when they exceed twelve feet in height : Purposes for which local authorities may make byelaws.

15 **(2)** For regulating, restricting, or preventing the exhibition of advertisements in such places and in such manner, or by such means as to affect injuriously the amenities of a health or pleasure resort, public park, promenade, or to disfigure the natural beauty of a landscape :

20 **Provided** that a local authority in making byelaws under this section shall provide for the exemption from the operation of such byelaws of any hoardings and similar structures in use for advertising purposes, and of any advertisements exhibited at the time of the making of the byelaws, for such period, not being less than twelve months, as they may think fit.

25 **3.—(1)** A byelaw made under this Act shall not have any effect until confirmed by the Secretary of State, and shall not be so confirmed until at least thirty days after the local authority have published it in such manner as the Secretary of State may by general or special order direct. Powers of Secretary of State to confirm byelaws.

(73.)

A.D. 1905.
Powers of
Secretary of
State to
confirm
byelaws.

3.—(1) A byelaw made under this Act shall not have any effect until confirmed by the Secretary of State, and shall not be so confirmed until at least thirty days after the local authority have published it in such manner as the Secretary of State may by general or special order direct. 5

(2) The Secretary of State shall, before confirming any byelaw, consider any objections to it which may be addressed to him by persons affected or likely to be affected thereby.

(3) The Secretary of State may, before confirming any byelaw, order that a local inquiry be held with respect to the byelaw or with respect to any objections thereto. The person holding any such inquiry shall receive such remuneration as the Secretary of State may determine, and that remuneration and the expenses of the local inquiry shall be paid by the local authority making the byelaw. 10
15

(4) Byelaws made under this Act may apply either to the whole of the area of the local authority, or to any specified part thereof.

(5) Byelaws made by a county council shall not be of any force or effect within any municipal borough: Provided always that the powers conferred by this Act shall be in addition to and not in derogation of any other powers of making byelaws possessed by any local authority. 20

Defrayment
of expenses.

4. Any expenses incurred by a local authority in England, Wales, or Ireland in carrying into effect the provisions of this Act or any byelaw made thereunder shall be defrayed in the case of a county out of the county fund, in the case of the city of London out of the consolidated rate of that city, and in the case of a borough out of the borough fund or borough rate: Provided that a county council shall not raise any sum on account of their expenses under this Act within any city or borough the council of which is a local authority under this Act. 25
30

Application
to Scotland.

5.—(1) In the application of this Act to Scotland the Secretary for Scotland shall be substituted for the Secretary of State. 35

(2) The town council of a burgh to which section seventy-seven of the Burgh Police (Scotland) Act, 1903, applies, shall not have power to make byelaws for the regulation and control of hoardings and similar structures in terms of this Act.

(3) Byelaws made by a county council shall not be of any force or effect within a royal, parliamentary, or police burgh. 40

[5 EDW. 7.]

Advertisements Regulation.

3

(4) The section of this Act relating to expenses shall apply to Scotland with the substitution of "general purposes rate" for "county fund," "royal, parliamentary, or police burgh" for "borough," and "burgh general or police assessment" for
5 "borough fund or borough rate." A.D. 1905.

6. For the purposes of this Act the expression "local authority" means— Interpreta-
tion.

(a) Within the city of London, the mayor, aldermen, and commons of that city in common council assembled,
10 and within the county of London outside the city of London, the London County Council :

(b) Within any municipal borough in England or Ireland, the council of that borough :

(c) Within any royal, parliamentary, or police burgh in
15 Scotland, the town council :

(d) Elsewhere in England, Scotland, or Ireland, the county council.

7. In the application of this Act to Ireland the Lord Lieutenant, acting with the advice of the Privy Council, shall
20 be substituted for the Secretary of State. Application
to Ireland.

8. If any person acts in contravention of or fails to comply with any byelaw made under this Act, he shall be liable on summary conviction to a penalty not exceeding five pounds, and to a penalty not exceeding twenty shillings for every day during
25 which the offence is continued after his conviction thereof. Penalties.

Advertisements
Regulation. [H.L.]

A

B I L L

[AS AMENDED BY THE STANDING
COMMITTEE]

INTITULED

An Act for authorising Local Authorities to make Byelaws respecting the Exhibition of Advertisements.

The Lord Balfour.

Ordered to be printed 6th June 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY,
And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, LTD., Fetter Lane, E.C.4; and
32, Abchurch Lane, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. POSONSBY, 116, Grafton Street, Dublin.

[Price 3d.]

(101.)

Advertisements Regulation Bill [H.L.]

A M E N D M E N T S

TO BE MOVED ON THIRD READING

BY

THE LORD BALFOUR.

Clause 2, page 1, line 14, leave out ("health or pleasure
" resort"), and after ("park") insert ("pleasure")

Advertisements Regulation Bill

[H.L.]

AMENDMENTS

TO BE MOVED ON THIRD READING

BY

THE LORD BALFOUR.

29th June 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any bookseller from
WYKAY and SORE, Ltd., Fetter Lane, E.C.4; and
32, Abchurch Lane, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
M. POWSON, 114, Grafton Street, Dublin.

[Price 3d.]

(101 a.)

[5 EDW. 7.] *Agricultural Rates Act, 1896, &c., Continuance.* 1

A

B I L L

INTITLED

An Act to extend the Agricultural Rates Act, 1896, &c., A.D. 1905.
Continuance Act, 1901.

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:—

- 5 1. The Agricultural Rates Act, 1896, &c., Continuance Act, Extension of
1901, shall have effect as if "one thousand nine hundred and 1 Edw. 7.
ten" were substituted for "one thousand nine hundred and six" c. 13. for
wherever those words occur. four years.
2. This Act may be cited as the Agricultural Rates Act, Short title.
10 1896, &c., Continuance Act, 1905.



[5 EDW. 7.] *Alexander Scott's Hospital Order Confirmation.* 1

A

B I L L

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Alexander Scott's Hospital. A.D. 1905.

WHEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament : 62 & 63 Vict. c. 47.

Be it therefore 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 :—

- 10 1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.
2. This Act may be cited as the Alexander Scott's Hospital Order Confirmation Act 1905. Short title.

A.D. 1905.

SCHEDULE.

ALEXANDER SCOTT'S HOSPITAL.

Provisional Order to extend the qualifications for the admission of Inmates to Alexander Scott's Hospital to amalgamate the Trust Funds administered by the Trustees and Managers of the Hospital and for other purposes. 5

WHEREAS by Alexander Scott's Hospital Act 1868 (hereinafter referred to as "the Act of 1868") the Trustees and Managers of Alexander Scott's Hospital (hereinafter referred to as "the Trustees") were incorporated and further powers were conferred upon them in connection with the admission of inmates to the hospital and the administration of the trusts and trust property and funds of the trust disposition and deed of settlement of Alexander Scott of Craibstone in the county of Aberdeen deceased dated the 8th day of June 1824 and registered in the books of council and session the 8th day of July 1833 (hereinafter referred to as "the trust disposition of 1824") which trusts are defined in the trust disposition of 1824 as being inter alia for the purpose of erecting establishing and endowing an hospital or receptacle for the maintenance aliment clothing and lodging of old men and old women in the town of Huntly having the description or qualifications set forth in the trust disposition of 1824 which hospital or receptacle was to be known styled and called by the title of Alexander Scott's Hospital: 15

And whereas the Act of 1868 inter alia extended the powers conferred upon the Trustees by the trust disposition of 1824 with respect to the admission of inmates to the hospital: 25

And whereas the trust disposition and settlement of the late Alexander Morison of Bognie and Larghan dated the 5th day of April 1876 and along with sundry codicils thereto recorded in the books of council and session the 8th day of January 1880 (hereinafter referred to as "the trust disposition of 1876") provided inter alia as follows:— 30

Fourth On the death of my wife should she survive me I direct my said Trustees to pay over the residue of my 35

[5 Edw. 7.] *Alexander Scott's Hospital Order*
Confirmation.

3

means and estate to the parties afternamed for the benefit of Doctor Scott's Hospital for decayed business men and women in Huntly for the purpose of erecting and endowing an additional wing to be called "the Morison Wing" to be managed on the same principle as the endowment left by the said Doctor Scott and for the said purposes I hereby direct my Trustees on the death of my wife or of myself which of these events shall happen last to pay over the residue of my means and estate to George Cruickshank of Comisty and William Gulland Writer to the Signet Edinburgh and the acceptor and survivor of them with power to them to erect the wing the expense of which shall not exceed £5,000 and when the building is completed to hand it and the remaining funds under their management to the Trustees for the time being who shall be in the management of the present Doctor Scott's Hospital at Huntly to be applied by them for the maintenance of said wing on the same principle as carried on in said hospital:

A.D. 1905.

And whereas the said Alexander Morison died on the 30th day of December 1879 survived by his wife and without having altered or revoked the trust disposition of 1876 in so far as it related to the above recited bequest for the benefit of the said hospital and in favour of the Trustees in the management thereof:

And whereas the wife of the said Alexander Morison died on the 5th day of May 1893:

And whereas the Morison Wing to the said hospital was duly erected and completed at a cost of four thousand nine hundred and twenty-four pounds nine shillings and four pence and was on the 15th day of October 1900 handed over to the Trustees together with the residue of the means and estate of the said Alexander Morison which residue amounted to the capital sum of sixty-two thousand one hundred and thirty-three pounds sixteen shillings and ten pence and the said Morison Wing of the said hospital has been managed and maintained and the income from the said sum of sixty-two thousand one hundred and thirty-three pounds sixteen shillings and ten pence has so far as required been applied by the Trustees in accordance with the terms of the trust disposition of 1876 and the unexpended balance of such income has been invested from time to time on heritable securities falling within the powers of the Trustees:

A.D. 1905. — And whereas inasmuch as the Trustees have been advised that the qualifications to be possessed by persons eligible as inmates of the Morison Wing of the hospital were the qualifications prescribed by the trust disposition of 1824 as extended by the Act of 1868 it has been found impossible to procure a number of eligible inmates sufficient to exhaust the revenue from time to time accruing in respect of the said sum of sixty-two thousand one hundred and thirty-three pounds sixteen shillings and ten pence and it is expedient that the Act of 1868 should be amended and the powers of the Trustees with respect to the admission of inmates to the hospital and to the Morison Wing should be further extended so as to benefit more effectually the inhabitants of the town of Huntly and to bring the qualifications of eligible inmates more into conformity with the intentions of the said Alexander Morison who from the before recited portion of the trust disposition of 1876 appears to have been under the impression that the hospital was for the benefit of decayed business men and women in Huntly :

And whereas the estate of Bognie which belonged to the said Alexander Morison is situate in the neighbourhood of the town of Huntly and portions of that estate are let to tenants and it is the desire of the Trustees to recognise the benefits conferred upon the hospital by the bequest of the said Alexander Morison and it is therefore expedient that the benefits conferred on the town of Huntly by the will of the said Alexander Morison should be extended to the said tenants :

And whereas the trustees were advised that they are obliged to keep separate accounts of the trust property and funds of the trust disposition of 1824 and of the said sum of sixty-two thousand one hundred and thirty-three pounds sixteen shillings and ten pence and the expenditure thereof respectively and they have accordingly kept such separate accounts but the keeping of such separate accounts is attended with considerable difficulty and unnecessary expense and it is expedient that the whole of the said property and funds now under their administration and control should be amalgamated into and merged in one common fund :

And whereas the Huntly Jubilee Cottage Hospital was erected in Huntly in the year 1889 by means of money raised by voluntary subscriptions and in 1902 the governing body of the cottage hospital expended their endowment fund in erecting on land belonging to them an infectious diseases hospital in pursuance of an agreement made with the provost magistrates and councillors of the burgh of Huntly as the local authority for that burgh under

[5 EDW. 7.] *Alexander Scott's Hospital Order*
Confirmation.

5

the Public Health (Scotland) Act 1897 and the Huntly District Committee of the county of Aberdeen as the local authority for their district under the Local Government (Scotland) Act 1889 (hereinafter referred to as "the local authorities") : A.D. 1905. —

5 And whereas in accordance with the terms of the said agreement the local authorities make certain annual and other payments in respect of cases of infectious disease sent by the local authorities to the infectious diseases hospital but the cottage hospital is maintained entirely by voluntary subscriptions and is the only institution of its kind in Huntly and is of great benefit to the inhabitants of Huntly and certain neighbouring parishes and it is expedient that the Trustees should be authorised to make annual payments or subscriptions to such cottage hospital out of their surplus revenues :

10 15 And whereas the moderator of the presbytery of Strathbogie who is one of the Trustees appointed in pursuance of a provision to that effect in the trust disposition of 1824 and the Act of 1868 holds the office of moderator for only one year and he is frequently a person residing at a considerable distance from Huntly and it is expedient to make provision for the appointment of a Trustee holding office for a longer period and specially representing the presbytery of Strathbogie in place of the said moderator :

And whereas it is expedient that such other provisions as are in this Order contained should be made :

20 25 And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

30 Now therefore in pursuance of the powers contained in the last mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited as "Alexander Scott's Hospital Order 1905" and this Order and Alexander Scott's Hospital Act 1868 may be cited as "Alexander Scott's Hospital Acts 1868 and 1905." Short title and citations

35 2. The following words and expressions in this Order have the meanings hereby assigned to them (that is to say) : Interpretation.

"The Act of 1868" means Alexander Scott's Hospital Act 1868 ;

40 "The Trustees" means the Trustees and Managers of Alexander Scott's Hospital as incorporated by the Act of 1868 ;

A.D. 1905.

“The trust disposition of 1824” means the trust disposition and deed of settlement of Alexander Scott of Craibstone dated the 8th day of June 1824 and registered in the books of council and session the 8th day of July 1833 ;

“The trust disposition of 1876” means the trust disposition and settlement of Alexander Morison of Bognie and Larghan dated the 5th day of April 1876 and with sundry codicils thereto recorded in the books of council and session the 8th day of January 1880 ;

“The hospital” means the hospital erected in pursuance of the trust disposition of 1824 and the Morison Wing of the hospital erected in pursuance of the trust disposition of 1876 and the garden and policy grounds of every description attached thereto ;

“The Scott fund” means the property funds and effects of every description held by the Trustees under the trust disposition of 1824 and the Act of 1868 ;

“The Morison fund” means the said sum of sixty-two thousand one hundred and thirty-three pounds sixteen shillings and ten pence the accumulations of the unexpended revenue accruing therefrom and the property funds and effects of every description held by the Trustees under the trust disposition of 1876 ;

“The estate of Bognie” means the entailed lands and estate of Bognie and others in the parish of Forgue and county of Aberdeen as it existed when in the possession of the said Alexander Morison on the 30th day of December 1879 ;

“The local authorities” means the provost magistrates and councillors of the burgh of Huntly as the local authority under the Public Health (Scotland) Act 1897 and the Huntly District Committee of the county of Aberdeen as the local authority under the Local Government (Scotland) Act 1889.

Extending qualifications of persons eligible to be admitted to hospital.

3. Section 6 (Extending powers of Trustees &c. with respect to the admission of inmates to the hospital) of the Act of 1868 is hereby repealed and subject to the rights of priority of admission hereinafter specified the Trustees may only receive into the hospital and admit to the benefits thereof persons possessing the following

qualifications belonging respectively to the six several classes and in the order hereinafter described (videlicet):— A.D. 1905.

5 First Class Poor persons of good character not under fifty years of age being widowers or bachelors widows or spinsters who have been born in the town of Huntly are children or grandchildren of feuars of that town and are free from disease at the time of their admission such poor persons having no children surviving or having only adult children surviving who are not able in the opinion of the Trustees to maintain them :

10 Second Class Poor persons of good character not under fifty years of age being widowers or bachelors widows or spinsters who are children or grandchildren of feuars of the town of Huntly and are free from disease at the time of their admission such poor persons having no children surviving :

15 Third Class Poor persons of good character not under fifty years of age being widowers or bachelors widows or spinsters who are children or grandchildren of feuars of the town of Huntly and are free from disease at the time of their admission such poor persons having no children surviving or having only adult children surviving who are not able in the opinion of the Trustees to maintain them :

20 Fourth Class Poor persons of good character not under fifty years of age being widowers or bachelors widows or spinsters who have been born in the town of Huntly have resided therein for a period of not less than five years consecutively immediately previous to the date of their application for admission and are free from disease at the time of their admission such poor persons having no children surviving or having only adult children surviving who are not able in the opinion of the Trustees to maintain them :

25 Fifth Class Poor persons of good character not under fifty years of age being widowers or bachelors widows or spinsters who have been proprietors (or in the case of a widow whose husband has been a proprietor) of a business or trade in the town of Huntly such business or trade having been carried on by such proprietors or proprietor for a period of not less than ten years such poor persons having resided in the town of Huntly for a period of not less than five years consecutively prior to the date of their application for admission and being free from disease at the time of their admission

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A.D. 1905.

such poor persons having no children surviving or having only adult children surviving who are not in the opinion of the Trustees able to maintain them :

Sixth Class Poor persons of good character not under fifty years of age being widowers or bachelors widows or spinsters 5 who are free from disease at the time of their admission and are or have been tenants (or in the case of a widow whose husband has been a tenant) or are the children of tenants or of persons who have been tenants on the estate of Bognie such poor persons having no children surviving or having 10 only adult children surviving who are not in the opinion of the Trustees able to maintain them and such tenants being persons holding or who have held land as agricultural tenants upon the estate of Bognie on lease for a period of not less than ten years direct from the proprietor for the 15 time being of the estate of Bognie :

Provided always that the Trustees shall not admit persons of the second class while there are suitable applicants of the first class not admitted or persons of the third class while there are suitable applicants of the first or second classes not admitted or persons of 20 the fourth class while there are suitable applicants of the first second or third classes not admitted or persons of the fifth class while there are suitable applicants of the first second third or fourth classes not admitted or persons of the sixth class while there are suitable applicants of the first second third fourth or fifth classes 25 not admitted the meaning and intent of this Order being that the Trustees shall admit persons of the second class only after they have admitted all suitable applicants of the first class and shall admit persons of the third class only after they have admitted all suitable applicants of the first two classes and shall admit persons 30 of the fourth class only after they have admitted all suitable applicants of the first three classes and shall admit persons of the fifth class only after they have admitted all suitable applicants of the first four classes and shall admit persons of the sixth class only after they have admitted all suitable applicants of the first 35 five classes :

Provided also that the Trustees may if they think fit remove from the hospital persons of the first third fourth fifth or sixth classes in the event of any child or children of such persons becoming able in the opinion of the Trustees to maintain them and 40 the persons so removed shall thereupon lose all the benefits to

[5 EDW. 7.] *Alexander Scott's Hospital Order*
Confirmation.

9

which they may have become entitled by their admission to the hospital And provided further that the Trustees shall not admit persons who within the two years immediately preceding the date of application for admission have or had been in receipt of parochial relief.

A.D. 1905.

4. In disposing of all applications for admission to the hospital the Trustees shall be the sole judges of the qualifications for admission adduced by applicants and shall have full power to dispose of all applications accordingly and it shall not be competent to an applicant to appeal to any court or other authority against the resolution of the Trustees in disposing of his or her application and the Trustees shall have full power to dismiss any person who has been admitted to the benefits of the hospital if in the opinion of the Trustees such person has been guilty of any grossly immoral or improper conduct or of persistent disregard of the rules and regulations laid down or from time to time to be laid down by the Trustees for the management of the hospital.

Trustees sole judges of applicants' qualifications and may dismiss inmates on cause shown.

5. As from and after the 20th day of July 1905 the Scott Fund and the Morison Fund shall merge and become amalgamated into and shall form one common fund and all loans of every description due by the one fund to the other fund shall be cancelled and the Trustees shall not be bound to keep more than one set of accounts in respect of the capital property revenue and expenditure of such common fund after the date of amalgamation.

Amalgamation of funds of Trustees.

6. The said funds so merged and amalgamated and forming a common fund and the revenue accruing in respect thereof and all rights and interests connected therewith shall continue to be held by and be vested in the Trustees for the uses and purposes of the trust disposition of 1824 the Act of 1868 the trust disposition of 1876 and of this Order and subject thereto may be applied for the repair maintenance and enlargement of the hospital and for the necessary furnishings and appurtenances thereof and section 4 of the Act of 1868 in so far as it is repugnant to or inconsistent with this provision is hereby repealed.

Funds to be held and applied by Trustees.

7. From and after the passing of the Act confirming this Order the Trustees shall in each year out of the surplus revenue in their hands (if any) after applying their revenue in manner provided by this Order pay to the managing committee or governing body of the Huntly Jubilee Cottage Hospital in Huntly such sum

Contributions by Trustees to Huntly Jubilee Cottage Hospital and

(77.)

B

A.D. 1905. as may be required to meet the cost of managing and carrying on
 other chari- the cottage hospital including in such cost the annual payment
 table institu- towards the sinking fund to replace the original endowment
 tions. expended in the erection of the infectious diseases hospital but
 deducting therefrom such payments for the year as may be received 5
 by the said managing committee or governing body from fixed
 endowments or from the local authorities under existing or future
 agreements with them or in virtue of any power of assessment of
 the local authorities but if in any year such surplus revenue is
 insufficient to provide the full amount of the sum so required the 10
 Trustees shall pay to the managing committee or governing body
 of the cottage hospital only such smaller sum as the surplus
 revenue shall amount to If after making payment of the full
 amount of the sum so required there shall still remain in any year
 any surplus revenue in the hands of the Trustees they may 15
 contribute out thereof such sums as they in their discretion think
 fit towards the support of any one or more of the charitable
 institutions or charitable purposes carried on within the town of
 Huntly.

Power to Trustees to appoint members of managing committee of Huntly Jubilee Cottage Hospital.

8. The Trustees shall but for so long only as they contribute 20
 to the Huntly Jubilee Cottage Hospital in accordance with the
 immediately preceding section of this Order annually appoint not
 more than four persons to be members of the managing committee
 of the said cottage hospital or of such other committee as is 25
 entrusted with the management of the said cottage hospital and
 such persons shall hold office for the period of twelve months at a
 time and such persons or some of them may be appointed from
 among the Trustees and the said cottage hospital and its governing
 body and committee shall admit the said persons so appointed
 to be members of the said managing committee or of such other 30
 committee as is entrusted with the management of the said cottage
 hospital.

Saving agreement between Jubilee Cottage Hospital and certain local authorities.

9. Nothing in this Order contained shall prejudice or affect 35
 the agreement dated the seventeenth twenty-fourth twenty-sixth
 and twenty-seventh days of June one thousand nine hundred and
 one and made between the managing committee of the Huntly
 Jubilee Cottage Hospital of the first part the provost magistrates
 and councillors of the burgh of Huntly as the local authority of
 the said burgh under the Public Health (Scotland) Act 1897 of
 second part and the Huntly District Committee of the county 40
 of Aberdeen under the Local Government (Scotland) Act 1889 as

[5 Edw. 7.] *Alexander Scott's Hospital Order* 11
Confirmation.

the local authority of said district under the said Public Health (Scotland) Act 1897 of the third part and registered in the books of council and session on the thirteenth day of July one thousand nine hundred and one. A.D. 1905.

5 10. Notwithstanding anything in the trust disposition of 1824 or the Act of 1868 contained on and from the passing of the Act confirming this Order the moderator of the presbytery of Strathbogie shall cease to be a Trustee and the presbytery of Strathbogie shall from time to time elect a minister of one of the parishes
 10 within the presbytery of Strathbogie to be a Trustee The minister so elected shall hold such office for such period being not less than three years as the presbytery may decide and the presbytery shall at the conclusion of the period of office of such Trustee appoint another minister qualified as aforesaid to be a Trustee Provided
 15 always that the Trustee whose period of office has concluded shall be eligible for re-election if qualified as aforesaid Provided further that in the event of the Trustee appointed by the presbytery of Strathbogie becoming disqualified dying resigning or otherwise vacating his trusteeship during his term of office the presbytery
 20 shall appoint in his place some other minister qualified as aforesaid to be a Trustee for such period not being less than three years as they may decide.

11. Without prejudice to the provisions of the trust disposition of 1824 other than those relating to a quorum of a meeting of the
 25 Trustees a quorum of a meeting of the Trustees shall be three. Quorum of Trustees.

12. The costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Trustees out of the Amalgamated Scott and Morison funds or the revenues received
 30 or to be received therefrom. Costs of Order.

Alexander Scott's
Hospital Order
Confirmation.

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B I L L

INTITULED

An Act to confirm a Provisional Order
under the Private Legislation Pro-
cedure (Scotland) Act 1899 relating
to Alexander Scott's Hospital.

(Brought from the Commons 18th May 1905.)

Ordered to be printed 18th May 1905.

PRINTED BY BYRRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And it be purchased, either directly or through any Bookseller, from
WYKAK and SONS LTD., Peter Lane, E.C.4; and
39, Abingdon Street, Westminster, S.W.1; or
OLIVER and BORN, Edinburgh; or
E. PONSARDY, 114, Grafton Street, Dublin.

[Price 1½d.]

(77.)

Aliens Bill.

ARRANGEMENT OF CLAUSES.

Regulation of Alien Immigration.

Clause.

1. Power to prevent the landing of undesirable immigrants.
2. Immigration board and rules.

Expulsion of Undesirable Aliens.

3. Power of Secretary of State to make an expulsion order.
4. Expenses of return of alien, &c.

General.

5. Returns as to aliens.
 6. Appointment of officers, and expenses.
 7. Supplemental provisions.
 8. Definitions.
 9. Application of Act to Scotland and Ireland.
 10. Short title and commencement, and repeal.
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A

B I L L

INTITULED

An Act to amend the Law with regard to Aliens.

A.D. 1905.

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:—

5 *Regulation of Alien Immigration.*

1.—(1) An immigrant shall not be landed in the United Kingdom from an immigrant ship except at a port at which there is an immigration officer appointed under this Act, and shall not be landed at any such port without the leave of that officer given after an inspection of the immigrants made by him on the ship or elsewhere if the immigrants are conditionally disembarked for the purpose, in company with a medical inspector, such inspection to be made as soon as practicable, and the immigration officer shall withhold leave in the case of any immigrant who appears to him to be an undesirable immigrant within the meaning of this section.

Power to prevent the landing of undesirable immigrants.

(2) Where leave to land is so withheld in the case of any immigrant, the master, owner, or agent of the ship, or the immigrant, may appeal to the immigration board of the port, and that board shall, if they are satisfied that leave to land should not be withheld under this Act, give leave to land, and leave so given shall operate as the leave of the immigration officer.

(3) For the purposes of this section an immigrant shall be considered an undesirable immigrant—

25 (a) if he cannot show that he has in his possession or is in a position to obtain the means of decently supporting himself and his dependents (if any); or

(147.)

A 2

A.D. 1905.

33 & 34 Vict.
c. 52.

- (b) if he is a lunatic or an idiot, or owing to any disease or infirmity appears likely to become a charge upon the rates or otherwise a detriment to the public; or
- (c) if he has been sentenced in a foreign country with which there is an extradition treaty for a crime not being an offence of a political character which is, as respects that country, an extradition crime within the meaning of the Extradition Act, 1870; or
- (d) if an expulsion order under this Act has been made in his case;

but in the case of an immigrant who proves that he is seeking admission to this country solely to avoid prosecution or punishment on religious or political grounds, or for an offence of a political character, or persecution, involving danger of imprisonment or danger to life or limb, on account of religious belief, leave to land shall not be refused on the ground merely of want of means, or the probability of his becoming a charge on the rates, nor shall leave to land be withheld in the case of an immigrant who shows to the satisfaction of the immigration officer or board concerned with the case that, having taken his ticket in the United Kingdom and embarked direct therefrom for some other country immediately after a period of residence in the United Kingdom of not less than six months, he has been refused admission in that country and returned direct therefrom to a port in the United Kingdom, and leave to land shall not be refused merely on the ground of want of means to any immigrant who satisfies the immigration officer or board concerned with the case that he was born in the United Kingdom, his father being a British subject.

(4) The Secretary of State may, subject to such conditions as he thinks fit to impose, by order exempt any immigrant ships from the provisions of this section if he is satisfied that a proper system is being maintained for preventing the embarkation of undesirable immigrants on those ships, or if security is given to his satisfaction that undesirable immigrants will not be landed in the United Kingdom from those ships except for the purpose of transit.

Any such order of exemption may be withdrawn at any time at the discretion of the Secretary of State.

(5) Any immigrant who lands, and any master of a ship who allows an immigrant to be landed, in contravention of this section, shall be guilty of an offence under this Act, but an

immigrant conditionally disembarked shall not be deemed to have landed so long as the conditions are complied with. A.D. 1905.

2.—(1) The immigration board for a port shall consist of three persons, summoned in accordance with rules made by the Secretary of State under this Act out of a list approved by him for the port comprising fit persons having magisterial, business, or administrative experience. Immigration board and rules.

(2) A Secretary of State may make rules generally with respect to immigration boards and their officers, and with respect to appeals to those boards, and with respect to the conditional disembarkation of immigrants for the purpose of inspection, appeals, or otherwise, and may by those rules amongst other things provide for the summoning and procedure of the board, and for the place of meeting of the board, and for the security to be given by the master of the ship in the case of immigrants conditionally disembarked. Rules made under this section shall provide for notice being given to masters of immigrant ships and immigrants informing them of their right of appeal, and also, where leave to land is withheld in the case of any immigrant by the immigration officer, for notice being given to the immigrant and the master of the immigrant ship of the grounds on which leave has been withheld.

Expulsion of Undesirable Aliens.

3.—(1) The Secretary of State may, if he thinks fit, make an order (in this Act referred to as an expulsion order) requiring an alien to leave the United Kingdom within a time fixed by the order, and thereafter to remain out of the United Kingdom— Power of Secretary of State to make an expulsion order.

(a) if it is certified to him by any court (including a court of summary jurisdiction) that the alien has been convicted by that court of any felony, or misdemeanour, or other offence for which the court has power to impose imprisonment without the option of a fine, or of an offence under paragraph twenty-two or twenty-three of section three hundred and eighty-one of the Burgh Police (Scotland) Act, 1892, or of an offence as a prostitute under section seventy-two of the Towns Improvement (Ireland) Act, 1854, or paragraph eleven of section fifty-four of the Metropolitan Police Act, 1839, and that the court recommend that an expulsion order should be made in his case, either in addition to or in lieu of his sentence: and 55 & 56 Vict. c. 55.
17 & 18 Vict. c. 103.
2 & 3 Vict. c. 47.

A.D. 1905.

42 & 43 Vict.
c. 49.

(b) if it is certified to him by a court of summary jurisdiction after proceedings taken for the purpose within twelve months after the alien has last entered the United Kingdom, in accordance with rules of court made under section twenty-nine of the Summary Jurisdiction Act, 1879, that the alien—

(i) has within three months from the time at which proceedings for the certificate are commenced been in receipt of any such parochial relief as disqualifies a person for the parliamentary franchise, or been found wandering without ostensible means of subsistence or been living under insanitary conditions due to overcrowding; or

(ii) has entered the United Kingdom after the passing of this Act, and has been sentenced in a foreign country with which there is an extradition treaty for a crime not being an offence of a political character which is as respects that country an extradition crime within the meaning of the Extradition Act, 1870.

(2) If any alien in whose case an expulsion order has been made is at any time found within the United Kingdom in contravention of the order, he shall be guilty of an offence under this Act.

Expenses of
return of
alien, &c.

4.—(1) Where an expulsion order is made in the case of any alien, the Secretary of State may, if he thinks fit, pay the whole or any part of the expenses of or incidental to the departure from the United Kingdom and maintenance until departure of the alien and his dependents (if any).

(2) If an expulsion order is made in the case of any alien, not being an alien who last entered the United Kingdom before the commencement of the Act, or an immigrant in whose case leave to land has been given under this Act, on a certificate given within six months after he has last entered the United Kingdom, the master of the ship in which he has been brought to the United Kingdom and also the master of any ship belonging to the same owner shall be liable to pay to the Secretary of State as a debt due to the Crown any sums paid by the Secretary of State under this section in connexion with the alien, and shall, if required by the Secretary of State, receive the alien and his dependents (if any) on board his ship, and afford them free of charge

[5 Edw. 7.]

Aliens.

5

a passage to the port of embarkation and proper accommodation and maintenance during the passage. A.D. 1905.

(3) If the master of a ship fails to comply with the provisions of this section, as to giving a passage to an alien or his dependents, he shall be guilty of an offence under this Act.

General.

5.—(1) The master of any ship landing or embarking passengers at any port in the United Kingdom, shall furnish to such person, and in such manner as the Secretary of State directs, a return giving such particulars with respect to any such passengers who are aliens, as may be required for the time being by order of the Secretary of State and any such passenger shall furnish the master of the ship with any information required by him for the purpose of the return. Returns as to aliens.

(2) If the master of a ship fails to make the return required by this section, or makes a false return, he shall be guilty of an offence under this Act, and if any alien refuses to give information required by the master of the ship for the purpose of the return under this section, or gives any false information for the purpose, he shall be liable on summary conviction to imprisonment for a term not exceeding three months, with hard labour.

(3) The Secretary of State may by order exempt from the provisions of this section any special class of passengers or voyages, or any special ships or ports but any such order may be withdrawn at any time at his discretion.

6.—(1) The Secretary of State shall appoint, at such ports in the United Kingdom as he thinks necessary for the time being, immigration officers and medical inspectors, and may appoint or employ such other officers or persons as may be required for the purposes of immigration boards, or for the purpose of the returns to be given under this Act or otherwise for carrying this Act into effect, and the salary and remuneration of any officers, inspectors, or persons so appointed or employed, and any expenses otherwise incurred in carrying this Act into effect (including such payment as may be sanctioned by the Treasury for the attendance of any person as a member of an immigration board to hear appeals), shall, up to an amount approved by the Treasury, be paid out of moneys provided by Parliament. Appointment of officers, and expenses.

(2) The Secretary of State may arrange with the Commissioners of Customs or any other Government department or any

A.D. 1905. port sanitary authority for the appointment or employment of officers of Customs or officers of that department or authority as officers under this Act.

(3) The Secretary of State shall make known, in such manner as he thinks best suited for the purpose, the ports at which immigration officers are for the time being appointed under this Act.

Supple-
mental
provisions.

7.—(1) Any person guilty of an offence under this Act shall, if the offence is committed by him as the master of a ship, be liable, on summary conviction, to a fine not exceeding one hundred pounds, and if the offence is committed by him as an immigrant or alien, be deemed a rogue and vagabond within the meaning of the Vagrancy Act, 1824, and be liable to be dealt with accordingly as if the offence were an offence under section four of that Act.

5 Geo. 4.
c. 83.

57 & 58 Vict.
c. 60.

(2) Sections six hundred and eighty-four, six hundred and eighty-five, and six hundred and eighty-six of the Merchant Shipping Act, 1894 (which relate to the jurisdiction of courts and justices), shall apply with respect to jurisdiction under this Act as they apply with respect to jurisdiction under that Act, and section six hundred and ninety-three of the Merchant Shipping Act, 1894 (which relates to the levying of sums ordered to be paid by distress on a ship), shall apply with respect to any fines or other sums of money to be paid under this Act by the master of a ship as it applies with respect to fines and other sums of money to be paid under that Act.

(3) Any immigrant who is conditionally disembarked, and any alien in whose case an expulsion order is made, while awaiting the departure of his ship, and whilst being conveyed to the ship, and whilst on board the ship, until the ship finally leaves the United Kingdom, and any alien in whose case a certificate has been given by a court, with a view to the making of an expulsion order under this Act, until the Secretary of State has decided upon his case, shall be liable to be kept in custody in such manner as the Secretary of State directs, and whilst in that custody shall be deemed to be in legal custody.

(4) If any immigrant, master of a ship, or other person, for the purposes of this Act, makes any false statement or false representation to an immigration officer, medical inspector, immigration board, or to the Secretary of State, he shall be liable on summary conviction to imprisonment for a term not exceeding three months with hard labour.

(5) If any question arises on any proceedings under this Act, or with reference to anything done or proposed to be done under this Act, whether any person is an alien or not, the onus of proving that that person is not an alien shall lie on that person. A.D. 1905.

5 (6) In carrying out the provisions of this Act, due regard shall be had to any treaty, convention, arrangement, or engagement with any foreign country.

8.—(1) The expression “immigrant” in this Act means an alien steerage passenger who is to be landed in the United Kingdom, but does not include— Definitions.

15 (a) Any passenger who shows to the satisfaction of the immigration officer or board concerned with the case that he desires to land in the United Kingdom only for the purpose of proceeding within a reasonable time to some destination out of the United Kingdom; or

20 (b) Any passengers holding prepaid through tickets to some such destination, if the master or owner of the ship by which they are brought to the United Kingdom, or by which they are to be taken away from the United Kingdom, gives security to the satisfaction of the Secretary of State that, except for the purposes of transit or under other circumstances approved by the Secretary of State, they will not remain in the United Kingdom, or, having been rejected in another country re-enter the United Kingdom, and that they will be properly maintained and controlled during their transit.

30 (2) The expression “immigrant ship” in this Act means a ship which brings to the United Kingdom more than twenty alien steerage passengers, who are to be landed in the United Kingdom, whether at the same or different ports, or such number of those passengers as may be for the time being fixed by order of the Secretary of State, either generally or as regards any special ships or ports.

35 (3) The expression “passenger” in this Act includes any person carried on the ship other than the master and persons employed in the working, or service, of the ship, and the expression “steerage passenger” in this Act includes all passengers except such persons as may be declared by the Secretary of State to be cabin passengers by order made either generally or as regards any special ships or ports.

40 (147.)

B

A.D. 1905. (4) If any question arises under this Act on an appeal to an immigration board whether any ship is an immigrant ship within the meaning of this Act, or whether any person is an immigrant, a passenger, or a steerage passenger, within the meaning of this Act, or whether any offence is an offence of a political character, or whether a crime is an extradition crime, that question shall be referred to the Secretary of State in accordance with rules made under this Act, and the board shall act in accordance with his decision. 5

(5) The Secretary of State may withdraw or vary any order made by him under this section. 10

Application
of Act to
Scotland and
Ireland.

9.--(1) In the application of this Act to Scotland and Ireland the words "be liable on summary conviction to imprisonment for a term not exceeding three months with hard labour" shall be substituted for the words "be deemed a rogue and vagabond within the meaning of the Vagrancy Act, 1824, and be liable to be dealt with accordingly as if the offence were an offence under section four of that Act." 15

27 & 28 Vict.
c. 53.

(2) Section thirty-three of the Summary Procedure (Scotland) Act, 1864, shall be substituted as respects Scotland for section twenty-nine of the Summary Jurisdiction Act, 1879; and the Lord Chancellor of Ireland may, as respects Ireland, make rules for the purposes of this Act for which rules may be made under section twenty-nine of the Summary Jurisdiction Act, 1879; and all rules so made shall be laid, as soon as may be, before both Houses of Parliament. 25

Short title
and com-
mencement,
and repeal.

10.--(1) This Act may be cited as the Aliens Act, 1905, and shall come into operation on the first day of January nineteen hundred and six.

6 & 7 Will. 4.
c. 11.

(2) The Registration of Aliens Act, 1836, is hereby repealed. 30

Aliens Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE OF THE WHOLE HOUSE.

BY THE LORD COLERIDGE.

Clause 1, page 1, line 19, leave out from (“appeal”) to the end of subsection (2) and insert (“to the Court of Summary Jurisdiction at the port and that Court shall, if they are satisfied that leave to land should not be withheld under this Act, give leave to land, and any person aggrieved by an order, judgment, or determination of such Court may appeal in manner provided by the Summary Jurisdiction Acts to a Court of Quarter Sessions.”)

Clause 3, page 3, line 28, leave out subsection (a).

BY THE LORD NEWTON.

Clause 3, page 4, line 12, leave out (“living”) and insert (“himself living or has procured others to live”)

line 13, after (“or”) insert (“(ii.) has allowed himself to be employed or has knowingly permitted his children or dependents to work under conditions which violate any provision of the Factory and Workshop Acts, or of the Mines Regulation Acts, or of any other Act or rule made under statutory power regulating the hours or conditions of employment; or (iii.)”)

Clause 8, page 7, line 28, leave out (“twenty”) and insert (“ten”)

BY THE LORD TWEEDMOUTH.

Clause 8, page 8, lines 5 and 6, leave out ("or whether any
" offence is an offence of a political character ")

Aliens Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE OF THE
WHOLE HOUSE

BY

THE LORD COLERIDGE,
THE LORD NEWTON,
AND
THE LORD TWEEDMOUTH.

28th July 1905.

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[Price 1s.]

(147 a)

Aliens Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

BY THE LORD BELPER.

Clause 1, page 1, line 13, after (" shall ") insert (" subject to
" the provisions of this section ")

page 2, line 11, leave out (" but in the case of an
" immigrant who ") and insert (" Provided that leave to land shall
" not be withheld in the case of any immigrant—

" (a) On the ground merely of want of means or the proba-
" bility of his becoming a charge on the rates if he ")

line 16, leave out from the beginning of the
line to (" that ") in line 20, and insert (" or

" (b) If he proves")

line 25, leave out from (" Kingdom ") to
(" that ") in line 28, and insert (" or

" (c) On the ground merely of want of means if he proves ")

Clause 3, page 3, line 40, leave out (" his case ") and insert
(" the case of the alien ")

line 41, leave out (" his ") and insert
(" the ")

BY THE LORD STANLEY OF ALDERLEY.

Clause 3, page 4, lines 12 and 13, leave out (" or been living
" under insanitary conditions due to overcrowding ")

BY THE LORD MUSKERRY.

Clause 4, page 4, line 34, leave out ("master") and insert
("owner or agent") line 35, leave out ("master") and insert
("owner or agent")

Aliens Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD BELPER,

THE LORD STANLEY OF ALDERLEY,

AND

THE LORD MUSKERRY.

31st July 1905.

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[Price 4d.]

(147 b.)

Aliens Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

BY THE EARL SPENCER.

Clause 1, page 1, line 11, leave out ("elsewhere") and insert ("at such other convenient place in the discretion of the immigration officer as he may appoint and provide")

BY THE LORD ELLENBOROUGH.

Clause 4, page 4, lines 35 and 36, leave out ("and also the master of any ship belonging to the same owner")

Aliens Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE EARL SPENCER

AND

THE LORD ELLENBOROUGH.

1st August 1905.

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E. PONSONBY, 116, Grafton Street, Dublin.

[Price 4d.]

(147 c.)

[5 EDW. 7.] *Arbroath Corporation Water Order* 1
Confirmation.

A

B I L L

INTITLED

An Act to confirm a Provisional Order under the Private A.D. 1905.
Legislation Procedure (Scotland) Act 1899 relating to —
Arbroath Corporation Water.

WHEREAS His Majesty's Secretary for Scotland has made the
Provisional Order set forth in the schedule hereunto annexed
under the provisions of the Private Legislation Procedure (Scotland) 62 & 63 Vict.
Act 1899 and it is requisite that the said Order should be confirmed c. 47.
5 by Parliament:

Be it therefore 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 :--

- 10 **1.** The Provisional Order contained in the schedule hereunto Confirmation
annexed shall be and the same is hereby confirmed. of Order in
schedule.
- 2.** This Act may be cited as the Arbroath Corporation Water Short title.
Order Confirmation Act 1905.

A.D. 1905.

SCHEDULE.

ARBROATH CORPORATION WATER.

Provisional Order to authorise the Provost Magistrates and Councillors of the Burgh of Aberbrothock or Arbroath to construct and maintain additional waterworks and for other purposes. 5

WHEREAS by the Arbroath Corporation Water Order 1904 (hereinafter called "the Order of 1904") the provost magistrates and councillors of the burgh of Aberbrothock or Arbroath in the county of Forfar (hereinafter called "the Corporation") were empowered to provide an additional supply of water to the said burgh and for that purpose to acquire lands springs streams waters and other property and construct and maintain the works by the Order of 1904 authorised and therein described :

And whereas by section 11 of the Order of 1904 it was inter alia provided that the Corporation should apply for and use their best efforts to obtain an Order for authority to make and maintain a reservoir for the purposes of compensation water only capable of storing at least sixty million gallons of water and having a drainage area sufficient within the drainage area of the Noran Water to guarantee a quantity of compensation water of not less than six hundred and twenty-five thousand gallons during the twenty-four hours of every day for the one million two hundred and fifty thousand gallons taken for the supply purposes of the Corporation from the said stream :

And whereas it is expedient that the Corporation should be empowered to construct and maintain the compensation reservoir and other works hereinafter described and to acquire lands springs streams waters servitudes and other property in connection therewith :

And whereas it is expedient that the Corporation should be empowered to abandon the construction of certain portions of the Works No. 1 and No. 3 and the Work No. 7 authorised by the Order of 1904 which will be rendered unnecessary by the construction of the works by this Order authorised :

And whereas it is expedient that the Corporation should be authorised to raise further money by borrowing for the purposes of this Order and of their water undertaking :

[5 EDW. 7.] *Arbroath Corporation Water Order*
Confirmation.

3

And whereas plans and sections showing the lines and levels of the works authorised by this Order and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands springs streams waters and other property required or which may be taken for the purposes or under the powers of this Order were duly deposited in the offices at Forfar Dundee and Arbroath respectively of the principal sheriff clerk of the county of Forfar and are hereinafter respectively referred to as the deposited plans sections and books of reference :

A.D. 1905.

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited for all purposes as the Arbroath Corporation Water Order 1905 and shall come into operation at the date of the passing of the Act confirming the same which date is referred to in this Order as “the commencement of this Order” The Order of 1904 and this Order may be cited together as the Arbroath Corporation Water Orders 1904 and 1905.

Short title and commencement of Order.

2. The following Acts and parts of Acts (so far as the same respectively are applicable for the purposes and are not inconsistent with the provisions of this Order) are hereby incorporated with and form part of this Order :—

Incorporation of Acts.

The Lands Clauses Acts :

The Waterworks Clauses Act 1847 except the clauses and provisions with respect to the communication pipes to be laid by the Undertakers and with respect to the amount of profit to be received by the Undertakers when the waterworks are carried on for their benefit and except the words “with the consent in writing of the owner or “reputed owner of any such house or of the agent of such “owner” in clause 44 of that Act and also with the exception of clauses 68 70 71 and 72 Provided that the clauses of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall apply to the lines of pipes which may be laid under this Order :

(79.)

A 2

A.D. 1905.

The Waterworks Clauses Act 1863 :

The clauses and provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and the crossing of roads and other interference therewith and in construing the said clauses and provisions "the company" means the Corporation "the railway" means the reservoir authorised by this Order and the works immediately connected therewith and "the centre of the railway" means any part of those works. 5 10

Interpreta-
tion.

3. In this Order the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction In this Order and in the Acts wholly or partially incorporated with this Order— 15

"The burgh" means the burgh of Aberbrothock or Arbroath :

"The Corporation" means the provost magistrates and councillors of the burgh :

"The Undertakers" "the company" and "the promoters of the undertaking" mean the Corporation : 20

"The water undertaking" means the waterworks and water undertaking authorised by the Order of 1904 so far as the same are not authorised to be abandoned by this Order and also the waterworks and water undertaking authorised by this Order : 25

"The Order of 1904" means the Arbroath Corporation Water Order 1904 :

"The Police Acts" means and includes the Burgh Police (Scotland) Acts 1892 to 1903 and Acts amending and extending the same : 30

"The sheriff" means the sheriff of the county of Forfar or any of his substitutes.

Power to
make water-
works.

4. The Corporation subject to the provisions of this Order may make and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the works hereinafter described or some of them together with all necessary and proper embankments dams weirs channels sluices outlets outfalls catch-water drains cuts culverts aqueducts tunnels bridges roads approaches ways tramways wells tanks basins gauges 35 40

[5 Edw. 7.] *Arbroath Corporation Water Order*
Confirmation.

5

filters filtering apparatus stand-pipes main and distributing pipes
junctions valves meters pumps pumping stations engines houses
buildings works apparatus and conveniences in connection with
the said works hereinafter described or any of them or necessary
5 or convenient for diverting taking collecting storing conducting
distributing and regulating the supply of water by the Corporation
and for diverting any sewerage or drains which might pollute or
otherwise injuriously affect the same and for conducting inspecting
maintaining repairing cleansing managing or using the said several
10 works and may purchase enter upon take hold and use compulsorily
or by agreement such of the lands springs streams waters and other
property delineated on the deposited plans and described in the
deposited books of reference as may be required for such purposes.

A.D. 1906.

5. The works hereinbefore referred to and authorised by this
15 Order are as follows:—

Description
of works.

- (1) A compensation reservoir (Work No. 1) on the stream
known as the Noran Water and on the lands adjacent
thereto to be wholly situate in the parish of Tannadice
and county of Forfar commencing at a point on the
20 Noran Water one thousand one hundred and eighty
yards or thereby measured in a northerly direction from
the north-east corner of Redheugh farm buildings
and terminating by an embankment or dam to be
formed across the said Noran Water at a point seven
25 hundred and ten yards or thereby measured in a north-
easterly direction from the north-east corner of the said
Redheugh farm buildings which embankment or dam
will commence at a point sixty-five yards or thereby
south-westward and will terminate at a point twenty
30 yards or thereby eastward both measured from the
centre of the said Noran Water where it will be crossed
by said embankment or dam:
- (2) A conduit or line of pipes (Work No. 2) to be wholly
situate in the parish of Tannadice and county of Forfar
commencing in the bed or channel of the stream known
as the Noran Water at a point one thousand four
35 hundred and seventy yards or thereby measured in
a northerly direction from the north-east corner of
Redheugh farm buildings and terminating by a junction
with the conduit or line of pipes (Work No. 1)
40 authorised by the Order of 1904 at a point three

A.D. 1905.

hundred yards or thereby measured in a westerly direction from the north-west corner of Easter Ogil House :

- (3) A conduit or line of pipes (Work No. 3) to be wholly situate in the parish of Guthrie and county of Forfar 5 commencing in the public road leading from Guthrie Railway Station by Hilton of Guthrie to the high road from Forfar to Montrose and known as the Guthrie and Hilton Road by a junction with the conduit or line of pipes (Work No. 3) authorised by the Order of 1904 at 10 a point two hundred and sixty-seven yards or thereby measured in a northerly direction from the north-east corner of Hilton of Guthrie farm steading and terminating in the public road known as the Guthrie and Hilton Road by a junction with the said Work 15 No. 3 authorised by the Order of 1904 at a point eight hundred and sixty-five yards or thereby measured in a south-easterly direction from the north-east corner of the said Hilton of Guthrie farm steading.

Power to deviate laterally and vertically.

6. The Corporation may in constructing the works by this 20 Order authorised deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation respectively shown thereon and when the line of any work is shown on the said plans as passing along any road and no limits of lateral deviation are marked thereon the Corporation may in constructing 25 such works deviate laterally to any extent within the boundaries of such road and may deviate vertically from the levels of the various works as shown on the deposited sections to any extent not exceeding in the case of the reservoir (Work No. 1) hereinbefore described three feet upwards and five feet downwards and not 30 exceeding five feet downwards or upwards as regards the other works by this Order authorised Provided that in the exercise of such powers of vertical deviation the Corporation shall not except in the case of crossing bridges or culverts or streams lay above 35 the ground any pipe unless and except so far as is shown on the deposited sections Provided further that the Corporation shall not construct the embankment of the said reservoir of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding embankment or wall and three feet in addition Provided further that 40 as far as practicable the conduits or lines of pipes authorised by

[5 Edw. 7.] *Arbroath Corporation Water Order*
Confirmation.

7

this Order and shown on the deposited plans as passing along any roads shall be laid at the side of such roads and clear of the metallated part thereof. A.D. 1905.

7. The Corporation may and shall abandon the construction of the following works (that is to say) :—
- (First) So much of the conduit or line of pipes (Work No. 1) authorised by the Order of 1904 as lies between the commencement of that work as described in the Order of 1904 and the termination hereinbefore described of the intended conduit or line of pipes (Work No. 2) by this Order authorised ;
- (Second) So much of the conduit or line of pipes (Work No. 3) authorised by the Order of 1904 as lies between the points of commencement and termination hereinbefore described of the intended conduit or line of pipes (Work No. 3) by this Order authorised ; and
- (Third) The road of access (Work No. 7) authorised by the Order of 1904.

Abandonment of certain works authorised by Order of 1904.

8. The abandonment by the Corporation under the authority of this Order of the works hereinbefore authorised to be abandoned shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Corporation on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the lines of works and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Corporation to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Order of 1904 or in the Acts incorporated therewith.

Compensation for damage to land by entry &c. for purposes of works abandoned.

9. Where before the commencement of this Order any contract has been entered into or notice given by the Corporation for the purchasing of any land for the purposes of or in relation to any portion of the works authorised by the Order of 1904 and authorised to be abandoned by this Order the Corporation shall be discharged from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Corporation to the owners and occupiers or

Compensation to be made in respect of works abandoned.

A.D. 1905. — other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount 5 and application of compensation paid for lands taken under the provisions thereof.

Power to alter roads &c. temporarily.

10. For the purposes and during the execution of the works which the Corporation are by this Order authorised to make and in maintaining the same and subject to the provisions of this Order the Corporation may open break up or cross over or under alter divert or stop up and use temporarily any highways roads streets lanes paths passages bridges rivers streams railways culverts sewers drains watercourses gas pipes and water pipes and telegraphic electric or telephonic apparatus or other mains and pipes in any of the lands shown on the deposited plans and specified in the deposited books of reference which they may from time to time find it expedient for any of those purposes so to interfere with providing when possible a proper temporary substitute before interrupting the traffic on any such highway road or street or the flow of gas 20 water sewage or electricity in any such sewer drain watercourse main pipe or apparatus and making full compensation to all persons injuriously affected thereby Provided that nothing in this section shall extend to authorise any interference with electric apparatus or other property of His Majesty's Postmaster-General 25 or with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1902 to which the provisions of section 15 of the Electric Lighting Act 1882 apply.

Repeal of sections 10 and 11 of Order of 1904.

11. Section 10 (Power to take water) and section 11 (Compensation water) of the Order of 1904 are hereby repealed. 30

Power to take water.

12. The Corporation from and after the construction and completion of the compensation reservoir (Work No. 1) by this Order authorised may by means of the works by this Order authorised and of the works authorised by the Order of 1904 so far as not by this Order authorised to be abandoned at or above the termination 35 of the said Work No. 1 intercept divert take impound appropriate store use and distribute for the purposes of the Order of 1904 and this Order and the compensation water by this Order provided the waters of the stream called the Noran Water and all affluents streams springs and waters flowing into or arising within the said 40

stream above the said termination of Work No. 1 and from the works aforesaid or some of them may supply water within the limits of the Order of 1904 or to such places beyond the same as are authorised by the Order of 1904 for the domestic and other purposes for which the Corporation are by the Order of 1904 and this Order and the Police Acts authorised to supply water Provided that the Corporation shall not take any greater quantity of water for supply purposes from the said stream than one million two hundred and fifty thousand gallons in any one day of twenty-four hours and that nothing in the Order of 1904 or in this Order contained shall authorise the Corporation to intercept divert take impound appropriate store use or distribute as aforesaid the water of any affluents of the Noran Water flowing into the same below the said termination of Work No. 1.

A.D. 1905.

13.—(1) The Corporation shall as soon as the compensation reservoir (Work No. 1) by this Order authorised is completed and before any of the water authorised to be taken by this Order shall be taken by the Corporation for the supply purposes of the Order of 1904 and this Order discharge or allow to flow as compensation water therefrom a uniform and continuous flow of water of not less than six hundred and twenty-five thousand gallons during the twenty-four hours of every day for the one million two hundred and fifty thousand taken for the supply purposes of the Corporation from the said stream.

Compensation water.

(2) Such compensation water shall if and when discharged be deemed to be full compensation to millowners riparian proprietors and other persons interested in the waters flowing down the Noran Water below the said reservoir for the said quantity of one million two hundred and fifty thousand gallons taken under the provisions of this Order for supply purposes.

(3) The Corporation shall for the purpose of ascertaining the amount of compensation water to be daily discharged construct and maintain immediately below the foot of the outer slope of the embankment or dam of the said reservoir a suitable and sufficient recording and measuring gauge or other apparatus over or through which the compensation water shall flow or be discharged into the Noran Water and such gauge or other apparatus shall be open to the inspection and examination at all reasonable times of all persons having an interest in the said compensation water or of persons duly authorised by them on their behalf and also of the District Fishery Board of the River South Esk.

A.D. 1905.

(4) The Corporation shall also for the purpose of ascertaining the quantity of water daily appropriated from the said stream for the purposes of water supply construct and maintain at a point or points to be approved by William Robertson Copland Civil Engineer Glasgow whom failing an engineer to be appointed by the sheriff suitable and sufficient recording and measuring gauges or other apparatus over or through which such water shall flow or be discharged and such measuring gauges or other apparatus shall be open to the inspection and examination at all reasonable times of all persons having an interest in the said compensation water or of persons duly authorised by them on their behalf and also of the District Fishery Board of the River South Esk. 5 10

(5) If at any time such measuring gauges or other apparatus or any of them shall be out of repair or unfit for the purpose for which they were intended the same shall forthwith be put into a proper and efficient state of repair at the expense of the Corporation and if the Corporation shall fail to repair such gauges or other apparatus or any of them within fourteen days after notice given to them by or on behalf of any of the persons having an interest in the water as aforesaid any person so interested may cause such works to be done and performed in connection with the said measuring gauges or other apparatus as shall be necessary for placing them in a proper and efficient state of repair and to recover the expense so incurred with full costs of suit against the Corporation in any court of competent jurisdiction. 20 25

Saving of
rights of
burgh of
Forfar.

14. The rights and privileges acquired under the Forfar Water Act 1878 or otherwise by the provost magistrates and councillors of the burgh of Forfar shall be as they are hereby specially reserved and declared to be unaffected by any provisions in this Order contained. 30

Power to
agree for ser-
vitudes &c.

15. The Corporation may subject to the provisions of this Order take by agreement and any person by the Lands Clauses Acts or otherwise enabled to sell and convey or dispose of lands may grant to them any estate servitude interest right or privilege (not being a servitude of water in which persons other than the grantors have an interest) in over affecting or belonging to lands at a price or yearly rent feu duty or otherwise but in the case of a person not enabled otherwise than by the said Acts to sell lands then subject and according to the provisions relative to the taking of lands by agreement contained in the said Acts and for the purposes 35 40

[5 EDW. 7.] *Arbroath Corporation Water Order*
Confirmation.

11

of this section any such estate servitude interest right or privilege shall be deemed to be lands within the meaning of those Acts. A.D. 1905. —

16. The Corporation may from time to time for the purposes of the Order of 1904 and this Order purchase by agreement in addition to lands hereby authorised to be taken by compulsion any additional lands not exceeding in the whole ten acres but nothing in this Order shall exonerate the Corporation from any action interdict or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land taken under the powers of this section and no house or building shall be erected on any such lands other than any houses or buildings which may be required in connection with the water undertaking.

Lands for extraordinary purposes.

17.—(1) The Corporation shall not under the powers of this Order purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1897 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 Secretary for Scotland 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 on taking houses of labouring class.

(2) If the Corporation acquire or appropriate any house or houses in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

(3) For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

18. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of three years after the commencement of this Order.

Period for compulsory purchase of lands.

(79.)

B 2

A.D. 1905.
Period for
completion
of works.

19. If the works authorised by this Order are not completed within six years from the commencement of this Order then on the expiration of that period the powers by this Order granted to the Corporation for executing any works not so completed or in relation thereto shall cease except as to so much thereof as is then 5
completed.

Powers for
repair of
aqueducts
and tempo-
rary dis-
charge of
water into
streams.

20. For the purpose of executing any necessary work of repair or of cleansing or of examining any of the works by this Order authorised or any tank aqueduct or conduit belonging to the Corporation the Corporation may cause the water in any such 10
works to be temporarily discharged into any available stream or watercourse In the exercise of the power conferred by this section the Corporation shall do as little damage as may be and shall make full compensation to all persons for any damage sustained by 15
them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference
by arbitration.

For protec-
tion of Mrs.
Williamson
and
Archibald
Williamson
of Glenogil.

21. Notwithstanding anything in this Order the Corporation shall not (unless otherwise agreed between them and Mrs. Annie Guthrie or Williamson and Archibald Williamson of Glenogil their 20
heirs or successors) acquire take hold or use under the powers of this Order any lands water or other property of the said Annie Guthrie or Williamson or Archibald Williamson their heirs or successors or any servitudes or rights in or over the same other 25
than those described or referred to in a minute of agreement between the said Archibald Williamson and Mrs. Annie Guthrie or Williamson and the Corporation dated the thirteenth eighteenth and twenty-eighth days of March one thousand nine hundred and 30
five and in accordance with the terms and conditions of the said agreement.

Power to
borrow
additional
money.

22. In addition to any money which the Corporation have borrowed or raised or are authorised to borrow or raise under the Police Acts or the Order of 1904 the Corporation may from 35
time to time under the authority of this Order borrow on mortgage or otherwise any sums required for constructing the works authorised by this Order and for the purchase of lands and other 40
property and rights and servitudes therein and for the other purposes of this Order and for paying the costs charges and expenses of and incident to the preparing and applying for and the issue of this Order and the confirmation thereof by Parliament or
otherwise in relation thereto not exceeding in the whole the sum of

[5 Edw. 7.] *Arbroath Corporation Water Order* 13
Confirmation.

twenty thousand pounds and may make and grant mortgages of the water assessment and rates rents and charges by the Order of 1904 and this Order authorised in security of the moneys so borrowed and interest thereon and any sums so to be borrowed may be borrowed
5 on terms of the repayment thereof by instalment or otherwise.

A.D. 1905.

23. The following sections of the Order of 1904 shall be and are hereby made applicable to the money to be borrowed or raised by the Corporation under the authority of this Order in the same manner as if such money had been borrowed or raised under the
10 authority of the Order of 1904 (that is to say):—

Certain sections of Order of 1904 to apply to additional money to be borrowed.

Section 51 (Corporation may re-borrow):

Section 53 (Form of mortgage):

Section 54 (Manner in which mortgages and orders on bank account to be signed and executed):

15 Section 55 (Transfers of mortgages):

Section 56 (Mortgages of rates to be personal estate):

Section 57 (Discharge of mortgages):

Section 58 (Period of repayment):

Section 59 (Mode of repayment):

20 Section 60 (Sinking fund):

Section 62 (Annual return to Secretary for Scotland with respect to sinking fund):

Section 63 (Application of moneys borrowed):

Section 64 (Protection of lender from inquiry).

25 24. Section 65 (For appointment of a judicial factor) of the Order of 1904 is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the commencement of this Order.

Repeal of section 65 of Order of 1904.

25. The mortgagees of the Corporation may enforce payment
30 of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a judicial factor. In order to authorise the appointment of a judicial factor in respect of arrears of principal the amount owing to the mortgagees by whom the application for a judicial factor is made shall not be less than
35 five thousand pounds.

For appointment of a judicial factor.

26. All mortgages granted by the Corporation in pursuance of the Order of 1904 prior to and subsisting at the commencement of this Order shall during the continuance thereof have priority over all mortgages that may be granted in pursuance of the Order

Priority and ranking of securities.

A.D. 1905. of 1904 subsequent to the commencement of this Order or in pursuance of this Order and all mortgages granted subsequent to the commencement of this Order shall rank together *pari passu* without any preference or priority the one over the other.

Estimates &c. by Corporation to include purposes of this Order.

27. The estimate required to be made and the water assessment rates rents charges and other water revenues authorised and required to be imposed levied charged collected and recovered by the Corporation under and for the purposes of the Order of 1904 shall be made imposed levied charged collected and recovered and the Corporation are hereby authorised and required to make impose levy charge collect and recover the same so that such water assessment rates rents charges and other water revenues shall not only include and be sufficient for the purposes of defraying the annual sums or expenditure mentioned in section 42 (Corporation to estimate annual sum required) of the Order of 1904 but also the interest and instalments of any money that may be borrowed due or raised under the provisions and for the purposes of this Order and the payment to the sinking and reserve funds and the expense of maintaining and managing or extending the reservoir mains pipes and other works authorised by this Order and all other annual expenditure arising out of the exercise of the powers by this Order conferred.

Application of revenue.

28. The proceeds of the water assessment rates rents and charges levied imposed received and collected by the Corporation under the authority of the Order of 1904 and of this Order and the other income of the Corporation for the supply of water shall be applied not only in the manner and to the purposes mentioned in the Order of 1904 but also in the like manner and to the same purposes so as to include all such costs charges expenses interest contributions to sinking fund and other expenditure so far as the same are caused or increased by or are attributable to the works authorised by and the carrying out of the purposes of this Order.

Works to form part of water undertaking.

29. Subject to the provisions of this Order the existing waterworks of the Corporation and the works authorised to be constructed under the authority of the Order of 1904 and the works authorised to be constructed under the authority of this Order shall for all purposes whatsoever be and be deemed to be part of the water undertaking.

For protection of county

30. The provisions for the benefit and protection of the county council of the county of Forfar (in this section called "the county

[5 EDW. 7.] *Arbroath Corporation Water Order* 15
Confirmation.

council") contained in section 67 (For protection of county council of Forfarshire) of the Order of 1904 shall so far as applicable and unless otherwise agreed in writing between the county council and the Corporation apply and have effect with reference to such of the
 5 works by this Order authorised as may affect any highway road or bridge under the charge of the county council or any committee thereof.

A.D. 1905.
 —
 council of
 Forfarshire.

31. The Corporation shall make full compensation to all persons (including the county council of the county of Forfar and
 10 the district committees thereof) for all damage and injury losses and expenses whatsoever which they may from time to time sustain by reason or in consequence of the bursting or giving way of the reservoir or of the conduits or lines of pipes by this Order authorised and of the flooding that may be thereby occasioned.

Compensa-
 tion for
 damage
 caused by
 bursting or
 giving way
 of reservoir
 or pipes.

15 32. All the costs charges and expenses of and incident to the preparing and applying for and the issue of this Order and the confirmation thereof by Parliament or otherwise in relation thereto shall be paid by the Corporation out of any moneys in their hands or out of any moneys borrowed by them under the authority of the
 20 Order of 1904 and this Order.

Costs of
 Order.

**Arbroath Corporation
Water Order
Confirmation.**

A

B I L L

INTITLED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Arbroath Corporation Water.

(Brought from the Commons 19th May 1905.)

Ordered to be printed 19th May 1905.

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[Price 2d.]

(79.)

[5 EDW. 7.] *Bills of Exchange Act, 1882, Amendment.* [H.L.] 1

A

B I L L

INTITULED

An Act to amend section eighty-two of the Bills of Exchange Act, 1882. A.D. 1905.

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 :—

- 5** 1. A banker receives payment of a crossed cheque for a customer within the meaning of section eighty-two of the Bills of Exchange Act, 1882, notwithstanding that he credits his customer's account with the amount of the cheque before receiving payment thereof. Amendment
of 45 & 46
Vict. c. 61.
s. 82.
- 10** 2. This Act may be cited as the Bills of Exchange (Crossed Cheques) Act, 1905, and this Act and the Bills of Exchange Act, 1882, may be cited together as the Bills of Exchange Acts, 1882 and 1905. Short title.

A

B I L L

INTITULED

An Act for re-arranging the Boundaries of the Dioceses of Bristol and Gloucester and Bath and Wells. A.D. 1905.

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:—

5 **1.**—(1) The Ecclesiastical Commissioners may lay before His Majesty in Council for confirmation a scheme—

Power by
Order in
Council to
re-arrange
boundaries.

10 (a) for re-arranging the boundaries between the dioceses of the bishoprics of Bristol and Gloucester by transferring to the diocese of Bristol the ecclesiastical parishes contained in the rural deanery of Hawkesbury, and also the ecclesiastical parishes of Thornbury, Oldbury-upon-Severn, and Falfield, all in the rural deanery of Dursley; and

15 (b) for re-arranging the boundaries between the dioceses of the bishoprics of Bristol and Bath and Wells by transferring to the diocese of Bristol the ecclesiastical parish of Brislington in the rural deanery of Bath (Keynsham District), and including it in the rural deanery of Bedminster.

20 (2) A scheme under this Act may contain such provisions in relation to archdeaconries and archdeacons, to patronage, to the transfer of non-residentiary or honorary canons, to the transfer of terriers, tithe apportionments, maps, plans, and other documents, and to other terms and arrangements, as if it were a scheme in
25 pursuance of the Bishoprics Act, 1878, as applied by the Bishopric of Bristol Act, 1884, and it shall have effect accordingly.

41 & 42 Vict.
c. 68.
47 & 48 Vict.
c. 66.

30 **2.** This Act may be cited as the Bishopric of Bristol Act, 1905; and the Bishopric of Bristol Act, 1884, the Bishopric of Bristol Amendment Act, 1894, the Bishopric of Bristol Amendment Act, 1896, and this Act may be cited together as the Bishopric of Bristol Acts, 1884 to 1905.

Short title.

(3.)

Churches (Scotland) Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Allocation of Church property between the Free Church and the United Free Church by a Commission.
2. Orders for carrying allocation into effect.
3. Establishment of Commission.
4. Provision defining the property, &c. to be allocated.
5. Formula of subscription to the Confession of Faith in the Church of Scotland.
6. Definitions, repeal, and short title.

SCHEDULES.

A

B I L L

INTITULED

An Act to provide for the Settlement of certain Questions A.D. 1905.
between the Free Church and the United Free Church
in Scotland, and to make certain amendments of the
law with respect to the Church of Scotland.

WHEREAS questions have arisen as to property between the
Free Church and the United Free Church in Scotland and
judgments have been given by the Courts in favour of the Free
Church :

5 And whereas a Royal Commission appointed to inquire into
the matter have reported that the Free Church are unable
adequately to carry out all the trusts of the property, and that it
is desirable to provide for the allocation thereof, provision being
made for the equipment of the Free Church :

10 And whereas it is expedient to make provision for such
allocation by means of the appointment of a Commission :

And whereas it is expedient to amend the law relating to the
subscription of the Confession of Faith by Ministers of the Church
of Scotland and others :

15 Be it therefore 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:—

20 1.—(1) The Commission established under this Act shall
allocate between the Free Church and the United Free Church
the property in question as defined by this Act in such manner as
appears to the Commission fair and equitable, having regard to
all the circumstances of the case, but subject to the provisions of
this Act.

Allocation of
Church
property
between
the Free
Church and
the United

A.D. 1905.
Free Church
by a Com-
mission.

(2) The Commission in making their allocation of property under this Act, shall allocate congregational property to the Free Church in any case where they consider that out of those who in the opinion of the Commission were members or adherents of the congregation on the thirtieth day of October, nineteen hundred, and are at the commencement of this Act both resident in the district, and members or adherents of the Free Church or United Free Church congregation, at least one-third are members or adherents of the Free Church congregation; with power, however, to make special arrangements where several church buildings are situated in the same neighbourhood, and in any other cases which appear to them to require exceptional treatment; and

(3) The Commission in making their allocation of property under this Act shall, having regard to congregational contributions and other income of the Free Church, make adequate provision for the education of the students for the ministry of the Free Church, for the support, subject to payment of the usual annual contributions (if any) of aged and infirm ministers and of widows and orphans of ministers of that Church, for the support of the ministers of Free Church congregations to which congregational property has been allocated under this Act, for itinerant preachers, and for the general purposes of administration and management of that Church. The funds and property out of which provision may be made for each of the above-mentioned objects shall be those set out in the second column of the First Schedule to this Act, opposite the description of the object in the first column of that schedule.

Orders for
carrying
allocation
into effect.

2.—(1) The Commission may make such orders as they may consider necessary for carrying into effect any allocation under this Act (including the modification of the Acts relating to the Widows and Orphans Fund), and may also, before that allocation is made, make interim orders having temporary effect as respects the property in question as defined by this Act. Any such orders shall have effect as if enacted in this Act, may be recorded in the Register of Sasines or other appropriate register, and shall not be chargeable with stamp duty.

(2) Subject to the provisions of this Act, the Commission, if they think fit, may order that any property (other than congregational property) allocated to either Church under this Act shall be burdened with such bond, or charge, in favour of the other Church or in favour of third parties who may advance money for the purposes of such bond or charge as they direct.

Any congregational property allocated to either Church shall be subject to any bonds, burdens, or debts thereon or in respect thereof, and the Commissioners may charge upon the particular congregational property concerned any moneys expended since
 5 thirty-first October, nineteen hundred, on improvements of that property or in paying off debt incurred in respect of that property.

A.D. 1905.

(3) The Free Church and the United Free Church respectively shall hold any property allocated to them under this Act for the
 10 purposes of and in accordance with their respective constitutions, and in allocating to the United Free Church any property which is, at the commencement of this Act, appropriated to any special Church purposes, the Commission shall, so far as possible, provide by their orders that the property shall remain, in the hands of
 15 the United Free Church, appropriated to the same or similar purposes.

(4) Any proceedings in any court between the Free Church and the United Free Church as to any property in question as defined by this Act, and all diligence and execution in any
 20 such proceedings, shall, by virtue of this Act, be permanently sisted or stayed, and no such proceedings shall be instituted as respects any such property before that property has been allocated by the Commission under this Act.

(5) No court shall have power to review or interfere in any
 25 way with the orders or other proceedings of the Commission, but such orders or proceedings shall not prejudice or affect any rights, duties, and liabilities as regards any property in question as defined by this Act other than those of the Free Church and the United Free Church.

30 **3.**—(1) The Commission under this Act shall consist of five Commissioners to be appointed by His Majesty.

Establishment of Commission.

(2) If a vacancy occurs in the office of any Commissioner so appointed by reason of death, resignation, incapacity, or otherwise, His Majesty may appoint some other person to fill the vacancy,
 35 and so from time to time as occasion requires.

(3) The Commission may appoint and employ such Assistant Commissioners, officers, and persons, as they think necessary, and may remove any officer or person so appointed or employed.

(4) The salaries and remuneration of any persons so appointed
 40 or employed, and all expenses of the Commission incurred in the
 (155.)

A.D. 1905. execution of this Act, shall be paid out of the property in question
 as defined by this Act, and the Commission may make any orders
 necessary for the purpose.

(5) The quorum of the Commission shall be three, and in
 case of an equal division of votes at any meeting of the Commission 5
 the person who is Chairman at that meeting shall have a second or
 casting vote. The procedure, place of meeting, and authentication
 of documents of the Commission, shall be regulated in such manner
 as the Commission determine.

(6) The Commission and any Assistant Commissioner 10
 appointed under this Act may examine witnesses on oath, and
 for the enforcing the attendance of witnesses, after a tender of their
 expenses, the examination of witnesses, and the production of books
 and documents, shall have all such powers, rights, and privileges as
 are vested in any of His Majesty's courts of law. 15

(7) The powers of the Commission shall be in force until the
 first day of March nineteen hundred and six, but His Majesty may
 by Order in Council continue their powers for such further period
 as His Majesty thinks fit.

Provision
 defining the
 property,
 &c. to be
 allocated.

4.—(1) All property which on the thirtieth day of October 20
 nineteen hundred, was vested in or held by or on trust for, or
 was payable to or for behoof of, the Free Church, or was held
 for the purposes of any school, scheme, mission, or other special
 object of the said church, or, where any such property has been
 disposed of since that date, the proceeds of sale thereof or any 25
 investments representing the same, including any revenue or
 accumulations of any such property, proceeds of sale, or invest-
 ments accruing since the said date, shall, notwithstanding
 anything that has taken place since said date, be deemed to be
 property in question within the meaning of this Act, subject in 30
 any case to any disbursements properly made since the said date
 (which are hereby declared to stand good), and any person held
 accountable for any such property, in accordance with an order
 of the Commission, shall account for the same accordingly.

(2) Such rights, duties, and liabilities (including the right of 35
 appointing representatives on bodies of trustees or other boards)
 as belonged or attached to the Free Church on the thirtieth
 day of October nineteen hundred, shall be subject to allocation
 by the Commission in the same manner as the property in
 question within the meaning of this Act. 40

(3) Any legacies, bequests, or conveyances of property under testamentary writings made before the thirtieth day of October, nineteen hundred, by testators who died thereafter and before the commencement of this Act in dispute between the Free Church and the United Free Church, shall be allocated to or apportioned between the Churches in such manner as the Commission deem fair and equitable, having regard to what seems to them to have been the intention of the testator, and the capacity of the Churches respectively to carry out any special trusts annexed to the legacy; and all proceedings in any court as regards any disputes between the two Churches in respect of such legacies shall be permanently sisted or stayed.

A.D. 1905.

(4) In this section, the expression "property" includes property heritable and movable and all interests therein; and the expression "rights" includes powers, privileges, and immunities.

5. The formula of subscription to the Confession of Faith required from ministers and preachers of the Church of Scotland as by law established and from persons appointed to Chairs of Theology in the Scottish Universities and the Principal of Saint Mary's College, Saint Andrew's, respectively, shall be such as may be prescribed by Act of the General Assembly of the said Church with the consent of the majority of the presbyteries thereof. The formula at present in use in any case shall be required until a formula in lieu thereof is so prescribed.

Formula of subscription to the Confession of Faith in the Church of Scotland.

6.—(1) In this Act the expression "the Free Church" means the association or body of Christians known and designated as the Free Church of Scotland; and the expression "the United Free Church" means the association or body of Christians known and designated as the United Free Church of Scotland, and, unless the context otherwise requires, those expressions respectively include any court, congregation, or college of either Church, or any member thereof as such, or any person acting on behalf of such Church, congregation, or college.

Definitions, repeal, and short title.

(2) The Acts mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule, both as originally enacted, and as incorporated, ratified, confirmed, or approved by any other Act.

(3) This Act may be cited as the Churches (Scotland) Act, 1905.

A.D. 1905.

SCHEDULES.

FIRST SCHEDULE.

Object.	Funds and Property.	
1. Education of students of the Free Church.	1. College endowments and bursary funds; college buildings.	5
2. Support of aged and infirm ministers of the Free Church.	2. Aged and Infirm Ministers' Fund.	
3. Support of widows and orphans of ministers of the Free Church.	3. Widows and Orphans Fund.	
4.—(a) Support of ministers of Free Church congregations to which congregational property has been allocated under this Act and of itinerant preachers. (b) General purposes of administration and management of the Free Church.	4. Sustentation Fund; Home Missions Fund; Highlands and Islands Fund; any moneys which the Commission regard as applicable for these or similar purposes. So far as those funds or moneys are not sufficient, any further amount required for this object shall be provided by such bond or charge as the Commission may direct to be imposed on any land or buildings in Scotland allocated to the United Free Church other than congregational property, colleges, schools, and any land or buildings bequeathed or given for special purposes.	10 15 20 25

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Act.	Title.	Extent of Repeal.	
An Act of the Parliament of Scotland passed in the year one thousand six hundred and ninety-three.	Act for settling the quiet and peace of the Church.	The words "the same to be the confession of his faith, and that he owns the doctrine therein contained to be the true doctrine which he will constantly adhere to, as"	30 35
An Act of the Parliament of Scotland passed in the year one thousand seven hundred and seven.	Act for securing the Protestant religion and Presbyterian Church government.	The words "do and shall acknowledge and profess and," and the words "as the confession of their faith;"	40

Churches (Scotland) Bill.

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D W E M Y S S . (*E. Wemyss.*)

[To be substituted for Amendments previously circulated.]

Page 1, line 8, after (“ thereof ”) insert (“ so far as beyond the
“ reasonable capacity of the Free Church to use adequate ”)

line 9, after (“ Church ”) insert (“ And whereas the
“ Free Church had previously made public intimation that they
“ were willing to surrender to the sovereign power the property
“ in question in so far as beyond their capacity to administer
“ according to the trusts thereof ”)

Clause 1, page 1, line 21, after (“ Act, ”) insert (“ so far as
“ beyond the reasonable capacity of the Free Church to use ”)

line 23, after (“ case, ”) insert (“ including
“ the judgments of the Law Courts, and any special historical
“ or other associations attaching to particular parts of the said
“ property ”)

Churches (Scotland) Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD WEMYSS (*E. Wemyss*).

*[To be substituted for Amendments
previously circulated.]*

2nd August 1905.

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[Price 4d.]

(155 b.)

[5 EDW. 7.] *Closing of Licensed Premises (Christmas Day) (Ireland).* 1

A

B I L L

INTITULED

An Act to amend the Law as to the Hours of Closing of Licensed Premises on Christmas Day in Ireland. A.D. 1905.

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 :—

- 5 **1.** This Act shall extend to Ireland only, and may be cited as the Licensing (Ireland) Act, 1905, and may be cited with the Licensing (Ireland) Acts, 1833 to 1900. Extent of Act and short title.
- 10 **2.** All the provisions of any Act now in force whereby the sale or exposing for sale of intoxicating liquors, or the opening or keeping open of any premises for the sale of intoxicating liquors, is prohibited during any hours or times on Christmas Day, are hereby extended to the whole of Christmas Day. Extension of any Acts now in force to the whole of Christmas Day.
- 15 **3.** All penalties now in force under the provisions of any Act for selling, or exposing for sale, or purchasing, or opening or keeping open any premises for the sale of intoxicating liquors, or being present in or upon any such premises, during any hours or times at which the sale of intoxicating liquors is prohibited by any Act now in force, are hereby extended and made applicable to the times during which the sale of intoxicating liquors is prohibited by this Extension as to penalties.
- 20 **Act,** and all provisions of any Acts now in force in reference to such penalties are hereby extended to any violation of this Act.
- 25 **4.** Nothing in this Act shall be construed to apply to sales of intoxicating liquor to lodgers, or to the sale of intoxicating liquor in packet boats, or in canteens in pursuance of any Act regulating the same, or in a registered club as defined by the Registration of Clubs (Ireland) Act, 1904, or shall preclude the sale at any time at a railway station of intoxicating liquors on arrival or departure of trains, or to bonâ fide travellers within the meaning of the Licensing (Ireland) Acts, 1833 to 1900. Exemption as to travellers, &c.

(51.)

**Closing of Licensed Premises
(Christmas Day) (Ireland) Bill.**

A M E N D M E N T

T O B E M O V E D O N T H I R D R E A D I N G

BY

T H E L O R D W E M Y S S (*E. Wemyss.*)

Clause 2, page 1, line 12, after (" Day ") insert (" in all places
" except the Province of Ulster ");

Closing of Licensed Premises
(Christmas Day) (Ireland) Bill.

A M E N D M E N T

TO BE MOVED ON THIRD READING

BY

THE LORD WEMYSS (*E. Wemyss*).

5th June 1905.

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E. POSENER, 116, Grafton Street, Dublin.

[*Price 4d.*]]

(51 a.)

A

B I L L

INTITULED

An Act to amend the provisions of the Coal Mines Regulation Act, 1887, which relate to the Weighing of Minerals. A.D. 1905.

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:—

5 **1.**—(1) The power conferred by the principal Act on the persons employed in a mine, and paid according to the weight of the mineral gotten by them, to appoint a check weigher, shall include power to appoint a deputy to act in the absence of the check weigher for reasonable cause, and the expression “check
10 weigher” when used in the principal Act and in this Act shall include any such deputy check weigher during such absence as aforesaid.

Amendments
of 50 & 51
Vict. c. 58.
s. 13. as to
check
weighers.

(2) A statutory declaration, made by the person who presided at a meeting for the purpose of appointing a check weigher or
15 deputy check weigher, to the effect that he presided at that meeting, and that the person named in the declaration was duly appointed check weigher or deputy check weigher, as the case may be, by that meeting, shall be forthwith delivered to the owner, agent, or manager of the mine, and shall be primâ facie evidence
20 of that appointment.

(3) Where the check weigher or deputy check weigher was appointed by a majority ascertained by ballot of the persons employed in the mine, and paid according to the mineral gotten, the declaration shall so state, and if he was not so appointed, then
25 it shall state the names of the persons by whom or on whose behalf the check weigher or deputy check weigher was appointed. Where a check weigher or deputy check weigher is appointed by such a majority as aforesaid, he shall be deemed to be appointed on

(125.)

A.D. 1905. behalf of all the persons employed in the mine who are entitled to appoint him.

(4) The facilities to be afforded to a check weigher under section thirteen of the principal Act shall include provision for a check weigher of a shelter from the weather, containing the number 5 of cubic feet requisite for two persons, a desk or table at which the check weigher may write, and a sufficient number of weights to test the weighing machine.

(5) When a check weigher or deputy check weigher is appointed by a majority ascertained by ballot of the persons employed in the 10 mine, and paid according to the mineral gotten, he shall not be removed by the persons employed in the mine except by a majority ascertained by ballot of the persons employed and paid as aforesaid at the time of the removal.

Amendments
as to persons
who appoint
and pay
check
weighers.

2.—(1) For the purposes of the principal Act and of this 15 Act the persons who are entitled under section thirteen of the principal Act to appoint a check weigher, and from whom he is entitled under section fourteen of the principal Act to recover his wages or recompense, shall be deemed to include not only the persons in charge of the working places, but also all holers, 20 fillers, trammers, and other persons who are paid according to the weight of the mineral gotten.

(2) Where there are persons employed in a mine who are employed by a contractor who is himself paid according to weight of mineral gotten, such persons, if they are either in charge of the 25 working places or are holers, fillers, trammers, or brushers, shall, notwithstanding that they are paid by the contractor and otherwise than in accordance with the weight of mineral gotten, be deemed to be included among those who are entitled to appoint a check weigher, and from whom he is entitled as aforesaid to recover 30 wages or recompense, but the proportion of such wages or recompense recoverable in respect of such persons shall be paid by the contractor who employs them, and recoverable by the check weigher from him alone.

(3) The wages or recompense which a check weigher may 35 recover under section fourteen of the principal Act shall include expenses properly incurred by him in carrying out his work under the principal Act.

Notice of
intention to
appoint
check
weigher.

3. All persons who are entitled by the principal Act or this Act to appoint a check weigher or deputy check weigher shall 40 have due notice given to them of the intention to appoint a check

[5 EDW. 7.] *Coal Mines (Weighing of Minerals).* 3

weigher or deputy check weigher, by a notice posted at the pithead or otherwise specifying the time and place of the meeting, and have the same facilities given to each of them for the purpose of recording their votes either by ballot or otherwise in such
5 appointment. A.D. 1905. —

4.—(1) This Act shall be construed as one with the principal Act. Construction and short title.

(2) This Act may be cited as the Coal Mines (Weighing of Minerals) Act, 1905, and the Coal Mines Regulation Acts, 1887 to
10 1896, and the Coal Mines Regulation Act (1887) Amendment Act, 1903, and this Act may be cited collectively as the Coal Mines Regulation Acts, 1887 to 1905.

**Coal Mines
(Weighing of Minerals).**

A

B I L L

INTRODUCED

An Act to amend the provisions of the
Coal Mines Regulation Act, 1887,
which relate to the Weighing of
Minerals.

(Brought from the Commons 7th July 1905.)

Ordered to be printed 7th July 1905.

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[Price 4d.]

(125.)

A

B I L L

INTITULED

An Act to give Compensation for Damage by Fires A.D. 1905.
caused by Sparks or Cinders from Railway Engines. —

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 :—

- 5 **1.**—(1) When, after this Act comes into operation, damage is caused to agricultural land or to agricultural crops, as in this Act defined, by fire arising from sparks or cinders emitted from any locomotive engine used on a railway, the fact that the engine was used under statutory powers shall not affect liability in an
10 action for such damage. Liability of railway companies to make good damage to crops by their engines.
- (2) Where any such damage has been caused through the use of an engine by one company on a railway worked by another company, either company shall be liable in such an action ; but if the action is brought against the company working the railway,
15 that company shall be entitled to be indemnified in respect of their liability by the company by whom the engine was used.
- (3) This section shall not apply in the case of any action for damage unless the claim for damage in the action does not exceed one hundred pounds.
- 20 **2.**—(1) A railway company may enter on any land and do all things reasonably necessary for the purpose of extinguishing or arresting the spread of any fire caused by sparks or cinders emitted from any locomotive engine. Powers for extinction and prevention of fire.
- (2) A railway company may, for the purpose of preventing
25 or diminishing the risk of fire in a plantation, wood, or orchard through sparks or cinders emitted from any locomotive engine,
(126.)

A.D. 1905. — enter upon any part of the plantation, wood, or orchard, or on any land adjoining thereto, and cut down and clear away any undergrowth, and take any other precautions reasonably necessary for the purpose; but they shall not, without the consent of the owner of the plantation, wood, or orchard, cut down or injure 5 any trees, bushes, or shrubs.

(3) A railway company exercising powers under this section shall pay full compensation to any person injuriously affected by the exercise of those powers, including compensation in respect of loss of amenity, and any compensation so payable 10 shall, in case of difference, be determined in England and Ireland by two justices in manner provided by section twenty-four of the Lands Clauses Consolidation Act, 1845, and in Scotland by the sheriff in manner provided by section twenty-two of the Lands Clauses Consolidation (Scotland) Act, 1845. 15

Notice of claim.

3. This Act shall not apply in the case of any action for damage by fire brought against any railway company unless notice of claim and particulars of damage, in writing, shall have been sent to the said railway company within seven days of the occurrence of the damage as regards the notice of claim, and 20 within fourteen days as regards particulars of damage.

Definitions and application.

4. In this Act—

The expression "agricultural land" includes arable and meadow land and ground used for pastoral purposes or for market or nursery gardens, and plantations and woods 25 and orchards, and also includes any fences on such land, but does not include any moorland or buildings;

The expression "agricultural crops" includes any crops on agricultural land, whether growing or severed, which are not led or stacked; 30

The expression "railway" includes any light railway and any tramway worked by steam power.

This Act shall apply to agricultural land under the management of the Commissioners of Woods, and to agricultural crops thereon. 35

Short title.

5. This Act shall come into operation on the first day of January one thousand nine hundred and eight, and may be cited as the Railway Fires Act, 1905.

**Compensation for Damage to
Crops Bill.**

A M E N D M E N T

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D J A M E S O F H E R E F O R D .

Clause 4, page 2, line 34, after (" Woods ") insert (" or
" belonging to His Majesty in right of His Duchy of Lancaster or
" belonging to the Duchy of Cornwall ")

Compensation for Damage to
Crops Bill.

AMENDMENT

TO BE MOVED IN COMMITTEE

BY

THE LORD JAMES OF HEREFORD.

20th July 1905.

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[Price $\frac{1}{2}$ d.]

(126 a.)

A

B I L L

INTITULED

An Act to amend the provisions of the Congested Districts (Scotland) Act, 1897, as to the style and title of the Commissioners, the execution of deeds by them, and the application of the Fund constituted by the said Act. A.D. 1905.

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:—

- 5 **1.** Where the Congested Districts (Scotland) Commissioners are satisfied that a portion of the Congested Districts (Scotland) Fund may be advantageously applied for the benefit of the inhabitants of congested districts in the highlands and islands of Scotland for purposes other than those set forth in section
- 10 four of the Congested Districts (Scotland) Act, 1897 (in this Act referred to as "the principal Act"), they may apply a portion of the said fund, not exceeding *one fifth* of the total sum received by them, or hereafter to be received in terms of section three of the principal Act—
- 15 (A) in making provision for the practical instruction of the inhabitants of such districts in agriculture, or in trades, industries, or employments; or
- 20 (B) in aid of expenditure incurred in such districts for any of the purposes for which the public health general assessment, under the Public Health (Scotland) Act, 1897, is available, or in providing additional medical attendance or nurses: Provided that no portion of the said fund shall be so applied in any district in any year unless the said assessment within such district shall
- 25 be levied during the said year at the maximum figure
- (14.)

Enlarge-
ment of
powers of
Congested
Districts
(Scotland)
Commis-
sioners.

A.D. 1905.

of one shilling in the pound authorised by section one hundred and thirty-seven of the said Act, or the total assessments levied on lands and heritages within such district for said year shall exceed *five shillings in the pound*; or

5

(c) in making advances for the improvement of existing dwellings, and the erection of new dwellings, in such districts.

Power to sue
and title of
board.

2.—(1) The Congested Districts (Scotland) Commissioners may sue or be sued, purchase, hold and dispose of land for the purposes of and subject to the provisions of the principal Act and of this Act under the name “The Congested Districts (Scotland) Board,” and service on them of all legal processes and notices shall be effected by service on their Secretary.

10

(2) All deeds, writs, and instruments to be signed or executed by or on behalf of the Commissioners may be signed or executed in the name of the Commissioners by any two of their number and their Secretary.

15

Short titles
and construc-
tion.

3. This Act may be cited as the Congested Districts (Scotland) Act, 1905, and shall be construed as one with the principal Act, and that Act and this Act may together be cited as the Congested Districts (Scotland) Acts, 1897 and 1905.

20

Continuation Schools Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Extension of purposes for which byelaws may be made.
 2. Continuation school certificates.
 3. Method, times, and subjects of teaching in continuation schools.
 - 4.
 5. Provision as to employment of boys and girls attending evening continuation schools.
 6. Savings.
 7. Short title.
- SCHEDULE.**
-

A

B I L L

INTITULED

An Act to amend the Education Acts, 1870 to 1903, with A.D. 1905.
 respect to School Attendance, and to secure further
 attendance, under certain conditions, at Evening
 Continuation Schools, Classes, or Courses of Instruction.

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:—

5 **1.**—(1) Notwithstanding anything in section seventy-four of
 the Elementary Education Act, 1870, as amended by subsequent
 enactments, byelaws for the whole or any portion of its area made
 by a local education authority under that section as so amended
 may— Extension of
 purposes for
 which bye-
 laws may be
 made.

10 (a) Require boys and girls, who have reached the age of total
 exemption from attendance at an elementary day school,
 to make not less than seventy-five attendances of one
 hour each at some authorised continuation school or
 class or course of instruction during each year until
 15 they reach the age of sixteen, provided that such con-
 tinuation school instruction is obtainable within one
 mile and a half of their residence:

20 (b) Fix thirteen years as the minimum age of exemption
 from attendance at an elementary day school, provided
 that they establish the requisite schools, classes, or
 courses of instruction, and require all boys and girls
 on ceasing to attend a day school to make not less
 than seventy-five attendances of one hour each in such
 schools, classes, or courses of instruction during every
 year until they reach the age of sixteen:

25

(20.)

A 2

A.D. 1905.

(c) Fix twelve years as the minimum age of exemption from attendance at an elementary day school in the case of boys who have definite and regular employment in agricultural or horticultural or other rural industry, and whose parents desire that they shall be so employed, provided that they establish the requisite continuation schools, classes, or courses of instruction, and require all boys so employed to make not less than seventy-five attendances of one hour each in every year during the winter months, or at such other time as the local authority may prescribe, until they reach the age of sixteen.

(2) On a boy or girl becoming subject to an obligation to attend a continuation school or class in accordance with the condition on which total or partial exemption was granted, the local education authority shall grant to the boy or girl a certificate (in this Act referred to as "a continuation school certificate"), and every such boy or girl shall, so long as he or she is subject to the obligation to attend a continuation school, make the required number of attendances; and attendances at a continuation school may be enforced in like manner as attendance at a public elementary school is enforceable, except that no such boy or girl shall be ordered to be sent to a day industrial school; and the provisions of the Education Acts, 1870 to 1902, set out in the schedule to this Act, subject to the adaptations therein contained, shall apply accordingly.

Continuation
school certi-
ficates.

2. A continuation school certificate shall remain in force for three months, but may be renewed from time to time by the inspector appointed for the purpose by the local education authority for the area in which the boy or girl resides or is employed, if that inspector is satisfied that the holder has been regularly attending a continuation school or class or course of instruction, subject to the following provisions:—

- (a) A certificate shall not be renewed after the expiration of any full year which elapses after the date on which the certificate was first granted unless the inspector is satisfied that the holder of the certificate has made the required number of attendances during the year; and
- (b) The renewal of a certificate by the inspector shall not remain in force for more than three months, or such longer period, not exceeding five months during any

time of the year in which continuation schools or classes or courses of instruction are not held, as may be determined by the inspector. A.D. 1905.

3. The local education authority shall, subject to the approval of the Board of Education, make all arrangements as to methods, times, and subjects of continuation school instruction, and shall take care to make the times and the courses of instruction such as are suited to the practical needs of the scholars. Method, times, and subjects of teaching in continuation schools.

4. If the parent of a boy or girl so requires, attendance at a recognised Sunday school or class for religious or moral instruction, not exceeding in the aggregate one third of the minimum number of attendances required for the year, shall be reckoned for the purpose of calculating the requisite number of attendances as if they were attendances at a continuation school or class.

5.—(1) Any person employing a boy or girl under sixteen years of age, and exempt from attendance at an elementary day school, shall see that the boy or girl holds a continuation school certificate in force for the time being, and shall take care that the hours of employment are not such as to prevent regular attendance at a continuation school or class. Provision as to employment of boys and girls attending evening continuation schools.

(2) If a person acts in contravention of this section he shall be liable, on summary conviction, for each offence to a fine not exceeding forty shillings: Provided that a person shall not be deemed to have acted in contravention of this section if it is proved to the satisfaction of the court having cognisance of the case that there is not within one mile and a half, measured according to the nearest road from the residence of the boy or girl, a continuation school or class which he or she can attend.

6. Nothing in this Act or in any byelaw made thereunder shall apply in the case of any boy or girl who is, at the passing of this Act, under the byelaws applicable to the boy or girl, totally exempt from the obligation to attend a public elementary day school. Savings.

7. This Act may be cited as the Continuation School Act, 1905. Short title.

A.D. 1905.

SCHEDULE.39 & 40 Vict.
c. 79. s. 4.

It shall be the duty of the parent of every boy or girl who is required to attend a continuation school or class, or course of instruction, to cause the boy or girl to attend such a school or class, or course of instruction, in accordance with this Act, and if such parent fail to perform such duty he shall be liable to such orders and penalties as are provided by this Act. 5

39 & 40 Vict.
c. 79. s. 11.

If the parent of a boy or girl who is required to attend a continuation school or class, or course of instruction, habitually and without reasonable excuse neglect to cause the boy or girl to attend a continuation school or class, or course of instruction, it shall be the duty of the local education authority, after due warning to the parent of such boy or girl, to complain to a court of summary jurisdiction, and that court may, if satisfied of the truth of such complaint, order that the boy or girl do attend some continuation school or class, or course of instruction, and named in the order, being either such as the parent may select, or if he do not select any, then such continuation school or class, or course of instruction, as the court think expedient, and that boy or girl shall attend that school in such regular manner as is specified in the order. 10 15

An order under this section is in this Act referred to as an attendance order. 20

Any of the following reasons shall be a reasonable excuse :—

- (1) That there is not within one mile and a half, measured according to the nearest road from the residence of such boy or girl, any suitable continuation school, class, or course of instruction open which the boy or girl can attend; or 25
- (2) That the absence of the boy or girl from school or class has been caused by sickness or any unavoidable cause.

39 & 40 Vict.
c. 79. s. 12.

Where an attendance order is not complied with without any reasonable excuse within the meaning of this Act, a court of summary jurisdiction, on complaint made by the local education authority, may, if it think fit, order as follows:—If the parent of the boy or girl does not appear, or appears and fails to satisfy the court that he has used all reasonable efforts to enforce compliance with the order, the court may impose a penalty not exceeding, with the costs, twenty shillings. 30

39 & 40 Vict.
c. 79. s. 13.

Where the local education authority are informed by any person of any boy or girl in their jurisdiction who is stated by that person to be liable to be ordered by a court under this Act to attend a continuation school or class, or course of instruction, it shall be the duty of the local education authority to take proceedings under this Act accordingly, unless the local education authority think that it is inexpedient to take such proceedings : 35 40

Provided that nothing in this section shall relieve the local education authority from the responsibility of performing their duty under the other provisions of this Act.

A
B I L L

INTITULED

An Act to declare the Law in regard to the reform of the Convocations of Canterbury and York, and to make provision for joint sittings of the said Convocations. A.D. 1905.

WHEREAS the Convocations of the Provinces of Canterbury and York are desirous of amending the constitution of such Convocations and the representation of the clergy therein, and of obtaining power to sit and act together as one body :

5 And whereas doubts have arisen whether the said Convocations can make such amendment of their constitution and of the representation of the clergy therein without the authority of Parliament ; and it is expedient to resolve such doubts and to provide for the joint sitting and acting together of the said
10 Convocations :

Be it therefore 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 :—

15 1. It is hereby declared that, notwithstanding any doubts arising by reason of the Act of the twenty-fifth year of the reign of King Henry the Eighth for the submission of the clergy to the King's Majesty or otherwise, the Convocation of each of the said Provinces have power with His Majesty's Royal Assent and license
20 to make, promulge, and execute canons for the amendment of the constitution of such Convocation and of the representation of the clergy of the Province therein.

Power of the Convocations to reform their constitution and the representation of the clergy therein.
25 Hen. 8. c. 19.

2.—(1) If at any time or times the presidents and other the bishops and clergy of the Convocations of the said Provinces lay
25 before His Majesty in Council for confirmation a scheme or schemes for the union of the said Convocation for certain purposes,

Schemes for joint sittings, &c. of the Convocations.

(22.)

A.D. 1905. — and for the joint exercise of their powers, and for the regulation of matters incidental to such union and joint exercise of powers, it shall be lawful for His Majesty, if His Majesty sees fit, by Order in Council to confirm any such scheme.

(2) Any such scheme shall have no effect until it has been so confirmed. 5

(3) An Order in Council made in pursuance of this Act shall have effect as an Act of Parliament from the date specified in the Order.

(4) An Order in Council made in pursuance of this Act shall be published in the "London Gazette," and shall, as soon as practicable after the making thereof, be laid before both Houses of Parliament. 10

25 Hen. 8.
c. 19.

(5) After the time when any such scheme as aforesaid takes effect, the making, promulgating, and executing of any canons, constitutions, and ordinances by the United Convocations shall be subject in all respect to the provisions of the said Act of the twenty-fifth year of the reign of King Henry the Eighth respecting canons, constitutions, and ordinances of the Convocation of each of the said Provinces. 15 20

Title and
extent of
Act.

3. This Act may be cited as the Convocations of the Clergy Act, 1905, and shall extend to that part of the United Kingdom called England and Wales and to the Channel Islands and the Isle of Man.

County Courts (Ireland) Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Service of process.
2. Proceedings for recovery of costs and balance of sum claimed.
3. Forgery of summons, &c. of county court.
4. Jurisdiction of judge within or without his county.
5. Attachment of debts.
6. When documents produced from proper custody may be read without further proof.
7. Renewal of decree or dismiss.
8. Liability to debt or costs under decree or dismiss, or any reversal or affirmance thereof, to be extinguished in six years unless security be given.
9. Prosecution of appeal after abatement by death, marriage, or bankruptcy.
10. Amendment of proceedings.
11. Omission or misstatement of addition or residence of a party not to render process, decree, or dismiss void.
12. Rules, &c., and forms of proceedings and scale of costs to be framed by judges appointed by Lord Chancellor.
13. Deposit of moneys paid into court.
14. Audit of account or stamp duties, court fees, moneys paid into court, &c.
15. Formation of divisions or districts for holding sessions.
16. Interpretation.
17. Short title and construction.
18. Commencement of Act.
19. Repeals.

SCHEDULE.

A

B I L L

INTITULED

An Act to amend the Law relating to County Courts A.D. 1905.
in Ireland.

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:—

- 5 **1.**—(1) Service of process of the county court shall be effected in the manner now directed or authorised by law, or in such other manner as shall be directed by the judge, and he may order service to be substituted, or that service already had shall be deemed good service, as the case may be. Service of process.
- 10 (2) The plaintiff or party levying an execution may be served in the prescribed manner with an interpleader process under section one hundred and fifty of the Civil Bill Courts (Ireland) Act, 1851, in case he resides anywhere within the United Kingdom. 14 & 15 Vict. c. 57.
- 15 **2.** Where a defendant in any action, at any time after service of the civil bill upon him, pays to the plaintiff the entire amount sued for but without costs, the plaintiff may obtain a decree for the costs of such action; and where a defendant pays a part only of the sum sued for, the plaintiff may continue the proceedings for the balance, and if he obtains a decree for the same or any part thereof Proceedings for recovery of costs and balance of sum claimed.
- 20 he shall be entitled to the costs of the action, to be taxed as if the decree were for the aggregate of the sum paid on account and the sum for which such decree was actually given.
- 25 **3.** Every person who forges any summons, process, decree, or order of the county court, or who serves or enforces any such forged summons, process, decree or order, knowing the same to be forged, or delivers or causes to be delivered to any person any paper purporting to be a copy of any summons, process, decree or order of the Forgery of summons, &c. of county court. [See 51 & 52 Vict. c. 43. s. 180.]

A.D. 1905. county court, knowing the same to be false, or who acts or professes to act under any false colour or pretence of the process or authority of the county court, shall be guilty of a felony.

Jurisdiction of judge within or without his county. [See 51 & 52 Vict. c. 43. s. 9.]

4. A judge shall, whether within his county, or any division thereof or not, in which any action, suit, or other proceeding may be then commenced or pending, have jurisdiction to make any order, or exercise on an *ex parte* application any authority or jurisdiction, in any action, suit, matter, or other proceeding therein pending, which, if the same related to an action, suit, matter, or proceeding pending in the High Court, might be given, made, or exercised by a judge of the High Court in chambers, and with the consent of the parties to any such action, suit, matter, or other proceeding, to hear or decide the same at any place either within or without any such county.

Attachment of debts.

5. Upon the application of any person having obtained a decree or order of a county court for the recovery by or payment to him of any sum of money, whether by way of debt or damages, a judge may, where the execution debtor resides within the jurisdiction of his court, make an order for the attachment of any debt owing or accruing to such execution debtor from any person residing within the same jurisdiction in like manner, subject to rules and orders under this Act, as orders for the attachment of debts are made by the High Court.

When documents produced from proper custody may be read without further proof.

6.—(1) Where any documents which would, if duly proved, be admissible in evidence are produced to the court from the proper custody, they shall be read without further proof, if in the opinion of the judge they appear genuine, and if no objection is taken thereto.

(2) If the admission of any documents so produced is objected to, the judge may adjourn the hearing for proof of the documents, and the party objecting shall pay the costs caused by such objection in case the documents are afterwards proved, unless the judge otherwise orders.

Renewal of decree or dismiss.

7.—(1) Subject to rules and orders under this Act, every decree and dismiss of a county court in any action and every affirmance or reversal of such decree or dismiss, whether made before or after the commencement of this Act, save a decree for the possession of lands or tenements or an affirmance of such last-mentioned decree, shall be in full force and effect for six years from the date of the decree or dismiss, or affirmance, or reversal thereof, as the case may be, and it shall not be necessary

[5 Edw. 7.]

County Courts (Ireland).

3

to renew such first-mentioned decree or dismiss, or affirmance or reversal thereof, within the said period of six years unless there is some change in the party or parties entitled to execution or liable thereto, or unless in such other cases as may be prescribed.

A.D. 1905.

5 (2) Every renewal shall be made in the manner and upon the affidavit of such person as may be prescribed.

8.—(1) The liability to the payment of any debt, damages, and costs respectively which may be imposed by any decree or dismiss of a county court, or by any reversal or affirmance of any
10 such decree or dismiss, shall be absolutely extinguished upon the expiration of six years from the date of the decree or dismiss, affirmance or reversal, and shall not be capable of being enforced by any proceeding whatsoever.

Liability to debt or costs under decree or dismiss, or any reversal or affirmance thereof, to be extinguished in six years unless new security be given.

(2) Such decree, dismiss, reversal, or affirmance, shall not be
15 revived or kept in force by any parol evidence of a promise to pay the said debt, damages, or costs, or any part thereof, or by any evidence of a part payment thereof: provided that if the defendant executes any new security in writing for such debt or costs, or any part thereof, such new security shall be of full force and effect
20 in law.

[See 14 & 15 Vict. c. 57. s. 144.]

9. If any person dissatisfied with any decree, dismiss, or order, whether adverse to him or in his favour, pronounced by any judge in the exercise of any jurisdiction conferred, whether before or after the passing of this Act, upon him by any Act relating to
25 county courts, gives notice of appeal in the manner provided by law, and if after such notice is given the appeal is abated by the death, marriage, or bankruptcy of any of the parties before the hearing thereof, then, subject to rules and orders of the High Court, the appeal may be prosecuted within such time, upon such
30 terms and conditions, and in such manner as may be prescribed by such rules and orders as aforesaid: Provided that, unless and until such rules and orders are made, no such decree, dismiss, or order as last aforesaid shall be affected by the provisions of this section.

Prosecution of appeal after abatement by death, marriage, or bankruptcy.

35 10.—(1) The judge, the Lord Chancellor, the Judge of Assize on Appeal, or any court or judge having cognizance of the matter, may at all times amend all defects and errors in any proceeding in the county court, whether there is anything in writing to amend by or not, and whether the defect or error is
40 that of the party applying to amend or not.

Amendment of proceedings. [See 51 & 52 Vict. c. 43. s. 87.]

A.D. 1905.

(2) All such amendments may be made with or without costs and upon such terms as to the judge, the Lord Chancellor, the Judge of Assize, or such court or judge as aforesaid, as the case may be, may seem just.

(3) All such amendments as may be necessary for the purpose of determining the real question in controversy between the parties shall be made if duly applied for.

Omission or misstatement of addition or residence of a party not to render process, decree, or dismiss void. 14 & 15 Vict. c. 57.

11. Notwithstanding anything in section sixty-one of the Civil Bill Courts (Ireland) Act, 1851, no process, decree, or dismissal of any county court shall be null and void by reason only that the addition or last known place of residence of any of the parties is not stated, or is incorrectly stated, therein, but such process, decree, or dismissal may be amended or otherwise dealt with as the judge or judge of assize, as the case may be, may think fit.

Rules, &c., and forms of proceedings and scale of costs to be framed by judges appointed by Lord Chancellor. [See 51 & 52 Vict. c. 43. s. 164.] 40 & 41 Vict. c. 56.

12.—(1) The chairmen to be associated with the Lord Chancellor as the rule-making authority, for the purposes of the County Courts (Ireland) Acts, 1851 to 1889, shall in all cases be nominated by the Lord Chancellor, and the President of the Incorporated Law Society of Ireland shall be an additional ordinary member of such rule-making authority, and the rule-making authority so constituted may make rules and orders for the purposes of the said Acts and of this Act.

(2) Section eighty-nine of the County Offices and Courts (Ireland) Act, 1877 (which provides for the submission to Parliament of rules and orders under that Act), shall apply with the necessary modifications to all rules and orders made under this section.

(3) In any case not expressly provided for by the County Courts (Ireland) Acts, 1851 to 1889, or by this Act, or by rules of court made in pursuance of any of the said Acts, the general principles of practice in the High Court may be adopted and applied to actions, suits, matters, and other proceedings, in the county courts.

Deposit of moneys paid into court. [See 40 & 41 Vict. c. 56. s. 39.] [See 51 & 52 Vict. c. 43. s. 71.]

13.—(1) The Lord Chancellor, with the concurrence of the judge of each county court, may make rules and regulations for the deposit in the post office savings bank, or in any other bank, of moneys paid into such county court in pursuance of any Act, and every such deposit, if in the post office savings bank, may be made without restriction as to amount and without the declaration required of a depositor.

(2) No money, when deposited under this Act, shall be paid out except upon an order of the Lord Chancellor, or of the judge of the court into which the money was paid. A. D. 1905.

(3) Any person deriving any benefit under any moneys paid into the post office savings bank under the provisions of this Act or any other Act relating to county courts in Ireland, may nevertheless open an account in the post office savings bank or in any other savings bank in his own name, without being liable to any penalties imposed by any Act or regulations in respect of the opening of accounts in two savings banks or of two accounts in the same savings bank.

(4) In the application to Ireland of the Workmen's Compensation Act, 1897, the provisions of this section shall apply to money invested in the post office savings bank under that Act. 60 & 61 Vict. c. 37.

15 14. The Treasury may, with the concurrence of the Lord Chancellor, make such arrangements as may seem requisite for the audit of and report upon all accounts of stamp duties paid, fees received, moneys paid into court or lodged, or in any manner received by any officer of a county court under any Act now in force, or which may hereafter be enacted, relating to county courts in Ireland. All such accounts shall be kept and exhibited or rendered in the prescribed manner. Audit of account or stamp duties, court fees, moneys paid into court, &c.

25 15.—(1) In acting under section thirty-two of the Civil Bill Courts (Ireland) Act, 1851, the Lord Lieutenant may nominate and appoint for the holding of sessions the county districts as defined by section twenty-two of the Local Government (Ireland) Act, 1898, or baronies, half baronies, or parishes, or such parts of same respectively as may be specified by him. Formation of divisions or districts for holding sessions.

(2) When by any Act, order, or rule, relating to civil bill courts or courts of general or quarter sessions of the peace in Ireland, any lands or premises are directed to be described in any proceedings as being situate in any barony, half-barony, or parish, it shall be sufficient to describe same by reference to the county district in which such lands or premises may be situate.

35 (3) The provision of section thirty of the Civil Bill Courts (Ireland) Act, 1851, with reference to the continuance until altered of all divisions theretofore made for holding sessions, shall apply with the necessary modifications to all divisions made after the passing of that Act. 14 & 15 Vict. c. 57.

- A.D. 1905.
Interpreta-
tion.
- 16.** In this Act, unless the context otherwise requires :—
 The expression “judge” means a county court judge and includes a recorder :
 The expression “clerk of the peace” includes clerk of the Crown and peace, deputy clerk of the Crown and peace, 5
 and deputy clerk of the peace :
 The expression “action” means any proceeding commenced in a county court by ordinary civil bill, or by default process, or in ejectment or replevin :
 The expression “suit” means an equity suit : 10
 The expression “matter” means any proceeding commenced by petition ; and
 The expression “prescribed” means prescribed by rules and orders under this Act.
- Short title
and con-
struction.
- 17.** This Act may be cited as the County Courts (Ireland) 15
 Act, 1905, and shall be construed as one with the County Courts (Ireland) Acts, 1851 to 1889, and may be cited with those Acts.
- Commence-
ment of Act.
- 18.** Subject as in this Act mentioned, this Act shall come into 20
 operation on the first day of January one thousand nine hundred and six.
- Repeals.
- 19.** The enactments specified in the schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned.

[5 EDW. 7.]

County Courts (Ireland).

7

SCHEDULE.

A.D. 1905.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
5	The Civil Bill Courts (Ireland) Act, 1851.	Section sixty-one from "and in case" to "whatsoever,"
14 & 15 Vict. c. 57.		Section one hundred and six. Section one hundred and thirty-nine, from the beginning of the section to "provided always that."
10		Sections one hundred and forty to one hundred and forty-four, so far as unrepealed.
15	The Civil Bill Courts Pro- cedure Amendment Act (Ireland), 1864.	Sections forty-eight and fifty-eight.
20	The County Courts and Officers (Ireland) Act, 1877.	Section thirty nine. Section seventy nine from "to be selected" to "such selection." In sections eighty-three and eighty- four the words "selected or."
	The Workmen's Compensa- tion Act, 1897.	Article (17) of the First Schedule.
	60 & 61 Vict. c. 37.	

County Courts
(Ireland). [H.L.]

A

B I L L

INTITLED

An Act to amend the Law relating to
County Courts in Ireland.

The Lord Ashbourne.

Ordered to be printed 14th July 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY,
And to be purchased, either directly or through any Bookseller, from
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32, Abingdon Street, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. PONSONBY, 116, Grafton Street, Dublin.

[*Price 1½d.*]]

(138.)

[5 EDW. 7.] *Criminal Cases (Reservation of Points of Law).* 1
[H.L.]

A

B I L L

INTITULED

An Act to amend the Crown Cases Act, 1848.

A.D. 1905.

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:—

5 **1.**—(1) Where on the trial of any person any judge refuses to reserve a question of law which he has power to reserve under section one of the Crown Cases Act, 1848, the person tried may, if convicted, apply to the King's Bench Division of the High Court, upon affidavit of the facts, for a rule to show cause why the judge
10 should not state a case under that Act in the same manner as if the question of law had been reserved.

Power of High Court to compel a case to be stated on points of law arising in criminal trials.

Any decision of the court refusing, granting, discharging or making absolute any such rule shall be final and without appeal, and on the application for any such rule the court may in any case,
15 if they think fit, make the rule absolute in the first instance.

(2) If the rule is made absolute, the judge shall state a case accordingly, and the Crown Cases Act, 1848, shall apply as if the question of law on which the case is stated had been reserved at the trial.

20 (3) Any powers which may be exercised by the judge under section one of the Crown Cases Act, 1848, may be exercised by a court granting or making absolute a rule under this section.

(4) In this Act the expression "judge" includes any person having power to reserve a question of law under section one of the
25 Crown Cases Act, 1848.

2. The court hearing and determining a question of law with respect to which a case is stated under the Crown Cases Act, 1848,
(11.)

Extension of powers of

A.D. 1905. whether in pursuance of this Act or otherwise, shall, in addition to the powers given to them by that Act, have power to order the re-trial of the case, and may also order that any conviction or judgment shall stand, if they consider that no miscarriage of justice has, in point of fact, occurred, notwithstanding that they are of opinion that the question of law should have been decided in favour of the person convicted. 5

Court of
Crown Cases
Reserved.

Power to
direct re-trial
at assizes of
case tried at
quarter
sessions.

3. In the event of a re-trial being ordered under this Act of any case tried before a court of quarter sessions, the court ordering the re-trial may, if they think fit, order the case to be re-tried at the next practicable court of assize of the county or place in which the venue was laid to be tried as if the bill of indictment had been presented to and found by the grand jury of the said county or place instead of the grand jury of the court of quarter sessions, and the bill of indictment, depositions, and all other documents and things relating to the indictment shall be transmitted from the court of quarter sessions to the court of assize in accordance with any orders given for the purpose by the court ordering the re-trial. 10 15

Citation and
extent of
Act.

4.—(1) This Act may be cited as the Crown Cases Act, 1905, and the Crown Cases Act, 1848, and this Act may be cited together as the Crown Cases Acts, 1848 and 1905. 20

(2) This Act shall not extend to Scotland.

**Criminal Cases (Reservation of
Points of Law) Bill [H.L.]**

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD ALVERSTONE.

Clause 1, page 1, line 8, after (“ apply ”) insert (“ within such
“ time as may be fixed by rules of court ”)

line 22, after (“ section ”) insert (“ and the
“ court may make such order as to the custody or admission to
“ bail of the prisoner as they think necessary ”)

Clause 2, page 2, line 7, after (“ convicted ”) insert (“ and if
“ the court order a re-trial of the case, they may make such order
“ as to the custody or admission to bail of the prisoner and the
“ renewal of the recognizances of the witnesses pending the re-trial
“ as they think necessary to meet the circumstances of the case ”)

After clause 2 insert as a new clause :

. Where it appears to the court on the hearing of any case
stated under the Crown Cases Act, 1848, whether in pursuance of
this Act or otherwise, that it is desirable that a prisoner should be
represented by counsel, the court may, if they think fit, certify that
the prisoner may have legal aid, and the expenses of such legal aid
may be allowed and paid in the same manner as the costs for the
prosecution are paid, subject to any rules which may be made for
the purpose under the Prosecution of Offences Act, 1879, and to
any regulations as to the rates or scales of payment which may be
made by a Secretary of State.

Provision
for legal aid
on hearing
of a case
stated.

After clause 3 insert as a new clause :

. Rules of Court made under section seventeen of the
Supreme Court of Judicature Act, 1875, may regulate generally
the practice and procedure under this Act.

Rules of
court.

(11 a.)

Criminal Cases (Reservation of
Points of Law) Bill [H.L.]

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD ALVERSTONE

2nd June 1905.

PRINTED BY KYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased either directly or through any bookseller, from
WYMAN and Sons, Ltd., Fetter Lane, E.C.4; and
32, Abchurch Lane, W.1; or
OLIVER and BOYD, Edinburgh; or
E. POMEROY, 118, Grafton Street, Dublin.

[Price 4d.]

(11 a.)

**Criminal Cases (Reservation of
Points of Law) Bill [H.L.]**

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D C H A N C E L L O R .

Insert the following new clauses :

(A.) Where a court of quarter sessions reserve a question of law under the Crown Cases Act, 1848, any recognizances may, subject to any rules made under section twenty-nine of the Summary Jurisdiction Act, 1879, be taken out of court before any justice of the peace, or where any of the parties is in prison before the governor or other keeper of the prison, and the same consequences of law shall ensue as if the recognizances had been entered into before the court of quarter sessions by which the question of law was reserved.

Taking re-
cognizances
out of court
where
quarter
sessions
state case.

(B.) Where on the hearing and determining of a question of law with respect to which a case is stated under the Crown Cases Act, 1848, whether in pursuance of this Act or otherwise, the judgment of the court stating the case is affirmed, any sentence of penal servitude or imprisonment on the person convicted shall begin to run, in the case of a person admitted to bail from the date of his subsequent reception into prison, and in the case of a person committed to prison under sentence and not admitted to bail from the date on which he is so committed.

Date from
which
sentence
runs when
affirmed by
Court for
Crown cases
reserved.

Criminal Cases (Reservation of
Points of Law) Bill [H.L.]

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD CHANCELLOR.

5th June 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
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32, Abingdon Street, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. PONSONBY, 116, Grafton Street, Dublin.

[Price 4d.]

(11b.)

[5 EDW. 7.] *Criminal Cases (Reservation of Points of Law).*
[H.L.]

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to amend the Crown Cases Act, 1848.

A.D. 1905.

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:—

5 **1.**—(1) Where on the trial of any person any judge refuses to reserve a question of law which he has power to reserve under section one of the Crown Cases Act, 1848, the person tried may, if convicted, apply within such time as may be fixed by rules of court to the King's Bench Division of the High Court, upon
10 affidavit of the facts, for a rule to show cause why the judge should not state a case under that Act in the same manner as if the question of law had been reserved.

Power of High Court to compel a case to be stated on points of law arising in criminal trials.

Any decision of the court refusing, granting, discharging or making absolute any such rule shall be final and without appeal,
15 and on the application for any such rule the court may in any case, if they think fit, make the rule absolute in the first instance.

(2) If the rule is made absolute, the judge shall state a case accordingly, and the Crown Cases Act, 1848, shall apply as if the question of law on which the case is stated had been reserved at
20 the trial.

(3) Any powers which may be exercised by the judge under section one of the Crown Cases Act, 1848, may be exercised by a court granting or making absolute a rule under this section, and the court may make such order as to the custody or admission to
25 bail of the prisoner as they think necessary.

(107.)

2 *Criminal Cases (Reservation of Points of Law).* [5 Edw. 7.]

A.D. 1905. — (4) In this Act the expression “judge” includes any person having power to reserve a question of law under section one of the Crown Cases Act, 1848.

Extension of powers of Court of Crown Cases Reserved.

2. The court hearing and determining a question of law with respect to which a case is stated under the Crown Cases Act, 1848, 5 whether in pursuance of this Act or otherwise, shall, in addition to the powers given to them by that Act, have power to order the re-trial of the case, and may also order that any conviction or judgment shall stand, if they consider that no miscarriage of justice has, in point of fact, occurred, notwithstanding that they 10 are of opinion that the question of law should have been decided in favour of the person convicted, and if the court order a re-trial of the case, they may make such order as to the custody or admission to bail of the prisoner and the renewal of the recognizances of the witnesses pending the re-trial as they think 15 necessary to meet the circumstances of the case.

Provision for legal aid on hearing of a case stated.

3. Where it appears to the court on the hearing^s of any case stated under the Crown Cases Act, 1848, whether in pursuance of this Act or otherwise, that it is desirable that a prisoner should be represented by counsel, the court may, if they think fit, certify that 20 the prisoner may have legal aid, and the expenses of such legal aid may be allowed and paid in the same manner as the costs for the prosecution are paid, subject to any rules which may be made for the purpose under the Prosecution of Offences Act, 1879, and to any regulations as to the rates or scales of payment which may be 25 made by a Secretary of State.

Power to direct re-trial at assizes of case tried at quarter sessions.

4. In the event of a re-trial being ordered under this Act of any case tried before a court of quarter sessions, the court ordering the re-trial may, if they think fit, order the case to be re-tried at the next practicable court of assize of the county or place in which 30 the venue was laid to be tried as if the bill of indictment had been presented to and found by the grand jury of the said county or place instead of the grand jury of the court of quarter sessions, and the bill of indictment, depositions, and all other documents and things relating to the indictment shall be transmitted from 35 the court of quarter sessions to the court of assize in accordance with any orders given for the purpose by the court ordering the re-trial.

Rules of court.

5. Rules of Court made under section seventeen of the Supreme Court of Judicature Act, 1875, may regulate generally 40 the practice and procedure under this Act.

[5 EDW. 7] *Criminal Cases (Reservation of Points of Law)*. 3

6.—(1) This Act may be cited as the Crown Cases Act, 1905, and the Crown Cases Act, 1848, and this Act may be cited together as the Crown Cases Acts, 1848 and 1905.

A.D. 1905.

Citation and
extent of
Act.

(2) This Act shall not extend to Scotland.

5 7. Where a court of quarter sessions reserve a question of law under the Crown Cases Act, 1848, any recognizances may, subject to any rules made under section twenty-nine of the Summary Jurisdiction Act, 1879, be taken out of court before any justice of the peace, or where any of the parties is in prison before the governor or other keeper of the prison, and the same consequences of law shall ensue as if the recognizances had been entered into before the court of quarter sessions by which the question of law was reserved.

Taking re-
cognizances
out of court
where
quarter
sessions
state case.

15 8. Where on the hearing and determining of a question of law with respect to which a case is stated under the Crown Cases Act, 1848, whether in pursuance of this Act or otherwise, the judgment of the court stating the case is affirmed, any sentence of penal servitude or imprisonment on the person convicted shall begin to run, in the case of a person admitted to bail from the date of his subsequent reception into prison, and in the case of a person committed to prison under sentence and not admitted to bail from the date on which he is so committed.

Date from
which
sentence
runs when
affirmed by
Court for
Crown cases
reserved.

**Criminal Cases
(Reservation of Points
of Law). [H.L.]**

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITLED

An Act to amend the Crown Cases
Act, 1848.

The Lord Chancellor.

Ordered to be printed 8th June 1905.

PRINTED BY EYRE AND SPOTTISWOOD,
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55, Abchurch Lane, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. PONSONBY, 116, Grafton Street, Dublin.

[Price 4d.]

(107.)

**Criminal Cases (Reservation of
Points of Law) Bill [H.L.]**

A M E N D M E N T S

T O B E M O V E D O N T H I R D R E A D I N G

B Y

T H E L O R D C H A N C E L L O R .

Clause 6, page 3, line 4, insert the following subsections :

(3) The provisions of this Act relating to legal aid on the Application to Ireland.
hearing of a case stated shall not apply to Ireland.

(4) Rules of Court made under section sixty-one of the 40 & 41 Vict. c. 57.
Supreme Court of Judicature Act (Ireland) 1877 may regulate
generally the practice and procedure under this Act in Ireland.

Clause 7, page 3, line 6, leave out from (" may ") to (" be ")
in line 8.

Drunkenness (Ireland) Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

**THE LORD PRESIDENT (E. VANE
(M. Londonderry)).**

17th July 1905.

**PRINTED BY EYRE AND SPOTTISWOODE,
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E. PONSORRY, 114, Grafton Street, Dublin.

[*Price 3d.*]]

(132 b.)

Drunkenness (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. As to married men when habitual drunkards.
 2. As to married women when habitual drunkards.
 3. Power to rescind or vary orders.
 4. Penalty for illegal seizure or pawning.
 5. As to appeal.
 6. Relief.
 7. Imprisonment.
 8. Penalty.
 9. Arrest.
 10. Penalty on persons found drunk in charge of children.
 11. Penalty for aiding and abetting a drunken person.
 12. Court to order persons to be of good behaviour.
 13. Witnesses.
 14. Short title and application of Act.
-

A

B I L L

INTITULED

An Act to amend the Law relating to Drunkenness in Ireland, and for purposes connected therewith. A.D. 1905.

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:—

- 5 **1.**—(1) Where in the opinion of a court of summary jurisdiction a married man is a habitual drunkard, as defined by section three of the Habitual Drunkards Act, 1879, the court may, on the application of any person specified in this section, make an order under this Act protecting—
- As to married men when habitual drunkards.
- 10 (a) The earnings or separate property of the wife of the drunkard;
- (b) Anything purchased by her or directed by her to be purchased with such earnings or property;
- 15 (c) The wearing apparel, school requirements, and earnings of her children or step-children;
- (d) Any tools, instruments, appliances or materials entrusted to her independently of her husband;
- (e) Any furniture, bedding, or other articles in use as household necessaries in her residence;
- 20 (f) Any tools, instruments, appliances, or other articles used in connection with any work, business, or calling engaged in by the wife or her children or step-children independently of her husband.
- 25 (2) The persons who may make an application to the court under this section are the wife of the habitual drunkard or his or her parent, child, brother, or sister, or any one holding
- (132.)

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A.D. 1905. the commission of the peace of the borough or county in which the alleged habitual drunkard resides, or the relieving officer of the district in which the alleged habitual drunkard resides, acting by the direction of the board of guardians.

As to married women when habitual drunkards.

2.—(1) Where in the opinion of a court of summary jurisdiction a married woman is a habitual drunkard, as defined by section three of the Habitual Drunkards Act, 1879, the court may, on the application of any person specified in this section, make an order under this Act, protecting—

- (a) Any furniture, bedding, or other articles in use as household necessaries in the residence of the husband of the drunkard; 10
- (b) The wearing apparel, school requirements, and earnings of his children or step-children;
- (c) Any tools, instruments, appliances, or other articles belonging to him, or entrusted to him independently of his wife. 15

(2) The persons who may make an application to the court under this section are the husband of the habitual drunkard or his or her parent, child, brother, or sister, or any one holding the commission of the peace of the borough or county in which the alleged habitual drunkard resides, or the relieving officer of the district in which the alleged habitual drunkard resides, acting by the direction of the board of guardians. 20

Power to rescind or vary orders.

3. The court may at any time rescind or vary an order under this Act. 25

Penalty for illegal seizure or pawning.

4. While an order under this Act is in force it shall not be lawful to seize or sell any article specified therein for the satisfaction or discharge of any debt or liability of the habitual drunkard, or knowingly to receive from him or on his behalf any such article in pledge or pawn, or for him to sell or give in pledge or pawn any such article; and any person knowingly acting in contravention of this enactment shall be liable, on summary conviction, to a fine not exceeding forty shillings, or to imprisonment, with or without hard labour, for any period not exceeding one month. 30 35

As to appeal.

5. Any order made under sections one and two of this Act shall be subject to appeal as if it were an order imposing a fine of more than twenty shillings, or inflicting imprisonment of more than one month's duration. 40

[5 EDW. 7.]

Drunkenness (Ireland).

8

7. Notwithstanding anything to the contrary in the Employers and Workman Act, 1875, where the breach of contract for which damages are awarded under that Act consists of or includes drunkenness, or was directly contributed to by drunkenness, the court may award imprisonment in default of the payment of the said damages as if the same were a penal sum.

A.D. 1905.

Imprisonment.

8. Any person who being drunk while in charge of any person, animal, or thing, endangers the life or limb of any person, shall be liable, on summary conviction, to a fine not exceeding forty shillings, or to imprisonment, with or without hard labour, for a period not exceeding one month.

Penalty.

9. The owner or manager of any premises may require any constable on duty to arrest and remove from such premises any person in his employment who is found drunk thereon.

Arrest.

10.—(1) Any person found drunk in any place, whether a building or not, to which the public have access, whether on payment or not, or on any licensed premises, while in charge of a child apparently under the age of seven years, may be apprehended, and shall, if the child appears to the court to be under that age, be guilty of an offence under this section, and be liable, on summary conviction, to a fine not exceeding forty shillings, or to imprisonment, with or without hard labour, for any period not exceeding one month.

Penalty on persons found drunk in charge of children.

(2) An offence under this section shall be deemed to be included in the list of offences mentioned in the First Schedule to the Inebriates Act, 1898, and in section sixty of the Licensing Act, 1872.

11. Any person who, being on any premises licensed for the sale of intoxicating liquors, whether for consumption on or off such premises, shall procure, or attempt to procure, any intoxicating liquor for consumption by any drunken person, or who shall aid and abet any drunken person in obtaining or consuming any intoxicating liquor on any premises, or in the immediate vicinity of any premises so licensed as aforesaid, shall be liable, on summary conviction, to a fine not exceeding forty shillings, or to imprisonment, with or without hard labour, for any period not exceeding one month: Provided that no person shall be liable to conviction under this section unless the court is satisfied that he knew, or ought to have known, the drunken condition of the person in respect of whom the charge is brought.

Penalty for aiding and abetting a drunken person.

A.D. 1905. **12.** Where a person is convicted of any offence included, or deemed to be included, in the list of offences mentioned in the First Schedule to the Inebriates Act, 1898, the court may, either in addition to or in substitution for any other penalty, order the offender to enter into a recognizance with or without sureties to be of good behaviour. 5

Witnesses. **13.** In all proceedings under this Act a husband or wife shall be a competent witness.

Short title and application of Act. **14.** This Act shall apply to Ireland only, and may be cited as the Drunkenness (Ireland) Act, 1905. 10

Drunkenness (Ireland).

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B I L L

[AS AMENDED IN COMMITTEE]

INTITLED

An Act to amend the Law relating to Drunkenness in Ireland, and for purposes connected therewith.

(Brought from the Commons 10th July 1905.)

Ordered to be printed 17th July 1905.

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[*Price 1d.*]

(144.)

[5 EDW. 7.] *Dundee Water Order Confirmation.*

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B I L L

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Water. A.D. 1905.

WHEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should 62 & 63 Vict. c. 47.

5 be confirmed by Parliament:

Be it therefore 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:—

10 1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Dundee Water Order Confirmation Act 1905. Short title.

A.D. 1905.

SCHEDULE.

DUNDEE WATER.

Provisional Order to empower the Dundee Water Commissioners to construct additional Waterworks to further extend their limits of supply and of compulsory supply and for other purposes. 5

WHEREAS the Dundee Water Commissioners (hereinafter called "the Commissioners") were incorporated by the Dundee Water Act 1869 (hereinafter called "the Act of 1869") and supply water to the burgh of Dundee and suburbs and places adjacent within the limits of supply and of compulsory supply as defined by that Act and extended by the Dundee Water Act 1882 (hereinafter called "the Act of 1882") and the Dundee Water Act 1891 (hereinafter called "the Act of 1891") : 10

And whereas in order to provide for the greater purity of the water supplied by the Commissioners from their reservoirs at Monikie and Crombie it is necessary and expedient that they should be authorised to make and maintain the Works Nos. 1 2 3 and 4 hereinafter described and it is also expedient to strengthen and increase the carrying capacity of their aqueduct conduit or line of pipes from their reservoir at Lintrathen to Dundee by the construction of the Work No. 5 hereinafter described : 20

And whereas it is expedient that the limits for the supply of water by the Commissioners as specified in the said Acts should be extended as in this Order provided : 25

And whereas the Commissioners at present supply water to the burgh of Carnoustie in the county of Forfar under an agreement dated the fifteenth and twentieth days of April one thousand eight hundred and ninety-six entered into between them and the then commissioners of the burgh of Carnoustie as the local authority under the Public Health Acts who are now represented under the provisions of the Burgh Police (Scotland) Acts 1892 to 1903 and the Town Councils (Scotland) Act 1900 by the provost magistrates and councillors of the burgh of Carnoustie (in this Order called "the Carnoustie Town Council") which agreement will expire on the fifteenth day of May one thousand nine hundred and six : 30 35

And whereas the said commissioners of Carnoustie by the said agreement bound themselves inter alia to provide all wayleaves

[5 Edw. 7.] *Dundee Water Order Confirmation,*

8

necessary for pipes and works and also a meter house and further
agreed to provide lay down and maintain all the piping and works
necessary for such supply of water under the said agreement and
they accordingly provided the said wayleaves and executed the said
5 works and other works in connection therewith :

A.D. 1905.

And whereas it has been agreed between the Commissioners
and the Carnoustie Town Council that subject to the sanction of
Parliament the limits for the compulsory supply of water by the
Commissioners as specified and defined in the Act of 1869 the Act
10 of 1882 and the Act of 1891 should be extended so as to include
therein the said burgh of Carnoustie and it is expedient that the
said limits for compulsory supply should be extended accordingly :

And whereas it is also expedient that the Commissioners
should be authorised to raise further money for the purposes of
15 the works to be authorised by and the other purposes of this Order
and for the general purposes of their undertaking and that they
should be enabled to create and issue additional debenture stock in
manner specified in this Order :

And whereas it is expedient that the other powers hereinafter
20 mentioned should be conferred on the Commissioners in relation to
their undertaking :

And whereas plans and sections showing the lines and levels
of the works authorised by this Order and also books of reference
containing the names of the owners and lessees or reputed owners
25 and lessees and of the occupiers of the lands and other property
required or which may be taken for the purposes or under the
powers of this Order were duly deposited in the offices at Forfar
Dundee and Arbroath respectively of the principal sheriff clerk of
the county of Forfar and in the offices at Perth and Dunblane
30 respectively of the principal sheriff clerk of the county of Perth
and are hereinafter respectively referred to as the deposited plans
sections and books of reference :

And whereas the purposes aforesaid cannot be effected with-
out an Order of the Secretary for Scotland confirmed by Parliament
35 under the provisions of the Private Legislation Procedure (Scotland)
Act 1899 :

Now therefore in pursuance of the powers contained in the
last-mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited for all purposes as the Dundee Short title.
40 Water Order 1905 and this Order and the recited Acts (as
(78.) A 2

A.D. 1905. hereinafter defined) may be cited together as the Dundee Water Acts 1869 to 1905.

Incorporation of general Acts.

2. The following Acts and parts of Acts (so far as the same respectively are applicable for the purposes and are not inconsistent with the provisions of this Order) are hereby incorporated with and form part of this Order :—

The Lands Clauses Acts ;

The Waterworks Clauses Act 1847 except the provisions with respect to the communication pipes to be laid by the Undertakers and also the provisions with respect to the amount of profit to be received by the Undertakers when the waterworks are carried on for their benefit and also with exception of clauses 68 70 71 and 72 ;

The Waterworks Clauses Act 1863 ;

The clauses and provisions of the Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof :

Provided always as regards the said last-mentioned Act that the said clauses and provisions shall be read so as to apply only to the Works Nos. 1 2 3 and 4 by this Order authorised and the works immediately connected therewith and as if such works were therein referred to instead of “the railway” and as if the boundaries of the said works were therein mentioned instead of “the centre of the railway” and as if the commissioners were therein mentioned instead of “the company.”

Interpretation.

3. The several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned shall in this Order have the same respective meanings unless there be something in the subject or context repugnant to such construction :—

The expression “the recited Acts” means and includes the following Acts (that is to say) the Act of 1869 the Dundee Water Extension Act 1871 the Dundee Water Amendment Act 1872 the Dundee Water (Additional Powers) Act 1874 the Act of 1882 the Act of 1891 and the Dundee Corporation Act 1894 so far as relating to the Commissioners and their undertaking :

The expression “the commencement of this Order” means the date of the passing of the Act confirming this Order.

4. Subject to the provisions of this Order the Commissioners may make and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the works hereinafter described and shown on the deposited plans with all
 5 proper approaches works and conveniences connected therewith and may enter on take and use such of the lands described in the deposited plans and books of reference as they require for those purposes. The works hereinbefore referred to and authorised by this Order are—

A.D. 1905.

Power to
make works
and take
lands &c.

- 10 (1) Four filter beds (Work No. 1) in the parish of Murroes and county of Forfar in a field forming part of the farm of Easterton of Gagie commencing at the well marked "Filtering Well" and numbered 241 on the
 15 Ordnance survey map (scale $\frac{1}{2500}$ being 25·344 inches to the mile) of the said parish published in 1902 and known as "Gagie Well" belonging to the Commissioners which is situated at the termination of the Commissioners' existing stone aqueduct from Monikie commonly called Gagie Aqueduct and terminating
 20 four hundred feet or thereby to the eastward of the said Gagie Well :
- (2) A clear water basin or reservoir (Work No. 2) in the parish of Murroes and county of Forfar the centre whereof will be a point where a straight line two
 25 hundred feet or thereby in length drawn in a southerly direction from the centre of the said Gagie Well would intercept another straight line two hundred and eighty feet or thereby in length drawn in a northerly direction from the north-west corner of the farm
 30 steading of Easterton of Gagie :
- (3) Two filter beds (Work No. 3) in the parish of Panbride and county of Forfar in the south-west corner of the field forming part of the farm of Mains of Panmure numbered 171 on the Ordnance survey map (scale
 35 $\frac{1}{2500}$ being 25·344 inches to the mile) of the said parish of Panbride published in 1902 :
- (4) A clear water basin or reservoir (Work No. 4) in the parish of Panbride and county of Forfar the centre whereof will be a point where a straight line two
 40 hundred and eighteen feet or thereby in length measured eastward from the east gable of the cottar houses of the farm of Mains of Panmure would intercept

A.D. 1905.
—

another straight line one hundred and sixty-eight feet or thereby in length drawn in a north-easterly direction from the point forming the junction of the east boundary of the public road leading to Monikie from the public road between Dundee and Arbroath 5 and the north boundary of the private road leading to Panmure policies opposite the private road leading to the farm of Mains of Panmure :

- (5) An aqueduct conduit or line of pipes (Work No. 5) commencing in the parish of Alyth and county of Perth 10 in and by a junction with the existing line of pipes of the Commissioners firstly described in and authorised by the Dundee Water Amendment Act 1872 at a point five yards or thereabouts northward from the north wall of the sluice house on said existing line of pipes commonly called the Shangie Sluice House and terminating by a junction with the said existing line of pipes in the parish of Newtyle and county of Forfar at a point eighty yards or thereabouts measured in a straight line north-eastwards from the north-east 20 corner of the dwelling-house of Hatton of Newtyle in the said parish of Newtyle.

Powers as regards maintenance and improvement of works

5. The Commissioners may subject to the provisions of this Order in connection with the works or any of them authorised by this Order make lay erect and maintain such embankments dams 25 weirs channels sluices catch-water drains culverts cuts aqueducts tunnels bridges roads cisterns gauges main and distributing pipes buildings dwelling-houses for servants and other works and conveniences as may be necessary or expedient for effecting or carrying out the objects or purposes of this Order or any of them and 30 the Commissioners may subject as aforesaid from time to time on or within any of their lands or on or over any lands on or over which they by agreement have or may acquire right so to do alter replace enlarge and increase the number and size of the works (other than reservoirs) conduits aqueducts mains and pipes 35 authorised by the recited Acts and this Order and may from time to time alter replace enlarge and increase the number and size of the works mains and pipes from time to time in use for conveying and distributing water for the purposes of the recited Acts and this Order. 40

Portions of an existing pipe may be

6. The Commissioners may disjoin uplift remove and appropriate the existing line of pipes of the Commissioners firstly

[5 Edw. 7.] *Dundee Water Order Confirmation.*

7

described in and authorised by the Dundee Water Amendment Act 1872 from the commencement to the termination of the aqueduct conduit or line of pipes being Work No. 5 by this Order authorised and hereinbefore described and the value of the portion of the said existing line of pipes so appropriated as such value shall be certified by the engineer of the Commissioners for the time being shall be credited to capital in the accounts of the Commissioners.

A.D. 1905.
disjoined and
appropriated.

7. Where the line of any work shown on the deposited plans passes along any road and limits of lateral deviation are not marked thereon the Commissioners may in constructing the works deviate laterally from the lines thereof as laid down on those plans to the extent of the boundaries of the road and elsewhere the Commissioners may in constructing the works by this Order authorised deviate laterally from the lines thereof as shown on the deposited plans to the extent of the limits of lateral deviation shown thereon.

Limits of
lateral deviation.

8. In the construction of the works authorised by this Order the Commissioners may deviate vertically from the levels shown on the deposited sections in the case of the Works Nos. 1 2 3 and 4 to any extent not exceeding five feet and in the case of the Work No. 5 to any extent not exceeding five feet upwards or seven feet downwards :

Limits of
vertical
deviation.

Provided as follows (that is to say) :—

The Commissioners shall not construct any embankment or wall of any reservoir of a greater height above the general surface of the ground than that shown on the deposited sections in respect of the corresponding embankment or wall and three feet in addition :

Except for the purposes of crossing over a stream no part of the pipes shall be raised above the surface of the ground unless and except so far as is shown on the deposited sections.

9. The Commissioners may on any lands which they may acquire under the powers of this Order or otherwise construct all such drains channels and other works as they think necessary or desirable for preventing sewage or polluting liquids from entering or polluting the reservoirs conduits or watercourses of the Commissioners or any waters flowing into the same.

For protec-
tion of water-
works from
pollution.

10. The Commissioners may subject to the provisions of this Order take by agreement and any person by the Lands Clauses

Power to
agree for ser-
vitudes &c.

A.D. 1905. Acts or otherwise enabled to sell and convey or dispose of lands may grant to them any estate servitude interest right or privilege (not being a servitude of water in which persons other than the grantors have an interest) in over affecting or belonging to lands at a price or yearly rent feu duty or otherwise but in the case of a person not enabled otherwise than by the said Acts to sell lands then subject and according to the provisions relative to the taking of lands by agreement contained in the said Acts and for the purposes of this section any such estate servitude interest right or privilege shall be deemed to be lands within the meaning of those Acts.

Power to acquire servitudes only for lines of pipes.

11. The Commissioners may in lieu of acquiring any lands for the purpose of the aqueduct conduit or line of pipes by this Order authorised acquire such servitudes and rights in such lands as they may require for the purpose of making maintaining cleansing and repairing the same and may give notice to treat in respect of such servitudes and rights and may in such notice describe the nature thereof and the several provisions of the Lands Clauses Acts (inclusive of those with regard to limited owners and to arbitration and the summoning of a jury) shall apply to such servitudes and rights as fully as if the same were lands within the meaning of such Acts :

Provided that nothing herein contained shall authorise the Commissioners to acquire by compulsion any such servitude in any case in which the owner in his particulars of claim shall require the Commissioners to acquire the lands in respect of which they have given notice to treat for the acquisition of a servitude only and every notice to treat for the acquisition of a servitude shall be endorsed with notice of this proviso :

Provided that as regards any lands taken or used by the Commissioners for the purpose of making such aqueduct conduit or line of pipes the Commissioners shall not (unless they give notice to treat for and have acquired such lands and not merely servitudes therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Commissioners.

Power to acquire and hold lands

12. The Commissioners may by agreement purchase acquire and hold any lands within the drainage area of the works by this

[5 EDW. 7.] *Dundee Water Order Confirmation.*

9

Order authorised or acquire servitudes or restrictions over or acquire by lease for such period of years as they may think fit any such lands which may in their opinion be necessary or desirable for the purpose of securing the purity of the water in the drainage area of
 5 the waterworks of the Commissioners and of protecting their water supply against pollution nuisance encroachment or injury and so long as such necessity shall continue such lands to be acquired shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts Provided that the Commissioners shall not
 10 create or permit any nuisance on the lands which may be so acquired and shall not erect or permit the erection of any buildings on such lands except such as are required in connection with their waterworks undertaking or for farm buildings.

A.D. 1905.
 for protec-
 tion of works
 and preven-
 tion of pollu-
 tion.

The Commissioners may from time to time let for such
 15 period as they think fit or sell or feu any land acquired under this section or any land or property already acquired by agreement and at present held by them and which is not required for the purposes of their undertaking on such terms conditions and restrictions as regards its use as to the Commis-
 20 sioners may seem fit and to secure that such land shall not be manured or broken up for tillage and that no buildings which may prejudicially affect the water supply or the purity of the water shall be erected thereon The proceeds of the sale of any lands by the Commissioners shall only be applied to purposes of this Order to
 25 which capital is properly applicable.

13. In addition to the lands authorised to be taken and acquired under the powers of this Order the Commissioners may purchase by agreement lands not exceeding ten acres for the purposes of depots pipe yards and other buildings and conveniences
 30 in connection with their undertaking but nothing in this Order shall exonerate the Commissioners from any action interdict or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land purchased under the powers of this section and no house or building shall be erected on
 35 any such lands other than any houses or buildings which may be required in connection with the undertaking of the Commissioners.

Lands for ex-
 traordinary
 purposes.

14. And whereas in the construction of the works by this Order authorised or otherwise in the exercise by the Commissioners of the powers of this Order it may happen that portions only of
 40 certain properties shown or partly shown on the deposited plans

Owners may
 be required
 to sell parts
 only of
 certain pro-
 perties.

(78.)

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A.D. 1905. will be sufficient for the purposes of this Order or any of them and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto therefore the following provisions shall have effect :—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Schedule to this Order and whereof a portion only is required for the purposes of this Order or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Commissioners that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Commissioners such portion only without the Commissioners being obliged or compellable to purchase the whole the Commissioners paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Commissioners allege that such portion cannot be so severed the jury arbiter or arbiters or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Commissioners have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder

without material detriment thereto the owner may be required to sell and convey to the Commissioners the portion which the tribunal shall have determined to be so severable without the Commissioners being obliged or compellable to purchase the whole the Commissioners paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :

A.D. 1905.

- 5
- 10 (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and
- 15 order that the costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :
- 20 (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Commissioners may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses
- 25 reasonably and properly incurred by him in consequence of such notice :
- 30 (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Commissioners in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly
- 35 incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation (Scotland) Act 1845

40 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that

A.D. 1905. — any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

The provisions of this section shall be stated in every notice 5 given thereunder to sell and convey any premises.

Restriction on taking houses of labouring class.

15.—(1) The Commissioners shall not under the powers of this Order purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1897 ten or more houses which on the fifteenth day of December last were occupied either wholly 10 or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland 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 :

(2) If the Commissioners acquire or appropriate any house or 15 houses in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom 20 Provided that the court may if it think fit reduce such penalty :

(3) For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" means mechanics artisans 25 labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them. 30

For protection of Caledonian Railway Company.

16. For the protection of the Caledonian Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed between the Commissioners and the company have effect (that is to say) :—

(1) In carrying the aqueduct conduit or line of pipes (Work 35 No. 5) in through under or across the railways and property of the company at Jordanstone Station and Meigle Station the Commissioners notwithstanding the limits of deviation by this Order authorised shall not without the consent of the company deviate the same 40

laterally or vertically to a greater extent than eighteen inches from the line and level thereof as shown on the deposited plans and sections Provided that the said aqueduct conduit or line of pipes shall be carried under the company's railways within the existing culvert carrying the existing line of pipes under the said railways and the Commissioners shall not be entitled to raise the top level of the said existing culvert or to construct any additional culverts or extend any existing culvert at a higher top level than the existing culvert and shall only be entitled under the powers of this Order to take or acquire a servitude or wayleave right in through under or across the company's railways and property at the said stations for the construction of the said aqueduct conduit or line of pipes or any eyes manholes or scourcocks in connection therewith:

A.D. 1905.

- (2) The said aqueduct conduit or line of pipes where the same crosses under the company's Alyth branch and main line of railway at Alyth Junction Station shall be constructed so far as situated in through under or across the company's railway and property in the same line and at the same level in relation to the existing lines of rails as the existing line of pipes where it passes under and across the existing lines of rails of the said Alyth branch and main line of railway at said station and notwithstanding the limits of deviation by this Order authorised the Commissioners shall not without the consent of the company deviate said aqueduct conduit or line of pipes either laterally or vertically to a greater extent than eighteen inches from the line and level thereof as shown on the deposited plans and sections Provided that the said aqueduct conduit or line of pipes shall be carried under the company's railways within the existing culvert carrying the existing line of pipes under the said railways and the Commissioners shall not be entitled to raise the top level of the said existing culvert or to construct any additional culvert or extend any existing culvert at a higher top level than the existing culvert and all eyes manholes and scourcocks in connection with the existing line of pipes in or under the company's railways and property at said station shall be removed by the

A.D. 1905.

Commissioners from the company's said railways and property and the Commissioners shall not be entitled under the powers of this Order to construct any new or additional eyes manholes or scourcocks in or under the said railway and property and shall only be entitled 5 under the powers of this Order to take or acquire a servitude or wayleave right in through under or across the company's railways and property at the said station for the construction of the said aqueduct conduit or line of pipes or any eyes manholes or scourcocks in 10 connection therewith :

- (3) The Commissioners shall give not less than twenty-one days' notice in writing to the company of the intention to commence the construction and execution of the said aqueduct conduit or line of pipes or other 15 works at and in the vicinity of the company's said railways and property and shall at the same time submit detailed plans and sections and specifications for the approval of the company and if the company do not within twenty-one days after such submission 20 signify in writing disapproval of such plans and sections and specifications they shall be deemed to be approved and if within the said period of twenty-one days the company signify in writing disapproval of such plans and sections and specifications or make 25 any requirements in relation thereto to which the Commissioners do not agree any difference arising therefrom shall be determined by an arbiter to be appointed failing agreement by the Board of Trade in manner hereinafter provided : 30
- (4) The said aqueduct conduit or line of pipes and other works at and in the vicinity of the company's railways and property shall be maintained by the Commissioners in all time coming in a state of proper repair and at the sole risk of the Commissioners : 35
- (5) The Commissioners shall not enter upon or interfere with the company's railways or property further or otherwise than may be necessary for constructing the said aqueduct conduit or line of pipes and other works in the manner before provided and they shall 40 not alter or interfere with the lines of rails or levels

of the company's railways or property and shall only acquire such servitude in through under or across the railways and property of the company as may be required for the making maintaining repairing and using the works of the Commissioners in manner before provided :

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- (6) All works and operations of the Commissioners shall be constructed and executed and done so as not to cause any injury to the company's railways or any interruption to the passage or conduct of the traffic over the railways and if any such injury or interruption shall arise from or be in any way owing to the works or operations of the Commissioners or the bursting or leakage of the said aqueduct conduit or line of pipes or other works of the Commissioners the Commissioners shall make good or remove such injury or interruption at their own expense or the company may do the same and the Commissioners shall pay to the company all costs and expenses loss or damage incurred or sustained by them in consequence thereof :
- (7) In the event of any damage being caused to the company's railways or the works connected therewith during and in consequence of the operations connected with the laying of the said aqueduct conduit or line of pipes over and under the same or at any time thereafter the Commissioners shall be liable to the company for the actual amount of such damage as the same shall failing agreement be ascertained by an arbiter to be appointed by the Board of Trade as hereinafter provided :
- (8) If any difference shall arise between the Commissioners and the company or between their respective engineers as to any matter arising under the provisions of this section or as to any plans or sections working drawings or specifications or the mode of executing any works or as to any costs loss or damage provided for in this section such difference shall be determined by an arbiter to be appointed failing agreement by the Board of Trade on the application of the Commissioners or the company and the costs of any such reference shall be borne and paid as the arbiter shall direct.

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 For pro-
 tection of
 county
 council of
 Forfarshire.

17. The following provisions shall have effect for the benefit and protection of the county council of the county of Forfar (in this section called "the county council") unless otherwise agreed in writing between the county council and the Commissioners (that is to say):—

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- (1) If at any time it appears to the county council or to any Committee thereof including the district committees of the Arbroath and Forfar districts of the said county acting in their respective districts (in this section called "the district committees") that having regard to the average expense of renewing maintaining or repairing the highways roads and bridges maintainable and repairable by them in the neighbourhood of any of the works authorised by this Order extraordinary expenses have been incurred by the county council or such committees in renewing maintaining or repairing any of such highways roads or bridges by reason of extraordinary traffic thereon caused by or arising in consequence of the execution of any such works the Commissioners shall pay to the county council the amount of such extraordinary expenses and failing agreement as to the amount thereof the county council may recover in a summary manner from the Commissioners such amount as may be proved to the satisfaction of the sheriff to have been incurred by the county council or any of such committees in respect of such extraordinary traffic aforesaid: 10 15 20 25
- (2) A clear and sufficient carriageway shall be kept for the passage of carriages and traffic along every highway road and bridge during any interference therewith by the Commissioners and in case of default in compliance with this provision the district committees of the county council may by their own servants and workmen clear any such carriageway and may recover the expenses of and incident thereto from the Commissioners: 30 35
- (3) Nothing in this Order shall interfere with the right of the county council to alter the level of or deviate or improve in any manner they may think fit any highway or road in or across which any pipe of the Commissioners shall be laid or to renew widen or improve 40

any bridge on or near which any such pipe shall be laid and the Commissioners shall forthwith on receiving notice in writing under the hand of the clerk to the county council so to do alter the position of the said pipes in the manner and to the extent prescribed by such notice :

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(4) If any difference arise between the county council and the Commissioners touching subsections (2) and (3) of this section or anything to be done or not to be done thereunder such difference shall be determined by an arbiter to be appointed by the sheriff of the county of Forfar on the application of either party and the decision of the said arbiter shall be binding and conclusive on all parties :

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(5) The Commissioners shall construct and maintain in connection with the aqueduct conduit or line of pipes by this Order authorised crossing or passing along any highway or road hydrants or other suitable apparatus or appliances for taking water from the said pipes which shall be placed along and at the side of such highways or roads and in such positions as shall be arranged between the Commissioners and the district committees and the county council but the Commissioners shall not be bound to place more than one such hydrant in each of the portions of highway or road across or along which the said aqueduct conduit or line of pipes passes and the district committees shall be entitled to the use of the same and to take water thereby free of charge through their servants and workmen for the purpose of their road engines and the renewal maintenance and repair of highways and roads and bridges and the extinguishing of fires but the water shall not be so taken or used for any other purpose unless otherwise agreed upon as aforesaid :

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(6) The Commissioners shall make full compensation to all persons (including the county council and the district committees) for all damage and injury losses and expenses whatsoever which they may from time to time sustain by reason or in consequence of the bursting or giving way of the reservoirs or of the aqueduct conduit or line of pipes by this Order

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A.D. 1905.

authorised and of the flooding that may be thereby occasioned :

(7) The provisions of this section shall apply only to the aqueduct conduit or line of pipes by this Order authorised and shall not apply to the renewal or 5 repair of any works of the Commissioners heretofore constructed or authorised or affect the powers which the Commissioners presently possess in connection with their existing works.

Period for compulsory purchase of lands

18. The powers of the Commissioners for the compulsory 10 purchase of lands for the purposes of this Order shall cease after the expiration of three years from the commencement of this Order.

Period for completion of works.

19. If the works authorised by this Order are not completed within seven years from the commencement of this Order then on 15 the expiration of that period the powers by this Order granted to the Commissioners for executing any works not so completed or in relation thereto shall cease except as to so much thereof as is then completed but nothing herein contained shall restrict the Commis- 20 sioners from extending enlarging altering replacing increasing or removing any of their engines machinery conduits filter-beds aqueducts mains or pipes or improving their supply of water at any time and from time to time as occasion requires subject to the provisions of this Order.

Commis- sioners to assume balance of Carnoustie water debt and works vested in them.

20. The Commissioners shall as from and after the fifteenth 25 day of May one thousand nine hundred and six relieve the Carnoustie Town Council of the balance remaining due of the principal moneys borrowed by the Carnoustie Town Council or their predecessors as local authority of the burgh of Carnoustie for the purposes of the construction of their existing water works 30 after payment by them of all instalments of principal and of all interest due and payable by them at and prior to the said date in respect of such borrowed moneys and thereupon the whole reservoirs water mains pipes valves plant apparatus and generally the whole water undertaking of and presently belonging to the 35 Carnoustie Town Council and which were constructed laid down and provided for the purpose of supplying water to the said burgh of Carnoustie together with all title deeds plans reports and other documents relating thereto shall subject to and under burden of all feu-duties way-leave rent and other periodical 40

payments and obligations affecting the water undertaking of the Carnoustie Town Council as from and after the said fifteenth day of May one thousand nine hundred and six become the property of and are hereby vested in the Commissioners and shall form
 5 part of the undertaking of the Commissioners in all respects as if the same had been constructed and provided by them under powers contained in the recited Acts :

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Provided that should there be any surplus from any water rate levied by the Carnoustie Town Council prior to the said fifteenth
 10 day of May one thousand nine hundred and six such surplus shall effeir and belong to them and be credited to their ordinary assessments account and in like manner should any deficiency arise from any such water rate prior to the said date such deficiency shall be borne and paid by the Carnoustie Town Council from
 15 the sums raised under their ordinary assessments.

21. Subject to the provisions of this Order the limits of supply specified in the Act of 1869 as extended by the Act of 1882 and the Act of 1891 are hereby further extended to and shall comprise and include the following additional area in the parishes of Monikie
 20 Barry and Panbride and county of Forfar viz. :—

Extension of limits and of compulsory limits of supply.

The area embraced by a line drawn from the north-east corner of the said existing limits at the junction of the public road leading from Dundee to Arbroath commonly called the Arbroath Road with the public road leading from Monifieth to Newbigging of Monikie to and thence in a north-easterly direction along the north side of the said Arbroath Road to
 25 a point thereon which would be intersected by the prolongation of the eastern side of the public road leading from Carlogie to Carnoustie commonly called Carlogie Road
 30 thence south-eastwards and southwards along the eastern side of the said Carlogie Road to the point of junction thereof with the present boundary of the burgh of Carnoustie thence following the eastern boundary of said burgh of Carnoustie to low-water mark of ordinary spring tides
 35 and thence southwards and westwards along low-water mark to the south-east corner of the said existing limits and thence along the eastern boundary of the said existing limits to the point of commencement :

and the limits of compulsory supply specified in the Act of 1869 as
 40 extended by the Act of 1882 and the Act of 1891 are hereby further

A.D. 1905. extended to and shall comprise and include the burgh of Carnoustie as at present constituted and the provisions of the recited Acts and this Order shall apply to the said extended limits respectively as fully and effectually as they apply to the limits of supply and the limits of compulsory supply respectively specified in the Act of 5 1869 the Act of 1882 and the Act of 1891 Provided that the domestic water rate provided by section 45 of the Act of 1869 to be assessed and levied by the Commissioners as therein mentioned shall in like manner be assessed and levied by them within the burgh of Carnoustie from and after the said fifteenth day of May 10 one thousand nine hundred and six to the same amount as the said rate shall for the time being be assessed and levied by the Commissioners within the remaining parts of their limits of compulsory supply Provided also that the public water rate provided by section 46 of the Act of 1869 to be assessed and levied by the 15 Commissioners as therein mentioned shall in the manner and subject to the exceptions and limitations mentioned in that section be assessed and levied by them within the said burgh of Carnoustie for a period of twenty-five years from and after the fifteenth day of May one thousand nine hundred and six at the rate of fourpence 20 halfpenny in the pound of the real rent or full annual value of all lands and heritages within the said burgh subject to the exceptions and limitations specified in the said section and that from and after the expiry of the said period of twenty-five years the said public water rate shall be assessed and levied by the Commissioners 25 within the said burgh to the same amount as that rate shall for the time being be assessed and levied by the Commissioners within the remaining parts of their limits of compulsory supply.

Transitory provisions as to Carnoustie water works.

22. The Carnoustie Town Council shall until the fifteenth day of May one thousand nine hundred and six maintain and uphold 30 their existing water works in proper order and repair and regularly bear and pay all instalments in extinction of moneys borrowed by them or their predecessors as local authority of the burgh of Carnoustie for the purposes of the construction of such water works and also all interest and periodical payments and outlays and 35 other payments in respect thereof and of their said existing water works as the same fall due Provided that they shall not make any addition to capital account applicable to their said existing water works nor construct or lay down any works the cost of which would be properly chargeable to capital account unless with 40 the express consent of the Commissioners previously had and obtained.

23. Notwithstanding anything to the contrary contained in the recited Acts and particularly in section 48 of the Act of 1869 it shall be lawful for the Commissioners to levy for or in respect of the supply of water for domestic purposes to any person within the limits of supply who is not entitled to demand such supply a rate not exceeding the amount of the domestic water rate which shall be levied at the time with fifty per centum of the amount of the said rate in addition thereto. A.D. 1905.
Rate for supply for domestic purposes beyond limits for compulsory supply.
24. For the purpose of executing any necessary work of repair or of cleansing or of examining any of the water works of the Commissioners the Commissioners may cause the water in any such works to be temporarily discharged into any available stream or watercourse. In the exercise of the power conferred by this section the Commissioners shall do as little damage as may be and shall make full compensation to all persons for any damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration. Powers for repair of aqueducts and temporary discharge of water into streams.
25. The Commissioners may establish and maintain such wires and apparatus for the transmission of messages and other communications wholly or partially by means of electricity or by telephone (which wires and apparatus are in this section called "any such apparatus as aforesaid") as they think expedient or necessary for the better execution of any of the powers or authorities for the time being vested in them and in relation to any such apparatus as aforesaid for the purposes of the Telegraph Act 1863 the Commissioners shall be in the like position in all respects as a company authorised by special Act of Parliament to construct and maintain telegraphs would be or might have been under that Act but nothing in this Order shall authorise the Commissioners to work any such apparatus as aforesaid in consideration of any money payment or any valuable consideration or for any purpose other than the execution of their powers and authorities aforesaid or in contravention of any exclusive privilege by law vested for the time being in the Postmaster-General or to place any such apparatus as aforesaid in over along or across any railway without the consent of the owners or lessees of or company or person working such railway or to construct any such apparatus as aforesaid which shall interfere in any way with any telegraphic line in the possession or under the control of the Postmaster-General or of any owner or lessee of or company or person working any railway and the Power to establish communication with works by means of electricity.

A.D. 1905. Commissioners shall within forty-eight hours of the service on them of a notice in writing by the Postmaster-General in that behalf remove or alter to the satisfaction of the Postmaster-General any such apparatus as aforesaid which in the opinion of the Postmaster-General interferes or will interfere with the efficient or convenient maintaining working or user of any telegraphic line which the Postmaster-General has constructed or desires to construct and in default of such removal or alteration as aforesaid the Postmaster-General may remove or alter any such apparatus as aforesaid at the expense of the Commissioners In this Order the expression "telegraphic line" has the same meaning as in the Telegraph Act 1878.

As to borrowing powers in recited Acts.

26. The powers to borrow and raise money contained in the recited Acts and to grant security or create debenture stock for such borrowed money shall and may be exercised by the Commissioners for the purposes of this Order as well as for the purposes of the recited Acts and the money so borrowed or raised may be applied for the said purposes so far as the same are purposes to which capital is properly applicable.

Power to borrow additional money.

27. In addition to any money which the Commissioners have borrowed or raised or are authorised to borrow or raise under the recited Acts the Commissioners may from time to time under the authority of this Order borrow or raise all such sums as may be requisite for the purposes of the recited Acts and of this Order and of their undertaking not exceeding the sum of fifty thousand pounds on the security of the revenues of the property and works forming their undertaking and of the several rates and charges leviable by them under the provisions of the recited Acts and this Order and if after having borrowed or raised the said sums or any part thereof the Commissioners pay off the same by other means than by the sinking fund it shall be lawful for them again to borrow or raise the amount so paid off and so from time to time.

Security for borrowed money.

28. Subject to the provisions of this Order the money authorised to be borrowed or raised by this Order may be secured by mortgages in terms of and as provided for in the Act of 1869 with regard to the money thereby authorised to be borrowed or may be raised by the creation and issue of debenture stock of the Commissioners in terms of and as mentioned in the Act of 1882 and all the powers forms and provisions of the Act of 1869 and the Act of 1882 with regard to the borrowing or raising of money and the granting and issuing of mortgages therefor and the conversion of

borrowed money into debenture stock shall apply to the money by this Order authorised to be borrowed or raised and to the debenture stock by this Order authorised to be created and issued and to the transfer of mortgages or debenture stock or of deeds of mortgage
 5 or debenture stock certificates granted for the same or any part thereof.

A.D. 1905.

29. All annuities created and issued under the Act of 1869 and all mortgages granted and debenture stock created and issued by the Commissioners in pursuance of any of the recited Acts and
 10 subsisting at the commencement of this Order shall during the continuance thereof have priority over all mortgages that may be granted and all debenture stock that may be created and issued under this Order and all such last mentioned mortgages and debenture stock shall rank together *pari passu* and without any
 15 preference or priority the one over the other.

Priority and ranking of securities.

30. The estimate to be made up by the Commissioners under section forty-four of the Act of 1869 and the assessments and rates authorised and required to be levied under sections forty-five and forty-six of that Act shall not only include and be sufficient
 20 with the other rates and income of the Commissioners to defray the annual sums or expenditure specified in the recited Acts but also the interest of any money borrowed or raised under the provisions of this Order and the payments to the sinking fund and the expense of maintaining and managing the additional works hereby
 25 authorised and all other annual expenditure arising out of or consequent on the works hereby authorised.

Estimates to be made up by Commissioners.

31. Notwithstanding anything in the recited Acts contained the rates and charges levied or leviabie under the authority of the recited Acts and this Order and the other income of the
 30 Commissioners whether arising under the recited Acts or this Order shall be applied in the following order of priority (that is to say) :—

Application of rates and charges.

(Firstly) In defraying the expenses of the management and maintenance of the undertaking of the Commissioners under the recited Acts and this Order including the salaries and other payments to the officers and servants of the
 35 Commissioners and the annual costs charges and expenses of providing and supplying water and in payment of any feu duties and ground annuals and other annual payments exigible in respect of any lands streams or property forming
 40 part of the said undertaking ;

A.D. 1905.

(Secondly) In payment of the perpetual annuities by section twenty-four of the Act of 1869 required to be paid and of the interest on any moneys not exceeding in the whole the sum of eighty thousand pounds now or hereafter borrowed or raised under the authority of that Act; 5

(Thirdly) In payment of the interest of money which may have been or may be borrowed or raised under the authority of the recited Acts other than the Act of 1869 and this Order or any of them;

(Fourthly) In payment of the sums by this Order directed to be set apart as a sinking fund; and 10

(Lastly) In payment of such portion of the cost of enlarging or increasing and renewing the number of mains and pipes and of extending the works mains and pipes from time to time as the Commissioners shall think it reasonable to charge against the revenue for the year and of any other necessary annual expenditure. 15

Application
of borrowed
money.

32. The several sums to be borrowed by the Commissioners on mortgage or raised by means of debenture stock under the authority of this Order shall be applied for the purposes of the recited Acts and this Order only being in all cases purposes to which capital is properly applicable. 20

Protection of
lenders from
inquiry.

33. Any person lending or paying money under the recited Acts or this Order to the Commissioners shall not be bound to inquire as to the observance by the Commissioners of any provisions of the recited Acts or this Order or of any Act incorporated therewith or be bound to see to the application or be answerable for any loss or non-application of such money or of any part thereof. 25

Sinking fund
for redemp-
tion of mort-
gages and
debenture
stock &c.

34. From and after the fifteenth day of May one thousand nine hundred and five the Commissioners shall set apart annually as an addition to the sinking fund provided by the Act of 1891 a sum equal to one per centum on the amount of money borrowed or raised by them under the authority of this Order and shall accumulate the same in the way of compound interest by investing the same in or on any security in or on which trust funds may be invested according to the law of Scotland or by way of deposit in any of the banks in Scotland incorporated by Royal charter or under the provisions of any Act of Parliament. 30 35

35. The Commissioners may at any time and from time to time apply the whole or any part of the sinking fund hereinbefore provided in or towards paying off or redeeming the annuities created and issued under the Act of 1869 or the mortgages made and issued under the recited Acts and this Order or any of them or the debenture stock created and issued under the Act of 1882 the Act of 1891 and this Order or any of them and to no other purposes whatever Provided that they pay into the fund in each year and accumulate for payment from time to time of such annuities mortgages and debenture stock until the whole are paid off or discharged a sum equivalent to the interest (calculated at not less than three per centum per annum) which would have been produced by payments to the sinking fund in respect of money borrowed or raised under this Order in so far as such payments have been applied as aforesaid.

A.D. 1905.
Application
of sinking
fund.

36.—(1) In addition to the sinking fund provided by the Act of 1891 and the section of this Order of which the marginal note is "Sinking fund for redemption of mortgages and debenture stock &c." the Commissioners shall in respect of the financial year ending on the fifteenth day of May one thousand nine hundred and eleven and of each subsequent year set aside out of revenue a sum of one thousand pounds and in respect of the financial year ending on the fifteenth day of May one thousand nine hundred and sixteen and of each subsequent year a further sum of one thousand pounds making thenceforward a total annual sum of two thousand pounds as a sinking fund for the redemption of the Dundee Water Annuities granted by the Commissioners under the Act of 1869 so far as such annuities remain for the time unredeemed.

Sinking
fund for re-
demption of
annuities &c.

(2) The said annual sums and the income arising therefrom may be invested in or on any security in or on which trust funds may be invested according to the law of Scotland or by way of deposit in any of the Banks in Scotland incorporated by Royal Charter or under the provisions of any Act of Parliament.

(3) The sinking fund by this section provided may subject to the provisions of the Act of 1869 in that behalf be from time to time applied to the redemption of the said Dundee Water Annuities.

(4) So far as not so applied such sinking fund may be from time to time applied to the redemption of mortgages debenture stock or other capital indebtedness of the Commissioners.

A.D. 1905. (5) Whenever any annuity mortgage debenture stock or loan shall have been redeemed out of such sinking fund the Commissioners shall annually pay into that fund (in addition to the annual contribution of one thousand or two thousand pounds as the case may be) the amount of such annuity or of the interest on 5 such mortgage debenture stock or loan which would have been payable if such annuity mortgage debenture stock or loan had not been redeemed.

(6) All annual payments into such sinking fund shall cease when on a certificate of the auditor of the Commissioners the total 10 amount of such payments together with the accumulated interest or produce thereof shall be equal to the capitalised value of the total amount of such annuities whether redeemed or not.

Costs of Order.

37. All costs charges and expenses of and incidental to the preparing and applying for and the issue of this Order and the 15 confirmation thereof by Parliament or otherwise in relation thereto shall be paid by the Commissioners out of the moneys to be raised under the authority of the recited Acts and this Order and if such costs are paid out of moneys to be borrowed the same shall be repaid within five years from the commencement of this Order. 20

The SCHEDULE referred to in the foregoing Order.

PROPERTIES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE TAKEN

Parish.	Number on deposited Plans.	Description of Property.	
WORKS Nos. 1 and 2.			
Parish of Murroes	- - - 1	Occupation road.	25
Do.	- - - 2	Arable field.	
Do.	- - - 6	Water pipe.	
WORKS Nos. 3 and 4.			
Parish of Panbride	- - - 1	Arable field.	30
Do.	- - - 2	Road and margins.	
Do.	- - - 3	Water main pipe.	35
Do.	- - - 4	Arable field.	
Do.	- - - 5	Water main pipe.	
Do.	- - - 7 7	Ditch or watercourse.	
Do.	- - - 9	Ditch or watercourse.	

Dundee Water Order Confirmation Bill.

A M E N D M E N T

T O B E M O V E D O N T H I R D R E A D I N G

B Y

T H E M A R Q U E S S O F L I N L I T H G O W .

Clause 31, page 24, line 10, after (" by ") insert (" the Act of
" 1891, and ")

(78 a.)

Dundee Water Order Confirmation
Bill.

AMENDMENT

TO BE MOVED ON THIRD READING

THE MARQUESS OF LINLITHGOW.

25th May 1905.

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[Price 3d.]

(78 a.)

A

B I L L

INTITULED

An Act to provide for the appointment of an additional Church Estates Commissioner. A.D. 1905.

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:—

- 5** **1.** There shall be an additional church estates commissioner, who shall be appointed by the Crown, and all the provisions of the Ecclesiastical Commissioners Act, 1850, as amended by any subsequent enactment, applying to the church estates commissioner appointed by the Archbishop of Canterbury under that Act shall
- 10** apply to the additional commissioner appointed under this Act.

2. This Act may be cited as the Ecclesiastical Commissioners Act, 1905, and may be cited with the Ecclesiastical Commissioners Acts, 1840 to 1885.

A

B I L L

INTITULED

An Act to provide for the appointment of an additional A.D. 1905.
Church Estates Commissioner, and for matters incidental
thereto.

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 :—

5 **1.**—(1) There shall be an additional Church Estates Com- Appointment
of additional
Church
Estates Com-
missioner.
missioner, who shall be appointed by His Majesty by the title of
the Third Church Estates Commissioner, and the provisions of
sections one, two, three, four, and five of the Ecclesiastical Com-
missioners Act, 1850, as amended by any subsequent enactment, so
10 far as they relate to the First Church Estates Commissioner shall
apply also to the Third Church Estates Commissioner; except that
in section two of the said Act, which relates to salaries, “one
thousand pounds” shall, as respects the Third Church Estates
Commissioner, be substituted for “one thousand two hundred
15 pounds.”

(2) In section nine of the Ecclesiastical Commissioners Act,
1850, which relates to the chairmanship of the Estates Committee,
for the words “or if he shall be absent, the other Church Estates
“ Commissioner appointed by Her Majesty or the Church Estates
20 “ Commissioner appointed by the Archbishop shall be chairman at
“ alternate meetings” there shall be substituted the words “or,
“ if he shall be absent, the Second and Third Church Estates
“ Commissioner and the Church Estates Commissioner appointed
“ by the Archbishop shall in turn be chairman.”

(72.)

A.D. 1905. (3) In section three of the Ecclesiastical Commissioners Act,
29 & 30 Vict. 1866, which constitutes the Church Estates Commissioners joint
c. 111. treasurers of the Ecclesiastical Commissioners, the word "four"
shall be substituted for the word "three."

Short title. **2** This Act may be cited as the Ecclesiastical Commissioners **5**
Act, 1905, and may be cited with the Ecclesiastical Commissioners
Acts, 1840 to 1885.

[5 EDW. 7.] *Edinburgh Corporation Order Confirmation.* 1
[H.L.]

▲

B I L L

INTITULED

An Act to confirm a Provisional Order under the Private A.D. 1905.
Legislation Procedure (Scotland) Act 1899 relating to
Edinburgh Corporation.

WHEREAS His Majesty's Secretary for Scotland has made the
Provisional Order set forth in the schedule hereunto annexed
under the provisions of the Private Legislation Procedure (Scotland) 62 & 63 Vict.
Act 1899 and it is requisite that the said Order should be confirmed c. 47.
5 by Parliament :

Be it therefore 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 :—

- 10 1. The Provisional Order contained in the schedule hereunto Confirmation
annexed shall be and the same is hereby confirmed. of Order in
schedule.
2. This Act may be cited as the Edinburgh Corporation Short title.
Order Confirmation Act 1905.

A.D. 1905.

SCHEDULE.

EDINBURGH CORPORATION.

Provisional Order to repeal the limitation and restriction of the rate of speed on the Tramways of the Corporation of Edinburgh and to make further provision with respect to the same and for other purposes.

WHEREAS the lord provost magistrates and council of the city and royal burgh of Edinburgh (hereinafter called "the Corporation") are the owners of the tramways within the city:

And whereas by certain Acts relating to the said tramways the rate of speed to be observed thereon is limited as in the said Acts provided:

And whereas it is expedient that the said limitation should be repealed with respect to the said tramways and that the further powers hereinafter mentioned should be conferred:

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:—

Short title.

1. This Order may be cited for all purposes as the Edinburgh Corporation Tramways Order 1905 and the Edinburgh Municipal and Police Acts 1879 to 1903 and this Order may be cited for all purposes as the Edinburgh Municipal and Police Acts 1879 to 1905.

Commencement of Order.

2. This Order shall commence and have effect on and from the date of the passing of the Act confirming the same which date is hereinafter referred to as "the commencement of this Order."

30

[5 EDW. 7.] *Edinburgh Corporation Order Confirmation.* 3

3. In this Order and for the purposes of this Order the following words and expressions shall have the respective meanings after mentioned:—

A.D. 1905.

Interpretation of terms.

5 “The city and royal burgh” and “the city” respectively mean the city and royal burgh of Edinburgh according to the boundaries thereof at the commencement of this Order;

“The Corporation” means the lord provost magistrates and council of the city and royal burgh;

10 “The Corporation tramways” means the tramways in the city owned by the Corporation.

4. Notwithstanding anything contained in any Act of Parliament relating to the Corporation tramways or any schedule thereto any regulations made by the Board of Trade may provide for a rate of speed greater than the maximum rate specified in any such Act or schedule.

Amendment of existing speed limit on tramways.

20 5. The provisions of the Tramways Act 1870 relating to the making of byelaws by the local authority with respect to the rate of speed to be observed in travelling on the Corporation tramways shall not authorise the local authority to make any byelaws sanctioning a higher rate of speed than that authorised by the Board of Trade regulations but the byelaws of the local authority may restrict the rate of speed to a lower rate than that so authorised.

Byelaws of local authority.

25 6. All costs charges and expenses attending the preparation obtaining and confirming of this Order and incidental thereto shall be paid out of the common good or burgh assessments.

Costs of Order.

**Edinburgh Corporation
Order Confirmation.**

[H.L.]

A

B I L L

INTITULIED

An Act to confirm a Provisional Order
under the Private Legislation Pro-
cedure (Scotland) Act 1899 relating
to Edinburgh Corporation.

The Marquess of Linlithgow.

Ordered to be printed 17th July 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
And to be purchased, either directly or through any Bookseller, from
WYMAN and ROSS, LTD., Peter Lane, E.C. 4, and
38, Abingdon Street, Westminster, S.W. 1, or
OLIVER and BOYD, Edinburgh; or
E. POMEROY, 116, Grafton Street, Dublin.

[Price 5d.]

(141.)

[5 EDW. 7.] *Education Board Provisional Orders* 1
Confirmation (Liverpool, &c.). [H.L.]

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1903 to enable the Councils of the County Boroughs of Liverpool and Manchester the County of Surrey and the Urban District of Willesden to put in force the Lands Clauses Acts. A.D. 1905.

WHEREAS the Board of Education have made certain Provisional Orders under the authority of the Education Acts 1870 to 1903 on behalf of the Councils of the County Boroughs of Liverpool and Manchester the County of Surrey and the Urban District of Willesden being the local education authorities under the Education Act 1902 for the said county boroughs county and urban district and it is requisite that the same should be confirmed by Parliament :

And whereas by the Board of Education Act 1899 it is provided that the Board of Education shall take the place of the Education Department and all enactments and documents shall be construed accordingly :

And whereas the lands required to be purchased under the powers granted by the said Provisional Orders and confirmed by this Act are described in the schedules to the said Provisional Orders as set out in the schedule to this Act and are delineated on the plans accompanying the respective petitions referred to in the said Provisional Orders and copies of all the said plans have been duly deposited in the Offices of the two Houses of Parliament :

Be it therefore enacted by the King's most Excellent Majesty and with the advice and consent of the Lords Spiritual and

(41.)

A

A.D. 1905. Temporal and Commons in this present Parliament assembled and
— by the authority of the same as follows :—

Confirmation
of Orders in
schedule.

1. The following Orders as set out in the schedule to this Act shall be and are hereby confirmed and from and after the passing of this Act shall have full validity and force. 5

Saving of
public rights
of way.

2. Nothing herein contained shall be construed to authorise a council to extinguish any public rights of way without such Order being obtained as but for this Act would have been required for that purpose.

Short title.

3. This Act may be cited as the Education Board Provisional 10
Orders Confirmation (Liverpool &c.) Act 1905.

[5 EDW. 7.] *Education Board Provisional Orders* 3
Confirmation (Liverpool, &c.).

SCHEDULE.

A.D. 1905.

EDUCATION ACTS 1870-1903
 AND
 BOARD OF EDUCATION ACT 1899.

5 LIVERPOOL COUNTY BOROUGH COUNCIL.

Provisional Order for putting in force the Lands Clauses Acts. *Liverpool.*

WHEREAS the Liverpool County Borough Council require to purchase certain pieces or parcels of land for the purposes of the Education Acts 1870-1903 and not having been able to purchase the same by agreement
 10 require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement :

And whereas the lands so required to be purchased are set forth in the schedule hereunder written :

And whereas the said Council have made due publication of the notices
 15 and have duly served the same according to the requirements of the Education Acts 1870-1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated
 20 all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required :

And whereas the said Board of Education having considered the said
 25 petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said lands are situate as to the propriety of the proposed Order :

Now therefore the said Board of Education having received a report
 30 after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the pieces or parcels of land set forth in the schedule hereunder written the powers of the said Acts

(41.)

A 2

4 *Education Board Provisional Orders* [5 EDW. 7.]
Confirmation (Liverpool, &c.).

A.D. 1905. for the purchase and taking of lands otherwise than by agreement or any
Liverpool. of them.

Given under the Seal of Office of the Board of Education this Twentieth
 day of February One thousand nine hundred and five.

(L.S.) JOHN R. DASENT 5
 One of the Assistant Secretaries of
 the Board of Education.

SCHEDULE to the foregoing Order.

CITY OF LIVERPOOL COUNTY OF LANCASTER PARISH OF KIRKDALE
 WESTMINSTER ROAD SITE. 10

1. A piece of land on the east side of Westminster Road Liverpool
 abutting north on No. 290 Westminster Road (in the possession of the said
 Liverpool County Borough Council) south on property No. 284 Westminster
 Road east on property in the possession of the said Liverpool County
 Borough Council west on Westminster Road aforesaid Area about 510 square 15
 yards as the same is described on the plan accompanying the petition herein-
 before referred to and distinguished by the numbers 1 and 2 with all and
 singular the messuages and tenements and buildings now standing or being
 thereon with their appurtenances and numbered 286 and 288 Westminster
 Road aforesaid. 20

2. A piece of land on the east side of Westminster Road Liverpool
 abutting north and east on property belonging or reputed to belong to the
 said Liverpool County Borough Council west on Westminster Road and
 south on property No. 290 Westminster Road (in the possession of the said
 Liverpool County Borough Council) Area about 225 square yards as the 25
 same is described in the plan accompanying the petition herein-before
 referred to and distinguished by the number 4 with all and singular the
 message and tenement and buildings now standing or being thereon with
 its appurtenances and numbered 292 Westminster Road aforesaid.

MANCHESTER COUNTY BOROUGH COUNCIL. 30

Manchester. *Provisional Order for putting in force the Lands Clauses Acts.*

WHEREAS the Manchester County Borough Council require to purchase
 certain pieces or parcels of land for the purposes of the Education Acts
 1870-1903 and not having been able to purchase the same by agreement
 require to put in force the provisions of the Lands Clauses Acts which apply 35
 to the purchase and taking of lands otherwise than by agreement :

[5 EDW. 7.] *Education Board Provisional Orders* 5
Confirmation (Liverpool, &c.).

And whereas the lands so required to be purchased are set forth in the schedule hereunder written : A.D. 1905.
 Manchester.

And whereas the said Council have made due publication of the notices and have duly served the same according to the requirements of the
 5 Education Acts 1870-1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and
 10 the same hath been supported by such evidence as the said Board of Education required :

And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made
 15 in the district wherein the said lands are situate as to the propriety of the proposed Order :

Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be
 20 authorised to put in force with reference to the pieces or parcels of lands set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this Third day of March One thousand nine hundred and five.

25 (L.S.)

JOHN R. DASENT
 One of the Assistant Secretaries of
 the Board of Education.

SCHEDULE to the foregoing Order.

30 PLOT 1.—Property situated in Bengal Street George Leigh Street German Street Loom Street and Back Loom Street Ancoats Manchester (Township of Manchester).

A piece of land on the north-easterly side of Bengal Street upon which are erected four dwelling-houses numbered 27 29 31 33 Bengal Street four cellars numbered 27A 29A 31A 33A Bengal Street one shop and dwelling-
 35 house numbered 35 Bengal Street one shop and dwelling-house numbered 25 Bengal Street and 102 George Leigh Street six dwelling-houses numbered 104 106 108 110 112 and 114 George Leigh Street one shop and dwelling-house numbered 116 George Leigh Street five dwelling-houses numbered 1 3 5 7 9 Back Loom Steet two dwelling-houses numbered 69 71 Loom

(41.)

A 3

A.D. 1905. Street and one shop and dwelling-house numbered 73 Loom Street four
 dwelling-houses numbered 32 34 36 38 German Street and shop and
 dwelling-house numbered 40 German Street. The said piece of land is
 bounded on the north-easterly side by German Street on the south-westerly
 side by Bengal Street on the north-westerly side by George Leigh Street 5
 and on the south-easterly side by Loom Street. Area 2000 square yards or
 thereabouts as the same is described in the Plan No. 1 accompanying the
 petition herein-before referred to and outlined thereon in red.

Manchester.

PLOT 2.—Property situated in Atherton Street Great John Street and Little
 John Street Deansgate Manchester (Township of Manchester). 10

A piece of land situate on the northerly side of Great John Street
 Deansgate upon which are erected in Atherton Street premises used as "Maids'
 Home" in connection with St. Mary's Hospital offices joiners' and builders'
 workshop and yard bricklayers' shop and yard and dwelling-house No. 3
 Atherton Street with cellar unnumbered three dwelling-houses numbered 15
 8 10 12 Great John Street eight dwelling-houses numbered 8 10 12 14 16
 18 20 22 Little John Street eight cellars numbered 8A 10A 12A 14A 16A
 18A 20A 22A Little John Street and one cellar in Little John Street
 unnumbered situate under dwelling-house numbered 8 Great John Street and
 joiners' shop and offices numbered 6 Little John Street. The said piece of
 land is bounded on the north by premises recently used as St. Mary's Hospital
 on the south by Great John Street on the west by Atherton Street and on the
 east by Little John Street. Area 1654 square yards or thereabouts as the
 same is described in the Plan No. 2 accompanying the petition herein-before
 referred to and outlined thereon in red. 25

PLOT 3.—Property situated in Juniper Street Lower Moss Lane and Lavender
 Street Hulme Manchester (Township of South Manchester).

A piece of land situate on the easterly side of Lower Moss Lane upon
 which are erected dwelling-houses stables cart shed and yard numbered 19A
 Juniper Street shop numbered 95 Lower Moss Lane and dwelling-house 30
 unnumbered in Juniper Street six shops and dwelling-houses numbered
 97 99 101 103 105 and 107 Lower Moss Lane dwelling-house numbered
 109 Lower Moss Lane stables offices yard and sheds in Lavender Street two
 dwelling-houses unnumbered used for offices and club and storerooms cart
 sheds stables and yard adjoining St. Michael's Church in Lavender Street 35
 The said piece of land is bounded on the north by Juniper Street on the west
 by Lower Moss Lane on the south by Lavender Street and on the east by
 St. Michael's Church. Area 2173 square yards or thereabouts as the same is
 described in the Plan No. 3 accompanying the petition herein-before referred
 to and outlined thereon in red. 40

[5 EDW. 7.] *Education Board Provisional Orders*
Confirmation (Liverpool, &c.).

7

SURREY COUNTY COUNCIL.

A.D. 1905.

Provisional Order for putting in force the Lands Clauses Acts.

Surrey.

WHEREAS the Surrey County Council require to purchase a piece or parcel of land for the purposes of the Education Acts 1870-1903 and not having
 5 been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement :

And whereas the land so required to be purchased is set forth in the schedule hereunder written :

10 And whereas the said Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the
 15 purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required :

20 And whereas the said Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiry to be made in the district wherein the said land is situate as to the propriety of the proposed Order :

25 Now therefore the said Board of Education having received a report after such inquiry and having duly considered the same do hereby declare that it is proper and do hereby order accordingly that the said Council be authorised to put in force with reference to the piece or parcel of land set forth in the schedule hereunder written the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

30 Given under the Seal of Office of the Board of Education this Twenty-first day of March One thousand nine hundred and five.

(L.S.)

H. W. SIMPKINSON
 One of the Assistant Secretaries of
 the Board of Education.

35

SCHEDULE to the foregoing Order.

A piece or parcel of land in the parish of St. Mary Barnes in the county of Surrey situate in the Lonsdale Road opposite land belonging (or reputed to belong) to the Metropolitan Water Board forming part of the Lowther Estate and having a frontage to the Lonsdale Road of 220 feet and a depth of

A.D. 1905. 120 feet and containing 26400 square feet or thereabouts as the same is
Surrey. described in the plan accompanying the petition herein-before referred to
and distinguished by the Number 1 together with all and singular the
messuages and tenements and buildings (if any) now standing or being
thereon with their appurtenances. 5

WILLESDEN URBAN DISTRICT COUNCIL.

Willesden. *Provisional Order for putting in force the Lands Clauses Acts.*

WHEREAS the Willesden Urban District Council require to purchase a
piece or parcel of land for the purposes of the Education Acts 1870-1903
and not having been able to purchase the same by agreement require to put 10
in force the provisions of the Lands Clauses Acts which apply to the purchase
and taking of lands otherwise than by agreement :

And whereas the land so required to be purchased is set forth in the
schedule hereunder written :

And whereas the said Council have made due publication of the 15
notices and have duly served the same according to the requirements of the
Education Acts 1870-1903 and have presented a petition to the Board
of Education praying that an Order may be made authorising the said
Council to put in force the powers of the said Acts with respect to the
purchase and taking of lands otherwise than by agreement in which 20
petition were stated all the matters required by the said Education Acts
to be stated therein and the same hath been supported by such evidence as
the said Board of Education required :

And whereas the said Board of Education having considered the said
petition and the proofs of the publication and service of the proper notices 25
have thought fit to proceed with the case and have caused inquiry to be
made in the district wherein the said land is situate as to the propriety of
the proposed Order :

Now therefore the said Board of Education having received a report after
such inquiry and having duly considered the same do hereby declare that it 30
is proper and do hereby order accordingly that the said Council be
authorised to put in force with reference to the piece or parcel of land set
forth in the schedule hereunder written the powers of the said Acts for the
purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this Thirtieth 35
day of March One thousand nine hundred and five.

(L.S.)

JOHN R. DASENT
One of the Assistant Secretaries of
the Board of Education.

[5 EDW. 7.] *Education Board Provisional Orders*
Confirmation (Liverpool, &c.).

9

SCHEDULE to the foregoing Order.

A.D. 1905.

Willesden.

- 5 A piece or parcel of land in the parish of Willesden and county of Middlesex situate on the south side of Granville Road Kilburn and bounded on the north side by Granville Road on the east side by the Presbyterian Mission Hall in Granville Road and No. 162 Carlton Vale on the south side by Carlton Vale and on the west side by No. 174 Carlton Vale and No. 94 Granville Road and having a frontage to Granville Road of 106 feet 10 inches or thereabouts and a frontage to Carlton Vale of 90 feet 10 inches or thereabouts The area of the said piece or parcel of land is about 1 rood 8 poles.

**Education Board
Provisional Orders
Confirmation
(Liverpool, &c.). [H.L.]**

A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Education under the Education Acts 1870 to 1903 to enable the Councils of the County Boroughs of Liverpool and Manchester the County of Surrey and the Urban District of Willersden to put in force the Lands Clauses Acts.

*Presented by the Lord President (E. Vane
(M. Londonderry)).*

Ordered to be printed 6th April 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
And to be purchased, either directly or through any Bookseller, from
WYKAY and SONS, LTD., Peter Lane, E.C., and
32, Abingdon Street, Westminster, S.W.; or
OLIVER and BOYD, Edinburgh; or
E. PONSONBY, 116, Grafton Street, Dublin.

[Price 1*½*d.]

(41.)

[5 EDW. 7.] *Education Board Provisional Order* 1
Confirmation (London, No. 1). [H.L.]

A

B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1903 to enable the London County Council to put in force the Lands Clauses Acts. A.D. 1905.

WHEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1903 on behalf of the London County Council and it is requisite that the same should be confirmed by Parliament :

5 And whereas by the Board of Education Act 1899 it is provided that the Board of Education shall take the place of the Education Department and all enactments and documents shall be construed accordingly :

10 And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are severally described in the schedule to the said Provisional Order as set out in the schedule to this Act and are delineated on the plans accompanying the petition referred to in the said Provisional Order and copies of all the said plans have been duly
 15 deposited in the offices of the two Houses of Parliament :

Be it therefore 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 :—

20 1. The following Order as set out in the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force. Confirmation
of Order
in schedule.

(53.)

A

A.D. 1905. **2.** Nothing herein contained shall be construed to authorise the Council to extinguish any public rights of way without such Order being obtained as but for this Act would have been required for that purpose.

—
Saving of
public rights
of way.

Council may
appropriate
&c. for street
widening
portions of
sites ac-
quired.

3. In the case of any of the sites which the Council are by this Act and the Order scheduled hereto authorised to acquire and which abut upon streets or roads which are not in the opinion of the Council sufficiently wide for the accommodation of the present and probable future traffic or for the convenience of the persons using the said streets or roads it shall be lawful for the Council to appropriate take and use for the purpose of widening any such streets or roads so much of any of the said sites as the Council may determine to be necessary for such purpose :

Provided that if the Council appropriate take or use under the provisions of this section any part of any such site for the purpose of widening any street or road such part of the cost of the acquisition of such site and of any expenses incidental to such acquisition as the Council may determine shall be deemed to be part of the costs and expenses of the Council in connexion with street improvements.

Short title.

4. This Act may be cited as the Education Board Provisional Order Confirmation (London No. 1) Act 1905.

[5 EDW. 7.] *Education Board Provisional Order
Confirmation (London, No. 1).*

3

SCHEDULE.

A.D. 1905.

EDUCATION ACTS 1870-1903
AND
BOARD OF EDUCATION ACT 1899.

5 THE LONDON COUNTY COUNCIL.

Provisional Order for putting in force the Lands Clauses Acts.

*London County
Council.*

WHEREAS the London County Council require to purchase divers pieces of land for the purpose of providing elementary education within the meaning of the Education Acts 1870-1903 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement :

And whereas the lands so required to be purchased are set forth in the schedule hereto :

15 And whereas the London County Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required :

25 And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused inquiries to be made in the districts wherein the said lands are situate as to the propriety of the proposed Order :

30 And whereas the Councils of the Metropolitan Boroughs within which the sites proposed to be acquired are situated or deemed to be situated concur in the proposed compulsory acquisition of those sites which are intended for new Public Elementary Schools within the meaning of Section 2 (2) of the

Education Board Provisional Order [5 Edw. 7.]
Confirmation (London, No. 1).

A.D. 1905. Education (London) Act 1903 except as regards the site numbered one in the
London County Council. schedule hereto :

And whereas as regards the said site numbered one the Board of Education are satisfied that the concurrence of the Council of the Borough should be dispensed with :

And whereas the Board of Education have received reports after the inquiries above-mentioned and having duly considered the same are satisfied of the propriety of the proposed Order :

Now therefore the Board of Education do hereby order that the London County Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereto the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them.

Given under the Seal of Office of the Board of Education this 12th day of April 1905.

(L.S.)

H. W. SIMPKINSON

One of the Assistant Secretaries of the Board of Education.

The SCHEDULE herein-before referred to.

Plan No. 1.

METROPOLITAN BOROUGH OF BATTERSEA.

Land houses and premises known as Nos. 22 24 26 28 30 32 34 36 38 40 and 42 Chatham Street Nos. 13 15 17 19 21 23 25 27 29 31 and 33 Anerley Street and the premises known as St. Saviour's School Orkney Street and containing 34,255 square feet or thereabouts as the same are shown in the Plan No. 1 and distinguished thereon by the Nos. 1 to 22 inclusive together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
John Meyers Trustee under the Will of Henry Meyers deceased.	_____	_____	35
Mary Ann Dowsett Trustee under the Will of James Shearman Dowsett deceased.	_____	_____	
Thomas Pym	_____	_____	
George Edward Martin	_____	_____	

[5 EDW. 7.]

*Education Board Provisional Order
Confirmation (London, No. 1).*

5

		A.D. 1905.		
Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	London County Council.
	John Clarke -			
5	The Rev. George John Rice, D.D. -			
	William Griffin -			
	Thomas Paul Homewood -			
	Alfred L. Holden -			
	Jesse Jones -			
10	William Norman Burnell -			
	Thomas Henry Freeman -			
	Sidney George Sturgess -			
	John Hepburn Hume } Trustees of the Estate of Frank			
	Catherine Mary Hume } Haylock Hume -			
15	William Sweet -			
	Henry Leader -			
	Ernest Birch -			
	James Howe -			
	Edward Swan -			
20	Edward Arthur Bissell -			
	Joseph Birch -			
	William Robert Elliott -			
	J. Deville -			
	Henry John Edmondson -			
25	Thomas Bull Heal -			
	Charles Henry Wiltshire -			
	James Tofts -			
	John Baigent -			
	William Johnson -			
30	Mary Lawson -			
	Francis Stevens -			
	Frederick Messambird -			
	Charles Elsom -			
	Charlotte Burton -			
35	Thomas Hall -			
	Alfred George Potty -			

Plan No. 2.

METROPOLITAN BOROUGH OF FULHAM.

40 Land house and premises known as No. 1 Tyrawley Road and adjoining the existing Harwood Road School and containing 1,255 square feet or thereabouts as the same are shown in the Plan No. 2 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
45	William Frederick Gooch } Trustees under the Will of		
	Charles Fulthorpe Gooch } Sir Daniel Gooch Bart.,		
	Thomas Mark Merriman } deceased		
50	Thomas Stanbury -		

A.D. 1905.
London County
Council.

Plan No. 3.

METROPOLITAN BOROUGH OF HAMMERSMITH.

Land house and premises bounded on the north by land being acquired by the Council for the Adelaide Road School on the east by premises fronting on Adelaide Road on the west by the intended continuation of Heath Place 5 and on the south by the line of the northern boundary of premises at the northern end of Willow Vale continued eastward in a straight line to the rear of premises fronting on Adelaide Road and westward to meet the western boundary and partly known as Thorpe Banks and containing 38,880 square feet or thereabouts as the same are shown in the Plan No. 3 and distinguished 10 thereon by the Nos. 1 2 and 3 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	15
Thomas Edward Griggs				
John Williams				
William Wallington (Executor of the Will of William Henry Wallington deceased.)				
James Thomas Bannister Foy				20

Plan No. 4.

ROYAL BOROUGH OF KENSINGTON.

Land and buildings on the south side of Mary Place situate between Nos. 19 and 31 Mary Place and bounded on the south side by workshops 25 abutting on Avondale Park and containing 8,455 square feet or thereabouts as the same are shown in the Plan No. 4 and distinguished thereon by the Nos. 1 and 2 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	30
John Stephens				
Philip Berney Ficklin				
Harry Richardson				
Henry Whitman				35

[5 Edw. 7.] *Education Board Provisional Order*
Confirmation (London, No. 1).

7

Plan No. 5.

A.D. 1905.
London County
Council.

METROPOLITAN BOROUGH OF LAMBETH.

Lands on the southern side of Craster Road between No. 20 Craster Road and the rear of premises in Upper Tulse Hill and between Nos. 54 and 56 Craster Road and also lands in the rear of the before-mentioned lands and of Nos. 20 to 54 (even numbers) Craster Road and premises in Upper Tulse Hill and having a depth of 175 feet or thereabouts measured from the rear of Nos. 20 to 56 (even numbers) Craster Road and containing 75,400 square feet or thereabouts as the same are shown in the Plan No. 5 and distinguished thereon by the Nos. 1 2 and 3 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

15	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Robert Palmer Tebb			
	Helen Minna Willeringhams	Trustees under a deed of Settlement		
	William Henry Lunau			
	Herman Alexander Lunau			
20	Richard Pennington	Trustees under a Deed of Settlement		
	Thomas Richard Farrow			
	Frederick William Lunau			
	The National Telephone Co., Limited			
	S. James			
25	Mary Jane Dyer			
	James Frederick Percival			
	Eliza Carey			
	Henry Taylor Sawell			
	Alfred John Morgan			

30

Plan No. 6.

METROPOLITAN BOROUGH OF LAMBETH.

Land house and premises known as No. 18 Walnut Tree Walk and adjoining the existing Walnut Tree Walk School and containing 1,500 square feet or thereabouts as the same are shown in the Plan No. 6 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

40	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	The Trustees of the United Charities of St. Olave and St. John, Southwark.			
	Alexander Mackenzie			
	Catherine Jane Prior			

A.D. 1905.

Plan No. 7.

*London County
Council.*

METROPOLITAN BOROUGH OF LEWISHAM.

Land in Beacon Road adjoining and bounded on the north-east by the existing Hither Green School on the south-east by the rear of houses in Brightside Road on the south-west by lands and premises in Hither Green Lane and on the north-west by Beacon Road and the aforesaid school and containing 45,450 square feet or thereabouts as the same is shown in the Plan No. 7 and distinguished thereon by the Nos. 1 and 2 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 5 10

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
James Stanford - - - - -			
E. Willson - - - - -			

15

Plan No. 8.

METROPOLITAN BOROUGH OF LEWISHAM.

Land house premises and passageway known as No. 1 Lillian Terrace Brockley Rise and adjoining lands appropriated for the Stillness Road School and containing 3,835 square feet or thereabouts as the same are shown in the Plan No. 8 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 20

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
John William Webb - - - - -			
The London County Council - - - - -			
Charles Edward Hamshere - - - - -			

25

Plan No. 10.

30

METROPOLITAN BOROUGH OF ST. PANCRAS.

Land houses and premises known as Nos. 33 35 37 39 and 41 Camden Street and containing 8,250 square feet or thereabouts as the same are

[5 Edw. 7.] *Education Board Provisional Order*
Confirmation (London, No. 1).

9

shown in the Plan No. 10 and distinguished thereon by the Nos. 1 to 5 inclusive together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

A.D. 1905.
London County Council.

5	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	The Marquis Camden - - - - -			
	William Henry Wilson - - - - -			
	Frederick Charles James - - - - -			
10	Edward Elbourn - - - - -			
	Emma Mawson - - - - -			
	David Humphreys - - - - -			
	John Dean - - - - -			

Plan No. 12.

15 METROPOLITAN BOROUGH OF ST. PANCRAS.

Land houses and premises known as Nos. 34 and 36 Tonbridge Street and containing 1,790 square feet or thereabouts as the same are shown in the Plan No. 12 and distinguished thereon by the Nos. 1 and 2 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

20	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	The London County Council - - - - -			
25	The Worshipful Company of Skinners - - - - -			
	James Mason Allen - - - - -			
	Amy Towns - - - - -			
	Henry John Hawkins - - - - -			
	William Hughes Broad - - - - -			
30	Henry Burden Bennett - - - - -			
	Sarah Perkins - - - - -			

Plan No. 13.

METROPOLITAN BOROUGH OF ST. PANCRAS.

Land houses and premises known as Nos. 62 64 66 68 70 72 74 76 78 80 and 82 Torriano Avenue and Nos. 1 2 3 and 4 Torriano

(53.)

B

A.D. 1905. Gardens and containing 32,250 square feet or thereabouts as the same are shown in the Plan No. 13 and distinguished thereon by the Nos. 1 to 15 inclusive together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 5

London County
Council.

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
The Prudential Assurance Company Limited			10
William Twyman			
Frederick Stevens			
Alfred Walters			
William Richard Blackie Pickett			
Susannah Steed Slaughter			15
Richard Pascoe			
John James Smith			
The Fourth City Mutual Benefit Building Society			
William Pawley			
Thomas Robert Moore Keys			20
Elizabeth Ann Keys			
The Rev. William Herwood Allen			
Wentworth Oliver			
Elizabeth Tunningsley			
F. Reading			25
Walter Sweet Executor of the Will of Elizabeth Sweet deceased.			
Harry Grantham			
Frank Stevens Junlor			
Edward Ashmore			30
John Richard Wells			
William Slaughter			
Henry Peach			
Daniel Lewis			
Alfred Thomas Davies			35
William Chapman			
George Edbrook			
Frederick James Tarrant			
Charles Arthur Clarke			

Plan No. 14.

METROPOLITAN BOROUGH OF SOUTHWARK.

Land house and premises known as No. 201 Beresford Street and adjoining the existing Beresford Street School and containing 2,070 square feet or thereabouts as the same are shown in the Plan No. 14 and distinguished thereon by the No. 1 together with all and singular the

[5 EDW. 7.] *Education Board Provisional Order*
Confirmation (London, No. 1).

11

messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. A.D. 1905.

London County
 Council.

5	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	The Fourth City Mutual Benefit Building Society Edward Harman	—		—

Plan No. 15.

METROPOLITAN BOROUGH OF SOUTHWARK.

- 10** Land house and premises known as No. 1 West Square St. George's Road and adjoining the existing West Square School and containing 1,200 square feet or thereabouts as the same are shown in the Plan No. 15 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being
- 15** thereon with their appurtenances.

20	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Eleanor Mabel Duchess della Torre The London County Council	—	—	—

Plan No. 16.

METROPOLITAN BOROUGH OF STEPNEY.

- 25** Land house and premises known as No. 31 Baker Street and adjoining the existing Baker Street School and containing 810 square feet or thereabouts as the same are shown in the Plan No. 16 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

30	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Augustus Hawthorne Browne and } Trustees of the Sir John Alexander Hanham Bart. } Browne Estate { Henry Lee	—		—

A.D. 1905.

Plan No. 17.

*London County
Council.*

METROPOLITAN BOROUGH OF STEPNEY.

Land house and premises known as No. 71 Senrab Street and adjoining the site of the proposed Senrab Street School and containing 765 square feet or thereabouts as the same are shown in the Plan No. 17 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 5

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers
Ann Pemberton Barnes - - - - -	-		
Josiah Goodman - - - - -	-		
William George Rider - - - - -	-		

Plan No. 18.

15

METROPOLITAN BOROUGH OF STEPNEY.

Land house and premises known as No. 6 Globe Street and containing 912 square feet or thereabouts as the same are shown in the Plan No. 18 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 20

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Alfred Moore (Receiver in the suit of Page v. Page) -	-		
George Bonser - - - - -	-		

Plan No. 19.

METROPOLITAN BOROUGH OF STEPNEY.

Land houses and premises known as Nos. 6 and 7 Osborne Place and the Chemical Works Finch Street and adjoining the existing Chicksand Street School and containing 11,480 square feet or thereabouts as the same are shown in the Plan No. 19 and distinguished thereon by the Nos. 1 and 2 30

[5 Edw. 7.] *Education Board Provisional Order*
Confirmation (London, No. 1).

13

together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. A.D. 1905.

London County Council.

5	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Sir Algernon Kerr Butler Osborn Bart. - - -	_____	_____	_____
	Nalton Womersley - - - - -	_____	_____	_____
	Davis Levy - - - - -	_____	_____	_____
	Simon Goldstein - - - - -	_____	_____	_____

10

Plan No. 20.

METROPOLITAN BOROUGH OF WANDSWORTH.

Land bounded on the north by the Home for Little Boys King's Road on the south-east by Clarence Road and on the west by Park Hill and containing 15,750 square feet or thereabouts as the same is shown in the Plan No. 20 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

20	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Edward Wentworth Bowyer and } Trustees of the {	_____	_____	_____
	Fairfax Blomfield Wade Palmer } Bowyer Estate - {	_____	_____	_____
	The London County Council - - - - -	_____	_____	_____

Plan No. 22.

25

METROPOLITAN BOROUGH OF WANDSWORTH.

Land at rear of the site acquired by the Council in Garratt Lane approximately opposite Fountain Road and Fairlight Road having frontages on the south-east of about 95 feet and on the north-west of about 89 feet to proposed new roads to be formed out of Garratt Lane approximately opposite to Fountain Road and Fairlight Road respectively and containing 20,650 square feet or thereabouts as the same is shown in the Plan No. 22 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

35	Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Eliza Martha Bell - - - - -	_____	_____	_____
	John Edward Gripper and } Trustees under the Will of {	_____	_____	_____
	Charles Henry Izod - } Alexander Bell deceased {	_____	_____	_____
	Frederick Lewis Mizen - - - - -	_____	_____	_____
	Albert George Mizen - - - - -	_____	_____	_____

40

A.D. 1905.
London County
Council.

Plan No. 24.

METROPOLITAN BOROUGH OF WANDSWORTH.

Land on the north-western side of Greyhound Lane having a frontage thereto of about 410 feet measured in a south-westerly direction from a point about 143 feet from the most southern point in Eardley Road and having a depth varying from 238 feet to 248 feet or thereabouts measured from Greyhound Lane and containing 98,040 square feet or thereabouts as the same is shown in the Plan No. 24 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 10

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Douglas Parry Crooke -			15
Thomas Edward Ellison -			
Rev. John Henry Joshua Ellison -			
Lady Beatrice Katherine Denison-Pinder			
Colonel Henry Stratton Bates -			
The Council of the Metropolitan Borough of Wandsworth			

Plan No. 26.

20

METROPOLITAN BOROUGH OF WOOLWICH.

Land house and premises at the corner of Tuscan and Heavitree Roads known as No. 79 Heavitree Road and containing 1,435 square feet or thereabouts as the same are shown in the Plan No. 26 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 25

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Frederick William Peek } Trustees under the Will of {			30
John Howard - } William David Howard {			
William Saunders Dow - } deceased - } -			
Margaret Anne Dow - - - - -			
Edward Coster - - - - -			

35

[5 Edw. 7.] *Education Board Provisional Order*
Confirmation (London, No. 1).

15

Plan No. 27.

A.D. 1905.
 London County
 Council.

METROPOLITAN BOROUGH OF WOOLWICH.

5 Land house and premises situate on the east side of Brookhill Road and known as No. 59 Brookhill Road and containing 2,645 square feet or thereabouts as the same are shown in the Plan No. 27 and distinguished thereon by the No. 1 together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances.

10

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Baldomero Hyacinth de Bertodano	-	-	-
Selina Ann Fontaine	-	-	-
David Phillips	-	-	-

**Education Board
Provisional Order
Confirmation
(London, No. 1). [H.L.]**

A

B I L L

INTITLED

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1903 to enable the London County Council to put in force the Lands Clauses Acts.

*The Lord President
(E. Vane (M. Londonderry)).*

Ordered to be printed 14th April 1905.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
WILKIN and Sons, Ltd., Rudder Lane, K.C., and
32, Abingdon Street, Westminster, S.W.; or
OUTZER and Boyd, Edinburgh; or
E. POMEROY, 116, Grafton Street, Dublin.

[Price 2d.]

(53.)

**Education Board Provisional Order
Confirmation (London No. 1.) Bill [H.L.]**

A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD MONKSWELL.

Clause 3, page 2, line 20, after (“ improvements ”) insert (“ in
“ settling any question of disputed purchase-money or compen-
“ sation payable under this Act by the Council, the court or
“ person settling the same shall not award any sum of money for
“ or in respect of any improvement, alteration, or building made
“ or for or in respect of any interest in the lands created after the
“ eighteenth day of October, one thousand nine hundred and four,
“ if in the opinion of such court or person the improvement,
“ alteration, or building, or the creation of the interest in respect
“ of which the claim is made, was not reasonably necessary, and
“ was made or created with a view of obtaining or increasing
“ compensation under this Act ”).

(53 a.)

Education Board Provisional
Order Confirmation
(London No. 1.) Bill [H.L.]

A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD MONKSWELL.

15th May 1905.

PRINTED BY HERR AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
And to be purchased, either directly or through any bookseller, from
WYMAN and BONS, LTD., Rector Lane, E.C.4; and
and 32, Abingdon Street, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. FORSBERY, 114, Grafton Street, Dublin.

[Price 3d.]

(58 a.)

**Education Board Provisional Order
Confirmation (London No. 1.) Bill [H.L.]**

A M E N D M E N T

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D M O N K S W E L L .

After clause 3, insert as a new clause :

. In settling any question of disputed purchase-money or compensation payable under this Act by the Council, the court or person settling the same shall not award any sum of money for or in respect of any improvement, alteration, or building made or for or in respect of any interest in the lands created after the eighteenth day of October, one thousand nine hundred and four, if in the opinion of such court or person the improvement, alteration, or building, or the creation of the interest in respect of which the claim is made, was not reasonably necessary, and was made or created with a view of obtaining or increasing compensation under this Act.

Education Board Provisional
Order Confirmation
(London No. 1.) Bill [H.L.]

AMENDMENT

TO BE MOVED IN COMMITTEE

BY

THE LORD MONKSWELL.

5th June 1905

PRINTED BY FIFE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
and to be purchased, either directly or through any Bookseller from
WYMAN and SONS, LTD., Peter Lane, E.C.4; and
32, Abchurch Lane, Westminster, S.W.1; or
OLIVER and BOTT, Edinburgh; or
E. PONSOMBY, 114, Grafton Street, Dublin

[Price 3d.]

(53 b.)

[5 EDW. 7.] *Education Board Provisional Order*
Confirmation (London, No. 2). [H.L.]

1

A

B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1903 to enable the London County Council to put in for cethe Lands Clauses Acts. A.D. 1905.

WHEREAS the Board of Education have made a Provisional Order under the authority of the Education Acts 1870 to 1903 on behalf of the London County Council and it is requisite that the same should be confirmed by Parliament :

5 And whereas by the Board of Education Act 1899 it is provided that the Board of Education shall take the place of the Education Department and all enactments and documents shall be construed accordingly :

10 And whereas the lands required to be purchased under the powers granted by the said Provisional Order and confirmed by this Act are described in the schedule to the said Provisional Order as set out in the schedule to this Act and are delineated on the plan (numbered 21) accompanying the petition referred to in the said Provisional Order and a copy of the said plan has been duly
 15 deposited in the offices of the two Houses of Parliament :

Be it therefore 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 :—

20 **1.** The following Order as set out in the schedule to this Act shall be and is hereby confirmed and from and after the passing of this Act shall have full validity and force.

Confirmation
of Order in
schedule.

(54.)

A

A.D. 1905.

Saving of
public rights
of way.

2. Nothing herein contained shall be construed to authorise the Council to extinguish any public rights of way without such Order being obtained as but for this Act would have been required for that purpose.

Council may
appropriate
&c. for street
widening
portions of
site acquired.

3. If in the opinion of the Council either of the roads upon 5
which the site which the Council are by this Act and the Order
scheduled hereto authorised to acquire abuts are not sufficiently
wide for the accommodation of the present and probable future
traffic or for the convenience of the persons using the said roads
it shall be lawful for the Council to appropriate take and use 10
for the purpose of widening such roads or either of them so
much of the said site as the Council may determine to be
necessary for such purpose :

Provided that if the Council appropriate take or use under
the provisions of this section any part of the said site for the 15
purpose of widening any road such part (if any) of the cost of
the acquisition of the site and of any expenses incidental to such
acquisition as the Council may determine shall be deemed to be
part of the costs and expenses of the Council in connexion with
street improvements. 20

Short title.

4. This Act may be cited as the Education Board Provisional
Order Confirmation (London No. 2) Act 1905.

[5 EDW. 7.]

*Education Board Provisional Order
Confirmation (London, No. 2).*

3

SCHEDULE.

A.D. 1905.

EDUCATION ACTS 1870-1903
AND
BOARD OF EDUCATION ACT 1899.

5

THE LONDON COUNTY COUNCIL.

Provisional Order for putting in force the Lands Clauses Acts. *London County
Council.*

WHEREAS the London County Council require to purchase certain lands for the purpose of providing Elementary Education within the meaning of the Education Acts 1870-1903 and not having been able to purchase the same by agreement require to put in force the provisions of the Lands Clauses Acts which apply to the purchase and taking of lands otherwise than by agreement :

And whereas the lands so required to be purchased are set forth in the schedule hereto :

And whereas the London County Council have made due publication of the notices and have duly served the same according to the requirements of the Education Acts 1870-1903 and have presented a petition to the Board of Education praying that an Order may be made authorising the said Council to put in force the powers of the said Acts with respect to the purchase and taking of lands otherwise than by agreement in which petition were stated all the matters required by the said Education Acts to be stated therein and the same hath been supported by such evidence as the said Board of Education required :

And whereas the Board of Education having considered the said petition and the proofs of the publication and service of the proper notices have thought fit to proceed with the case and have caused such inquiry as is hereinafter referred to to be made in the district wherein the said lands are situate as to the propriety of the proposed Order :

And whereas the said lands are intended to be used for the site of a new Public Elementary School to be provided by the London County Council and the Council of the Metropolitan Borough of Wandsworth in which Borough the said lands are situated do not concur in the proposed compulsory acquisition :

And whereas the Board of Education directed a public inquiry to be held with a view to satisfying themselves whether the concurrence of the said Borough Council ought to be dispensed with and generally as to the propriety of the proposed Order and such public inquiry has been duly held :

(54.)

A 2

A D. 1905.
 London County
 Council.

And whereas the report in writing of Claud Schuster Esq. being the person appointed by the said Board for the purpose of holding the said inquiry has been duly made to the Board of Education and has been considered by them and the Board are satisfied that the concurrence of the said Borough Council should be dispensed with and that the Order asked for may properly be made : 5

Now therefore the said Board of Education do hereby order that the London County Council be authorised to put in force with reference to the pieces of land set forth in the schedule hereto the powers of the said Acts for the purchase and taking of lands otherwise than by agreement or any of them. 10

Given under the Seal of Office of the Board of Education this 14th day
 of April 1905.

(L.S.)

H. W. SIMPKINSON
 One of the Assistant Secretaries of the Board of Education. 15

The SCHEDULE herein-before referred to.

Plan No. 21.

METROPOLITAN BOROUGH OF WANDSWORTH.

Land houses and premises known as Nos. 1 and 3 Hotham Road and Nos. 11 13 and 15 Charlwood Road and containing 45,885 square feet or thereabouts as the same are shown in the Plan No. 21 and distinguished thereon by the Nos. 1 to 5 inclusive together with all and singular the messuages and tenements and buildings (if any) now standing or being thereon with their appurtenances. 20 25

Names.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Robert John Petteward - - - - -			
John Franks Beale - - - - -			
Clarence D'Oyley Hutchins - - - - -			
James Booker Wright - - - - -			
Penelope May - - - - -			
John Henry Keeling - - - - -			
John Alexr. Brown } Trustees of the late George {			
Jas. Harrop Dransfield } Thomas Congreve - - - {			

30

35

**Education Board Provisional Order
Confirmation (London No. 2.) Bill [H.L.]**

A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD MONKSWELL.

Clause 3, page 2, line 20, after (“ improvements ”) insert (“ in settling any question of disputed purchase-money or compensation payable under this Act by the Council, the court or persons settling the same shall not award any sum of money for or in respect of any improvement, alteration, or building made or for or in respect of any interest in the lands created after the eighteenth day of October, one thousand nine hundred and four, if in the opinion of such court or person the improvement, alteration, or building, or the creation of the interest in respect of which the claim is made, was not reasonably necessary, and was made or created with a view of obtaining or increasing compensation under this Act ”)

Education Board Provisional
Order Confirmation
(London No. 2.) Bill [H.L.]

A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD MONKSWELL.

15th May 1905.

PRINTED BY RICE AND SPOTTISWOODE
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any bookseller, from
WYKIN and SOYS, LTD, Patern Lane, E.C.4; and
32, Abchurch Lane, Westminister S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. FROWDE, 116, Grafton Street, Dublin.

[Price 4d.]

(54 a.)

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bury (Rural) Conway Golborne Haydock Hipperholme Little Lever Southall-Norwood Spalding Whitwood and Whitworth. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act : 45 & 46 Vict.
c. 56.
51 & 52 Vict.
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

Be it therefore 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 :—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 1) Act 1905. Short title.

2. The several Orders as set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Orders in
schedule
confirmed.

(86.)

A

A.D. 1905.
 For pro-
 tection of
 Lancashire
 County
 Council.

3.—(1) Nothing in any Order confirmed by this Act shall in any way limit or affect the powers of the Lancashire County Council to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. 5

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county bridgmaster necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised to do so) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council. 10 15 20

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out. 25

(4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade. 30

For pro-
 tection of
 West Riding
 County
 Council.

4.—(1) Nothing in any Order confirmed by this Act shall in any way limit or affect the powers of the West Riding County Council to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. 35

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking 40

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 1).*

3

by the Order authorised they shall prior to the commencement
of such works give the Undertakers one month's notice of their
intention to carry out such works and if in order to avoid inter-
ruption to the supply by the Undertakers of electrical energy it
5 is in the opinion of the county surveyor necessary to remove tem-
porarily the mains and other electrical appliances belonging to the
Undertakers from such bridge then the Undertakers shall (and they
are hereby authorised to do so) at their own expense temporarily
carry their cables and wires across such bridge overhead or at
10 the side thereof in such a manner as will not be a danger or incon-
venience to the public or unreasonably interfere with the works
to be carried out by the county council.

(3) When the rebuilding altering widening or repairing of
such bridge shall have been completed the Undertakers shall have
15 the same rights and powers with regard to such bridge and its
approaches as they had before the works were carried out.

(4) If any dispute arises between the county council and the
Undertakers with regard to this section the same shall be deter-
mined by an arbitrator to be appointed on the application of
20 either party by the Board of Trade.

A.D. 1905.

SCHEDULE.

LIST OF ORDERS.

1. BURY (RURAL).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Rural District Council of Bury. 5
2. CONWAY.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Conway.
3. GOLBORNE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Golborne. 10
4. HAYDOCK.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Haydock.
5. HIPPERHOLME.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Hipperholme. 15
6. LITTLE LEVER.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Little Lever. 20
7. SOUTHAL-NORWOOD.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Southall-Norwood.
8. SPALDING.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Spalding. 25
9. WHITWOOD.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Whitwood.
10. WHITWORTH.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Whitworth. 30

BURY RURAL DISTRICT ELECTRIC LIGHTING.

A.D. 1905.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Rural District Council of Bury in respect of the Rural District of Bury in the County Palatine of Lancaster.

Bury.

1. This Order may be cited as the Bury Rural District Electric Lighting Order 1905. Short title.
2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Bury Rural District Council. Undertakers.
4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. Power to break up streets &c.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the rural district a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one

Revision of prices so as to balance revenue and expenditure.

A.D. 1905. shilling a copy and such publication shall be in addition to and not in
 Bury. substitution for any publication prescribed by the Board of Trade under the
 Electric Lighting Act 1882.

(2) The Undertakers shall on the expiration of the fifth complete
 financial year after they have commenced to supply electrical energy under 5
 this Order and on the expiration of each third succeeding year reconsider
 and if necessary revise and thereafter maintain the scales of prices charged
 for electrical energy under this Order so that so far as is reasonably
 practicable no rate will be required for the purpose of defraying the future
 expenses of the said undertaking during the next three years Provided 10
 nevertheless that—

(a) the prices to be charged shall not exceed the maximum prices
 which may be charged under this Order ;

(b) the scales of prices so reconsidered and revised may be from
 time to time in like manner reconsidered and revised by the 15
 Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers
 from entering into contracts for periods which may extend beyond the
 periods at which any revision may take place under the provisions of this
 section on special terms under special circumstances not applicable to ordi- 20
 nary consumers but each such contract shall provide that the price to be
 charged for energy supplied under such contract shall either—

(a) be subject to revision at the next triennial revision provided for
 in this section ; or

(b) vary in the same proportion as the prices charged to ordinary 25
 consumers :

Provided that the Undertakers shall not without their consent be
 required to accept any price lower than the minimum price mentioned in
 such contract.

(4) There shall not be made against the district rate or any other 30
 rate for energy used by the Undertakers for street lighting or any other
 purpose a charge at a higher price than that charged to consumers using
 energy for similar purposes and for the like hours of supply.

Saving of
 power to make
 contracts &c.
 with Lanca-
 shire Electric
 Power Com-
 pany.

9. Nothing in the provisions contained in the schedule to Electric
 Lighting (Clauses) Act 1899 as incorporated with this Order shall be 35
 construed as preventing the Undertakers from entering into or carrying
 into effect any contract agreement or arrangement which under the
 Lancashire Electric Power Act 1900 may be entered into and carried into
 effect by the Lancashire Electric Power Company and any local authority
 authorised to supply energy within the area of supply under that Act. 40

Powers of
 Radcliffe
 Urban District
 Council to

10.—(1) If at any time after the commencement of this Order any part
 of the rural district of Bury is transferred to the urban district of Radcliffe
 and by virtue of the Radcliffe Tramways and Improvement Act 1904 thereby

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 1).* 7

becomes included within the area of supply under the Radcliffe Electric Lighting Order 1895 the Radcliffe Urban District Council may by six months' notice in writing require the Undertakers to sell and thereupon the Undertakers subject to the consent of the Board of Trade by deed approved by the Board of Trade shall sell to them so much of the undertaking authorised by this Order as is within the part so transferred (including all lands buildings works materials and plant suitable to and used by the Undertakers for the purposes of the undertaking within that part) upon the terms of the Radcliffe Urban District Council paying to the Undertakers the then fair market value of the lands buildings works materials and plant so purchased with the addition of a sum of 10 per cent. upon that value in respect of goodwill compulsory purchase and severance.

A.D. 1905.

Bury.

purchase part of undertaking upon extension of their area to part of area of supply.

(2) The amount to be paid on any such purchase as aforesaid shall be determined in default of agreement by arbitration and the Board of Trade may determine any other question which arises with respect to the purchase and in default of agreement as to the date on which the purchase is to take effect may fix that date.

(3) As from the date on which any such purchase takes effect the part of the undertaking purchased shall vest in the Radcliffe Urban District Council freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the part of the undertaking purchased and the powers of the Undertakers in relation to the supply of electricity under this Order or the principal Act within the area so transferred shall absolutely cease and determine and shall vest in the Radcliffe Urban District Council who shall become the Undertakers in respect of the area so transferred as if that area were included within the area of supply under the Radcliffe Electric Lighting Order 1895.

(4) Nothing in this section shall be construed as affecting any right which the Radcliffe Urban District Council may have with respect to the purchase of so much of the undertaking as may at any future time be situate within their district under section two of the Electric Lighting Act 1888.

(5) If in the event of a purchase by the Radcliffe Urban District Council under section two of the Electric Lighting Act 1888 or under the special powers given by this section any question arises as to whether any of the lands buildings works materials or plant aforesaid are suitable to and used for the purposes of the undertaking within the part transferred that question shall be determined by arbitration.

(6) As from the date of any such transfer as aforesaid until the date on which any purchase by the Radcliffe Urban District Council whether under the powers given by this section or under section two of the Electric Lighting Act 1888 takes effect the provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall apply as respects so much of the area of supply as is comprised within the part of the rural district so transferred as if the Undertakers were not

A.D. 1905, the local authority except that sections twenty-three and sixty-five of that
Bury. schedule shall apply as if the Undertakers were the local authority as respects that part.

Commence 11. This Order shall come into force upon the day when the Act con-
 ment of Order. firming this Order is passed and that day for the purposes of the Electric 5
 Lighting (Clauses) Act 1899 shall be the commencement of this Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The rural district of Bury as constituted at the commencement of this 10
 Order.

SECOND SCHEDULE.

*Streets not repairable by the Local Authority which may be broken up
 by the Undertakers in pursuance of the special powers granted by this
 Order.* 15

In the township of Outwood—

Ringley Road Kearsley Road road (unnamed) from Haydock's Farm
 to the Irwell Bank Spinning Company's mill Fold Road Outwood
 Road.

In the township of Ainsworth—

Bury New Road Radcliffe Moor Road leading from Bury New Road 20
 as far as the Lancashire and Yorkshire Railway road (unnamed)
 leading from the main road to Black Lane Station Ainsworth
 Hall Road Knowsley Road road leading from "Coach and Horses"
 Ainsworth to Starmount Works and Railway Station and branch 25
 road leading to Bar House.

In the township of Walmersley-cum-Shuttleworth—

Rochdale Road Bamford Road Buckhurst Road Croston Close Road.

In the township of Birtle-cum-Bamford—

Jowkin Lane and Crimble Lane. 30

In the township of Unsworth—

Bury New Road.

THIRD SCHEDULE.

A.D. 1905.

Bury.

5 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

In the township of Outwood—

Fold Road and road (unnamed) from Haydock's Farm to Irwell Bank Mill.

In the township of Ainsworth—

10 Bury New Road from the boundary of the borough of Bolton to Ainsworth Hall Road.

In the township of Birtle-cum-Bamford—

15 Norden Road from the boundary of the borough of Heywood to the boundary of the urban district of Norden Rochdale Old Road from the boundary of the borough of Heywood to the boundary of the urban district of Norden.

In the township of Unsworth—

Hollins Lane from the junction with Croftlane to Kilnercroft.

FOURTH SCHEDULE

20

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

25

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

30

SECTION 2.

35 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

A.D. 1905.

CONWAY CORPORATION ELECTRIC LIGHTING.

Conway.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Conway in respect of the Borough of Conway in the County of Carnarvon. 5

Short title.

1. This Order may be cited as the Conway Corporation Electric Lighting Order 1905.

Incorporation
of Electric
Lighting
(Clauses) Act
1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 10

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Mayor Aldermen and Burgesses of the Borough of Conway.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 15

Power to break
up streets &c.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule. 20

Compulsory
works.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 25

Maximum
prices.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 30

Commence-
ment of Order.

8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 11

SCHEDULES.

A.D. 1905.

Conway.

FIRST SCHEDULE.

AREA OF SUPPLY.

The Borough of Conway as constituted at the commencement of this
5 Order.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

10 STREETS:—

Victoria Drive Albert Drive Ferndale Road Broad Street York Road
Gannock Road Marine Crescent Gannock Park Marl Drive Erskine Terrace
Watkin Street Pool Lane Sea View Terrace Waen Road Marine Crescent
15 the roadway on the Conway Suspension Bridge and the road over the
embankment leading therefrom to Llandudno Junction the roads over the
bridges across the London and North Western Railway at Rosemary Lane
Upper Gate Street Townditch and Cadnant Park approach road and the
respective approaches to such roads.

RAILWAYS:—

20 London and North Western Railway Waen level crossing Deganwy
level crossing Llandudno Junction level crossing.

THIRD SCHEDULE.

25 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

Rosehill Street Conway Castle Street Conway High Street Conway
Bangor Road from the Guildhall to the Archway Conway Deganwy Road
Deganwy Ty Mawr Road Deganwy.

A.D. 1905.

FOURTH SCHEDULE.

Conway.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of 5 one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and 10 fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of 15 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Golborne.

GOLBORNE ELECTRIC LIGHTING.

20

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Golborne in respect of the Urban District of Golborne in the County of Lancaster.

Short title.

1. This Order may be cited as the Golborne Electric Lighting Order 1905. 25

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Urban District Council of Golborne. 30

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this 35

[5 **EDW. 7.**] *Electric Lighting Provisional Orders (No. 1).* 13

Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. A.D. 1905.

Golborne.

5 Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second schedule to this Order and the railways and tramways which are also mentioned in that schedule. Power to break up streets &c.

10 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.

15 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.

20 8. Nothing in the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall be construed as preventing the Undertakers from entering into or carrying into effect any contract agreement or arrangement which any company or person supplying energy under any Act of Parliament may under that Act enter into and carry into effect with any local authority authorised to supply energy. Power to enter into arrangements.

30 9.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the urban district a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882. Revision of prices.

35 (2) The Undertakers shall on the expiration of the third complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that—

40 (a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order;

(b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

A.D. 1905. (3) Nothing in this section contained shall prevent the Undertakers
Golborne. from entering into contracts for periods which may extend beyond the
periods at which any revision may take place under the provisions of this
section on special terms under special circumstances not applicable to ordi- 5
nary consumers but each such contract shall provide that the price to be
charged for energy supplied under such contract shall either—

(a) be subject to revision at the next triennial revision provided for
in this section; or

(b) vary in the same proportion as the prices charged to ordinary
consumers: 10

Provided that the Undertakers shall not without their consent be
required to accept any price lower than the minimum price mentioned in
such contract.

(4) There shall not be made against the district rate or any other
rate for energy used by the Undertakers for street lighting or any other 15
purpose a charge at a higher price than that charged to consumers using
energy for similar purposes and for the like hours of supply.

Commence-
ment of Order 10. This Order shall come into force upon the day when the Act con-
firming this Order is passed and that day for the purposes of the Electric
Lighting (Clauses) Act 1899 shall be the commencement of this Order. 20

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Golborne as constituted at the commencement
of this Order. 25

SECOND SCHEDULE.

*List of Streets not repairable by the Local Authority Railways and Tram-
ways which may be broken up by the Undertakers in pursuance of the
special powers granted by this Order.*

(a) STREETS:— 30

Grimshaw Street Highfield Avenue Dyer Street Springfield Avenue
Barton Street Talbot Street Church Street Ashton Road High Street
Bridge Street Warrington Road and Wigan Road.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 15

(b) RAILWAYS:—

The level crossing in Wigan Road of the railway connecting the Edge Green Collieries of Messrs. Richard Evans & Company Limited with the Leeds and Liverpool Canal.

A.D. 1905.

Golborne.

5 (c) TRAMWAYS:—

The tramways of the South Lancashire Tramways Company.

THIRD SCHEDULE.

10 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

15 Warrington Road Park Road Newton Lane Bridge Street Legh Street Cross Street Grundy Street Wakefield Street Brook Street Barn Lane High Street School Street Mill Street John Street Wood Street Tanners' Lane Queen Street Police Street Railway Road Charles Street Salisbury Street Lowe Street Rigby Street Silcock Street Heath Street Worsley Street Turton Street Sankey Street Peter Street Harvey Lane Helen Street Bank Street Edge Green Lane Ashton Road Church Street Manor Street May Street Poplar Street Lowton Road and Wigan Road.

20

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

25 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

30 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

SECTION 2

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of

A.D. 1905. energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.
Golborne.

Haydock.

HAYDOCK ELECTRIC LIGHTING.

5

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Haydock in respect of the Urban District of Haydock in the County of Lancaster.

- Short title. 1. This Order may be cited as the Haydock Electric Lighting Order 1905. 10
- Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Haydock. 15
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 20
- Power to break up streets &c. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways and tramways which are also mentioned in that schedule. 25
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 30
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 17

8. Nothing in the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall be construed as preventing the Undertakers from entering into or carrying into effect any contract agreement or arrangement which any Company or person supplying energy under any Act of Parliament may under that Act enter into and carry into effect with any local authority authorised to supply energy.

A.D. 1905.
Haydock.
Power to enter into arrangements.

9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commencement of Order.

10

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Haydock as constituted at the commencement of this Order.

15

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority Railways and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order:—

(a) STREETS:—

20 Albert Street Chapel Street Cocper's Lane Ebenezer Street Grange Road from the level crossing to the township boundary Halton Street Juddfield Street King Street Lyme Street North Street Park Street Piele Road Short Street New Boston Square Wagon Lane the roadway crossing the bridge carrying Clipsley Lane over the Liverpool St. Helens and South Lancashire Railway the roadway crossing the bridge carrying Piele Road over the Liverpool St. Helens and South Lancashire Railway the roadway crossing the bridge carrying Lodge Lane over the Liverpool St. Helens and South Lancashire Railway the roadway crossing the bridge carrying Millfield Lane over the Liverpool St. Helens and South Lancashire Railway.

25

30

(b) RAILWAYS:—

The level crossing in Penny Lane of the railway connecting collieries and works of Richard Evans and Company Limited with the Great Central Railway

(86.)

C

A.D. 1905. The level crossing in Clipsley Lane of the railway connecting collieries and works of Richard Evans and Company Limited with the London and North Western Railway at Earlestown. *Haydock.*

The level crossing in Clipsley Lane of the railway of Richard Evans and Company Limited connecting collieries and works of the said Richard Evans and Company Limited. 5

The level crossing in Grange Road of the railway (known as Old Fold Railway) connecting collieries and works of Richard Evans and Company Limited with the Haydock Branch Railway of the said Richard Evans and Company Limited. 10

(c) TRAMWAYS :—

The tramways of the St. Helens Municipal Corporation and
The tramways of the South Lancashire Tramways Company.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 15

Blackbrook Road Clipsley Lane Church Road and Penny Lane from Church Road to the junction of Penny Lane with Vista Road. 20

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 25

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence. 30

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 19

quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. A.D. 1905.
Haydock.

HIPPERHOLME ELECTRIC LIGHTING.

Hipperholme.

- 5** *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Hipperholme Urban District Council in respect of the Urban District of Hipperholme in the West Riding of the County of York.*
1. This Order may be cited as the Hipperholme Electric Lighting Order 1905. Short title.
- 10** 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting Act 1899 are the Hipperholme Urban District Council. Undertakers.
- 15** 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 20** 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that schedule. Power to break up streets &c.
- 25** 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 30** 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 35** 8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order.

A.D. 1905.

 Hipperholme.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Hipperholme as constituted at the commencement of this Order. 5

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS :—

Sutherland Road Victoria Road Roydlands Street West Street and George Street. 10

The roadway on the bridge carrying the Wakefield Road over the Lancashire and Yorkshire Railway near Lightcliffe Station and the roadway on the bridge carrying the Station Road over the Lancashire and Yorkshire Railway near Hipperholme Station. 15

(b) TRAMWAYS :—

The Halifax Corporation tramways.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 20

Halifax Road from the Hipperholme Steam Brewery to its junction with Wakefield Road Wakefield Road from its junction with Halifax Road to and including the roadway on the bridge carrying the Wakefield Road over the Lancashire and Yorkshire Railway near Lightcliffe Station Leeds and Whitehall Road from its junction with Halifax Road to its junction with 25

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 21

Knowl Top Lane Denholme Gate Road from its junction with Kirk Lane to its junction with Halifax Road Kirk Lane and Giles Road from its junction with Wakefield Road to Hill Top. A.D. 1905.
Hipperholme.

FOURTH SCHEDULE.

5 MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

10 SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

15 SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

LITTLE LEVER ELECTRIC LIGHTING.

Little Lever.

25 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Little Lever in respect of the Urban District of Little Lever in the County Palatine of Lancaster.*

1. This Order may be cited as the Little Lever Electric Lighting Order 1905. Short title.

30 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.

- A.D. 1905. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Little Lever.
- Little Lever.*
Undertakers.
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 5
- Power to break up streets. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. 10
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 15
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 20
- Revision of prices so as to balance revenue and expenditure. 8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the urban district a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882. 25 30
- (2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years. Provided nevertheless that— 35
- (a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order; 40
- (b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 1).* 23

- (3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—
- 5 (a) be subject to revision at the next triennial revision provided for in this section; or
- 10 (b) vary in the same proportion as the prices charged to ordinary consumers :
- Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract.
- (4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purposes a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.
- (5) This section shall not apply to the Undertakers or to the undertaking if and so long as the Undertakers are not a local authority.
- 20 9. At any time within one year after the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the Lancashire Electric Power Company and on such transfer the rights powers authorities obligations and liabilities of the
- 25 Undertakers in respect of the undertaking authorised by this Order shall be transferred to and may be exercised by and shall attach to that Company who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.
- 30 10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Little Lever.

Power to transfer undertaking to Lancashire Electric Power Company.

Commencement of Order.

S C H E D U L E S.

FIRST SCHEDULE.

AREA OF SUPPLY.

- 35 The urban district of Little Lever as constituted at the commencement of this Order.
-

A.D. 1905.

SECOND SCHEDULE.

Little Lever.

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Booth Road Common Lane Mytham Road Boscow Road Top o' th' Lodge 5
Road Dearden Street.

THIRD SCHEDULE.

List of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 10

High Street Market Street Church Street Hall Street Lever Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current 15
of one thousand ampères flowing under an electro-motive force of
one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of
energy supplied to him they shall be entitled to charge him at the following 20
rates per quarter For any amount up to twenty units thirteen shillings and
fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity
contained in the supply given to him they shall be entitled to charge him 25
according to the rates set forth in section 1 of this schedule the amount of
energy supplied to him being taken to be the product of that electrical
quantity and the declared pressure at the consumer's terminals that is to say
such a constant pressure at those terminals as may be declared by the
Undertakers under the Board of Trade regulations. 30

SOUTHALL-NORWOOD ELECTRIC LIGHTING.

A.D. 1905.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Southall-Norwood Urban District Council in respect of the Urban District of Southall-Norwood in the County of Middlesex.

- 5 1. This Order may be cited as the Southall-Norwood Electric Lighting Order 1905. Short title.
- 10 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Southall-Norwood Urban District Council. Undertakers.
- 15 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 20 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order, and the tramways which are also mentioned in that schedule. Power to break up streets &c.
- 25 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 30 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 35 8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the area of supply a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882. Revision of prices to balance revenue and expenditure.
- 40

A.D. 1905.
 Southall-
 Norwood.

(2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scale of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that— 5

- (a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order ; 10
 (b) the scale of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either— 15

- (a) be subject to revision at the next triennial revision provided for in this section ; or 20
 (b) vary in the same proportion as the prices charged to ordinary consumers :

Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract. 25

(4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply. 30

Commence-
 ment of Order.

9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

SCHEDULES.

FIRST SCHEDULE.

35

AREA OF SUPPLY.

The urban district of Southall-Norwood as constituted at the commencement of this Order.

SECOND SCHEDULE.

A.D. 1905.

Southall-
Norwood.

List of Streets not repairable by the Local Authority and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

5 (a) STREETS:—

Avenue Road Osterly Park Road Woodland Place Kingston Road
Grosvenor Road Portland Road Havelock Road Pluckington Road
Montague Road Gordon Road Inverness Road Lea Road Salisbury
Road Williams Road Lady Margaret Road Mount Avenue Beachcroft
10 Avenue Longford Avenue Oswald Road Abbots Road Gas Works
Road Grange Road Hamhrough Road West End Road Beaconsfield
Road Townsend Road Trinity Road Beresford Road Northcote Avenue
Tudor Road Alexandra Avenue Hayes Bridge Hammond Road East
Hammond Road Rectory Road Florence Road Albert Road Leonard
15 Road Sussex Road Adelaide Road Endsleigh Road Beverley Road
Talbot Road Clifton Road Margarine Road Entrance Roads to Recrea-
tion Ground Southall Green Main Road from Brent Bridge to the
Bridge over the River Crane. The roadway on the bridge over the
Great Western Railway at Southall Station and the approaches
20 thereto.

(b) TRAMWAYS:—

The tramways of the London United Tramways Company Limited.

THIRD SCHEDULE.

25 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

Uxbridge Road South Road The Green King Street Featherstone Road
Western Road from King Street to Featherstone Road.

30

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current
of one thousand ampères flowing under an electro-motive force of
one volt during one hour.

35

(86.)

D 2

SECTION 1.

A.D. 1905. Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence. 5

Southall-Norwood.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 10

Spalding.

SPALDING ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Spalding in respect of the Urban District of Spalding in the County of Lincoln. 15

- Short title. 1. This Order may be cited as the Spalding Electric Lighting Order 1905.
- Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 20
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Spalding. 25
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 30
- Power to break up streets &c. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule. 35

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 1).* 29

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. A.D. 1905.
Spalding.
Compulsory
works.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum
prices.
8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commence-
ment of Order

SCHEDULES.

FIRST SCHEDULE.

15

AREA OF SUPPLY.

The urban district of Spalding as constituted at the commencement of this Order.

SECOND SCHEDULE.

- 20 *List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

STREETS:—

Albert Street from Commercial Road to Halmer Road Bath Lane
Victoria Street Park Road.

25

RAILWAYS:—

The level crossing of the Great Northern Railway over the Pinchbeck and Winsover Roads respectively.

The level crossings of the Midland and Great Northern Railways Joint Committee over the London and Cowbit roads respectively.

30

The level crossings of the Great Northern and Great Eastern Railways Joint Committee over the London and Cowbit Roads respectively.

A.D. 1905.

THIRD SCHEDULE.

Spalding.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 5

Market Place London Road Church Street High Street Pinchbeck Road
Station Street Hall Place Westlode Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule— 10

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence. 15

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 20 25

Whitwood.

WHITWOOD ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Whitwood in respect of the Urban District of Whitwood in the West Riding of the County of York. 30

Short title.

1. This Order may be cited as the Whitwood Electric Lighting Order 1905.

Incorporation
of Electric
Lighting
(Clauses) Act
1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 35

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Urban District Council of Whitwood. A.D. 1905.
Whitwood
Undertakers.
4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. Power to break
up streets.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory
works.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum
prices.
8. Nothing in the provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall be construed as preventing the Undertakers from entering into and carrying into effect any contract agreement or arrangement which under the Yorkshire Electric Power Act 1901 may be entered into and carried into effect by the Yorkshire Electric Power Company and any authorised undertakers. Saving of
power to make
contracts &c.
with Yorkshire
Electric Power
Company.
9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commence-
ment of Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Whitwood as constituted at the commencement of this Order.

A.D. 1905.

Whitwood.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Sykes Street Mill Street Phillips Street Bradley Street. 5

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 10

Lumley Street (from Castleford boundary to the Rectory) Methley Road (from Castleford boundary to the tramway terminus) Whitwood Lane (from the Infant School to the North Eastern Railway Bridge).

FOURTH SCHEDULE. 15

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 20

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence. 25

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 30

WHITWORTH ELECTRIC LIGHTING.

A.D. 1905.

Whitworth.

5 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Whitworth in respect of the Urban District of Whitworth in the County of Lancaster.*

1. This Order may be cited as the Whitworth Electric Lighting Order Short title. 1905.
- 10** 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Whitworth. Undertakers.
- 15** 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 20** 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule. Power to break up streets &c.
- 25** 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsor works
- 30** 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 35** 8. This Order shall come into force on the day when the Act confirming this Order is passed, and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order

A.D. 1905.

Whitworth.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Whitworth in the County of Lancaster as constituted at the commencement of this Order.

5

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS :—

10

Albert Street Alfred Street Acre Street Back Market Street Broadley Road (including the roadway on railway bridge) Buxton Street Charles Street Cheetham Hill Cleggs Street Copeland Street Cowm Street Crowther Street Daniel Street Eagley Bank Elm Street Ending Rake Ethel Street Freeholds Road Gas Street George Street Gertrude Street Hall Street (including the roadway on railway bridge) Hallfold (from the old burial ground to Fold Head) Healey Bottoms Road Heys Buildings Holt Street Industry Street Ivy Bank Road James Street Jane Street John Street John Henry Street Knott Hill Street Land Gate Lloyd Street Long Acres Lane Facit Long Acres Lane Whitworth Lord Street Middle Street Millfold Mills Street Milner Street Minnie Street North Street Oak Street Parker Square Peel Terrace Percy Street Princess Street Rawstron Street South Street Spring Place Springside Taylor Street Thomas Street Tonacliffe Road Victoria Street Whittle Street Whitworth Rake Whitworth Square.

25

(b) RAILWAYS :—

The railway of the Lancashire and Yorkshire Railway Company at the Tong Lane level crossing at Whitworth.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

30

The main or turnpike road from Rochdale to Bacup between the premises of The Whitworth Manufacturing Company Limited known as Albert Mill Whitworth and Oak Street Millgate all within the said urban district of Whitworth.

35

FOURTH SCHEDULE.

A.D. 1905.

Whitworth.

In this schedule—

5 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and
10 eightpence and for each unit over twenty units sevenpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of
15 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

**Electric Lighting
Provisional Orders
(No. 1).**

A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bury (Rural) Conway Golborne Haydock Hipperholme Little Lever Southall-Norwood Spalding Whitwood and Whitworth.

(Brought from the Commons 23rd May 1905.)

Ordered to be printed 23rd May 1905.

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52, Abingdon Street, Westminster, S.W.1; or
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E. POSONBY, 116, Grafton Street, Dublin.

[Price 3½d.]

(86.)

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 2).* 1

A

B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Ballaghaderreen. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the Provisional Order set out in the schedule to this Act : 45 & 46 Vict. c. 56. 51 & 52 Vict. c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the Provisional Order made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament :

Be it therefore 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 :—

1. This Act may be cited as the Electric Lighting Order Confirmation (No. 2) Act 1905. Short title.

2. The Order as set out in the schedule to this Act shall be and the same is hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Order in schedule confirmed.

SCHEDULE.

A.D. 1905.	BALLAGHADERREEN ELECTRIC LIGHTING.	
<i>Ballaghaderreen.</i>	<i>Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Rural District Council of Castlerea in respect of the town of Ballaghaderreen and portions of the Townlands of Lung Friarshill Knockanacanny Ballaghaderreen and Kilcolman in the County Roscommon.</i>	5
Short title.	1. This Order may be cited as the Ballaghaderreen Electric Lighting Order 1905.	10
Incorporation of Electric Lighting (Clauses) Act 1899.	2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 83 of that schedule) are incorporated with and form part of this Order.	
Undertakers.	3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the rural district council of Castlerea.	15
Area of supply.	4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.	20
Power to break up streets &c.	5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order.	25
Compulsory works.	6. The streets and parts of the streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.	30
Maximum prices.	7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.	
Commencement of Order.	8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.	35

SCHEDULES.

A.D. 1905.

*Ballag-
haderreen.*

FIRST SCHEDULE.

AREA OF SUPPLY.

- The town of Ballaghaderreen and so much of the Townlands of Lung
- 5 Friarshill Knockanaconny Ballaghaderreen and Kilcolman in the Rural District of Castlerea in the County of Roscommon as is included within a boundary line commencing at centre of the River Lung New Drainage Cut three hundred and twenty feet southwards of centre of the new bridge carrying the Frenchpark Road over it thence proceeding in a north-
- 10 westerly direction parallel to (and one hundred yards distant from) centre of said road for a length of one thousand eight hundred and ninety yards thence in direction due west for length of one thousand and ninety yards to meet the re-entrant angle of south boundary of Townland of Friarshill thence in a northerly direction (crossing the Convent Road at right angles) for a length of three hundred and forty-four yards thence
- 15 in easterly direction parallel to (and one hundred yards distant from) centre of said road for a length of five hundred and eighty-seven yards thence in a north-westerly direction parallel to (and one hundred yards distant from) centre of the Charlestown Road for a length of two hundred
- 20 and seventy-four yards thence in a north-easterly direction (crossing said road at right angles) for a length of two hundred yards thence returning in south-easterly direction parallel to (and one hundred yards distant from) centre of said road for a length of two hundred and seventy yards to meet the rear boundary wall of Old Barracks thence in line of said
- 25 wall in a north-easterly direction for a length of three hundred and seventy-four yards to the Ballyoughter Townland boundary thence following the line of said boundary eastwards to meet Kilcolman Townland boundary thence following the line of Kilcolman boundary in a south-easterly direction for a length of one hundred and fifty-seven yards thence in a
- 30 north-easterly direction parallel to (and one hundred and thirty-three yards distant from) centre of the Edmondstown Road for a length of four hundred and ninety yards to centre of by-road thence in a southerly direction along centre of said by-road and crossing the Edmondstown Road along centre of Kilcolman by-road to a point one hundred and thirty-three
- 35 yards from centre of the Edmondstown Road thence in a westerly direction parallel to (and one hundred and thirty-three yards distant from) centre of said road for a length of three hundred and sixty yards to meet the Ballaghaderreen Townland boundary at south end of the sewerage outfall tank thence following the line of said boundary in a southerly direction
- 40 to meet Lung Townland boundary thence in a south-westerly direction for

A.D. 1905. a length of two hundred and fifty yards to a point one hundred yards distant from centre of the Frenchpark Road thence in a south-easterly direction parallel to (and one hundred yards distant from) centre of said road for a length of one thousand four hundred and ninety-four yards to meet fence thence in north-easterly direction for a length of one hundred and ten yards to centre of the River Lung thence along centre of said river for a length of three hundred and seven yards (up stream) thence in a southerly direction for a length of one hundred and sixty-seven yards to the centre of Frenchpark Road Bridge and ending at point three hundred and twenty feet southwards from bridge referred to at commencement of the foregoing description. 5 10

Ballaghaderreen.

Provided that in case of difference between this description and the area delineated on the deposited map the latter is to prevail.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order. 15

Main Street Tea Street Pound Street Barrack Street Market Square Chapel Lane Chapel Road Station Road Convent Road Back Lane Castlereagh Road Aghalustia Road and Frenchpark Road. 20

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 25

Main Street Tea Street Pound Street Barrack Street Market Square Chapel Lane Chapel Road Station Road Convent Road Back Lane Castlereagh Road Aghalustia Road Frenchpark Road.

FOURTH SCHEDULE.

MAXIMUM PRICES.

30

In this schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 2).*

5

SECTION 1.

A.D. 1905.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings
5 and fourpence and for each unit over twenty units eightpence.

*Ballag-
haderreen.*

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of
10 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

**ELECTRIC LIGHTING
Provisional Order
(No. 2).**

A

B I L L

INTITLED

An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Ballaghaderreen.

(Brought from the Commons 22nd May 1905.)

Ordered to be printed 22nd May 1905.

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[Price 1d.]

(84.)

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).* 1

A

B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Woolwich. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the Provisional Order set out in the schedule to this Act : 45 & 46 Vict.
c. 56.
51 & 52 Vict,
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the Provisional Order made by the Board of Trade under the authority of the said Acts as set out in the schedule to this Act be confirmed by Act of Parliament :

Be it therefore 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 :—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 3) Act 1905. Short title.

2. The Order as set out in the schedule to this Act shall be and the same is hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Order in
schedule
confirmed.

A.D. 1905.

SCHEDULE.*Woolwich.***WOOLWICH ELECTRIC LIGHTING.**

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Councillors of the Metropolitan Borough of Woolwich in respect of the Metropolitan Borough of Woolwich. 5

Preliminary.

- Short title. 1. This Order may be cited as the Woolwich Electric Lighting Order 1905.
- Interpretation. 2. This Order is to be read and construed subject in all respects to the provisions of the Electric Lighting Acts 1882 and 1888 and of any other Acts or parts of Acts incorporated therewith which said Acts and parts of Acts are in this Order collectively referred to as "the principal Act" and the several words terms and expressions to which by the principal Act meanings are assigned shall have in this Order the same respective meanings provided that in this Order— 10
- The expression "energy" shall mean electrical energy and for the purposes of applying the provisions of the principal Act to this Order electrical energy shall be deemed to be an agency within the meaning of electricity as defined in the Electric Lighting Act 1882 : 20
- The expression "power" shall mean electrical power or the rate per unit of time at which energy is supplied :
- The expression "main" shall mean any electric line which may be laid down by the Undertakers in any street subway or public place and through which energy may be supplied or intended to be supplied by the Undertakers for the purposes of general supply : 25
- The expression "service line" shall mean any electric line through which energy may be supplied or intended to be supplied by the Undertakers to a consumer either from any main or directly from the premises of the Undertakers : 30
- The expression "distributing main" shall mean the portion of any main which is used for the purpose of giving origin to service lines for the purposes of general supply :
- The expression "general supply" shall mean the general supply of energy to ordinary consumers but shall not include the supply of energy to any one or more particular consumers under special agreement : 35

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).*

3

The expression "area of supply" shall mean the area within which the Undertakers are for the time being authorised to supply energy under the provisions of this Order :

A.D. 1905.
Woolwich.

5 The expression "subway" shall mean any passage or covered way under the surface of a street constructed for the reception of pipes or wires :

10 The expression "county council" shall mean the London County Council and the provisions of this Order in which the county council is expressly mentioned shall be construed without derogation to the powers duties and liabilities (if any) of that council as local authority under this Order and the principal Act :

The expression "consumer" shall mean any body or person supplied or entitled to be supplied with energy by the Undertakers :

15 The expression "consumer's terminals" shall mean the ends of the electric lines situate upon any consumer's premises and belonging to him at which the supply of energy is delivered from the service lines :

20 The expression "telegraphic line" when used with respect to any telegraphic line of the Postmaster-General shall have the same meaning as in the Telegraph Act 1878 and any such telegraphic line shall be deemed to be injuriously affected where telegraphic communication by means of that line is whether through induction or otherwise in any manner affected :

The expression "railway" shall include any tramroad that is to say any tramway other than a tramway as hereinafter defined :

25 The expression "tramway" shall mean any tramway laid along any street :

The expression "daily penalty" shall mean a penalty for each day on which any offence is continued after conviction therefor :

30 The expression "Board of Trade regulations" shall mean any regulations or conditions affecting the undertaking made by the Board of Trade under the principal Act or this Order for securing the safety of the public or for insuring a proper and sufficient supply of energy :

35 The expressions "First Schedule" "Second Schedule" "Third Schedule" and "Fourth Schedule" shall mean the First Second Third and Fourth Schedules to this Order annexed respectively :

The expression "deposited map" shall mean the map of the area of supply deposited at the Board of Trade by the Undertakers together with this Order and signed by an assistant secretary to the Board of Trade :

40 The expression "plan" shall mean a plan drawn to a horizontal scale of at least one inch to 88 feet and where possible a section drawn to the same horizontal scale as the plan and to a vertical scale of at least one inch to 11 feet or to such other scale as the Board of Trade may approve of for both plan and section together with such detail plan and sections as may be necessary.

45

4 *Electric Lighting Provisional Order (No. 3). [5 EDW. 7.]*

A.D. 1905. 3. This Order shall come into force and have effect upon the First day of October nineteen hundred and five which date is in this Order referred to as "the commencement of this Order."
Woolwich.
Commencement of Order.

Description of the Undertakers.

Description of Undertakers. 4. Subject to the provisions of this Order the Undertakers for the purposes of this Order shall be the mayor aldermen and councillors of the metropolitan borough of Woolwich. 5

Area of Supply.

Area of supply. 5. Subject to the provisions of this Order the area of supply shall be the whole of the area which is included in the First Schedule and is more particularly delineated upon the deposited map and thereon coloured red. 10

Prohibition of supply beyond area of supply. 6. The Undertakers shall not at any time after the commencement of this Order supply energy or (except for the purposes of this Order) erect or lay down any electric lines or works beyond the area of supply otherwise than under the authority of Parliament or under a licence granted by the Board of Trade under the principal Act. 15

If the Undertakers supply energy or erect or lay down electric lines or works in contravention of this section the Board of Trade may revoke this Order on such terms as they may think just.

Nature and Mode of Supply.

Systems and mode of supply. 7. Subject to the provisions of this Order and the principal Act the Undertakers may supply energy within the area of supply for all public and private purposes as defined by the said Act provided as follows :—
(1) That energy shall be supplied only by means of some system which shall be approved in writing by the Board of Trade and subject to the Board of Trade regulations ; and 25
(2) The Undertakers shall not without the express consent of the Board of Trade and the county council place any electric line above ground except within premises in the sole occupation or control of the Undertakers and except so much of any service line as is necessarily so placed for the purpose of supply ; 30
(3) The Undertakers shall not permit any part of any circuit to be connected with earth except so far as may be necessary for carrying out the provisions of the Board of Trade regulations unless such connection is for the time being approved of by the Board of Trade with the concurrence of the Postmaster-General and is made in accordance with the conditions (if any) of that approval. 35

Lands.

Purchase and use of lands. 8. Subject to the provisions of this Order and the principal Act the Undertakers may acquire by purchase or on lease and use any lands for the purposes of this Order and may also for those purposes use any other 40

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).* 5

lands for the time being vested in or leased by them but subject as to such last-mentioned lands to the approval of the Local Government Board and may dispose of any lands acquired by them under the provisions of this section which may not for the time being be required for the purposes of
 5 this Order Provided that the amount of land so used by them shall not at any one time exceed in the whole five acres except with the consent of the Board of Trade.

A.D. 1905.

Woolwich.

Works.

9. Subject to the provisions of this Order and the principal Act the
 10 Undertakers may exercise all or any of the powers conferred on them by this Order and the principal Act and may break up such streets not repairable by the local authority and such railways and tramways as are specified in the Third Schedule so far as such streets railways and tramways may for the time being be included in the area of supply and be or be upon
 15 land dedicated to public use Provided however as respects any such railway that the powers hereby granted shall extend only to such parts thereof as pass across or along any highway on the level.

Powers for execution of works.

Nothing in this Order shall authorise or empower the Undertakers to break up or interfere with any street or part of a street not repairable by the
 20 local authority or any railway or tramway except such streets railways or tramways or such parts thereof as are specified in the said schedule without the consent of the authority company or person by whom that street railway or tramway is repairable or of the Board of Trade under section thirteen of the Electric Lighting Act 1882 and where the Board of Trade
 25 give such consent the provisions of this Order shall apply to the street railway or tramway to which the consent relates as if it had been specified in the said schedule.

10. Subject to the provisions of this Order and the principal Act and the Board of Trade regulations the Undertakers may construct in any street
 30 such boxes as may be necessary for purposes in connection with the supply of energy including apparatus for the proper ventilation of such boxes.

Street boxes

Every such box shall be for the exclusive use of the Undertakers and under their sole control except so far as the Board of Trade may otherwise order and shall be used by the Undertakers only for the purpose of leading
 35 off service lines and other distributing conductors or for examining or testing regulating measuring directing or controlling the supply of energy or for examining or testing the condition of the mains or other portions of the works or for other like purposes connected with the undertaking and the Undertakers may place therein meters switches and any other suitable and proper
 40 apparatus for any of the above purposes.

Every such box including the upper surface or covering thereof shall be constructed of such materials and shall be constructed and maintained by the Undertakers in such manner as not to be a source of danger whether by reason of inequality of surface or otherwise.

45 11. Where the execution of any works for the purposes of this Order (including the construction of boxes) will involve the placing of

Notice of works with plan to be

A.D. 1905. any works in under along or across any street or public bridge the following provisions shall have effect :—

Woolwich.
served on the
Postmaster-
General.

- (A) One month before commencing the execution of the works (not being repairs renewals or amendments of existing works of which the character and position are not altered) the Undertakers shall serve a notice upon the Postmaster-General describing the proposed works together with a plan of the works showing the mode and position in which the works are intended to be executed and the manner in which it is intended that the street or bridge is to be interfered with and shall upon being required to do so by the Postmaster-General give him any such further information in relation thereto as he may desire : 5
- (B) The Postmaster-General may in his discretion approve any such works or plan subject to such amendments or conditions as may seem fit or may disapprove them and may give notice of that approval or disapproval to the Undertakers : 15
- (C) Where the Postmaster-General approves any such works or plan subject to any amendments or conditions with which the Undertakers are dissatisfied or disapproves any such works or plan the Undertakers may appeal to the Board of Trade and the Board of Trade may inquire into the matter and allow or disallow the appeal and approve any such works or plan subject to such amendments or conditions as may seem fit or may disapprove them : 20
- (D) If the Postmaster-General fail to give any such notice of approval or disapproval to the Undertakers within one month after the service of the notice upon him he shall be deemed to have approved the works and plan : 25
- (E) Notwithstanding anything in this Order or the principal Act the Undertakers shall not be entitled to execute any such works as above specified except so far as they may be of a description and in accordance with a plan which has been approved or is to be deemed to have been approved by the Postmaster-General or by the Board of Trade as above mentioned but where any works description and plan are so approved or to be deemed to be approved the Undertakers may cause those works to be executed in accordance with the description and plan subject in all respects to the provisions of this Order and the principal Act. 30 35
- (F) If the Undertakers make default in complying with any of the requirements or restrictions of this section they shall (in addition to any other compensation which they may be liable to make under the provisions of this Order or the principal Act) make full compensation to the Postmaster-General for any loss or damage which he may incur by reason thereof and in addition thereto they shall be liable for every such default to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds Provided that the Undertakers shall not be subject 40 45

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).* 7

to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements of this section so far as was reasonable under the circumstances.

A.D. 1905.
Woolwich.

5 The Undertakers shall in all cases serve a like notice and plan upon the county council in addition to those served upon the Postmaster-General and where any street or public bridge is repairable by the county council the other provisions of this section shall with the necessary modifications apply to the county council in like manner as to the Postmaster-General.

10 Nothing in this section shall exempt the Undertakers from any penalty or obligation to which they may be liable under this Order or otherwise by law in the event of any telegraphic line of the Postmaster-General being at any time injuriously affected by the Undertakers' works or their supply of energy.

15 12. Where the exercise of the powers of the Undertakers in relation to the execution of any works will involve the placing of any works in under along or across any street or part of a street not repairable by the local authority or by the county council or over or under any railway tramway or canal the following provisions shall have effect unless otherwise agreed between the parties interested :—

As to streets not repairable by local authority or county council railways tramways and canals.

20 (A) One month before commencing the execution of any such works (not being repairs renewals or amendments of existing works of which the character and position are not altered) the Undertakers shall in addition to any other notices which they may be required to give under this Order or the principal Act serve a notice upon

25 the body or person liable to repair the street or part of a street or the body or person for the time being entitled to work the railway or tramway or the owners of the canal (as the case may be) in this section referred to as the "owners" describing the proposed works together with a plan of the works showing the mode and position

30 in which the works are intended to be executed and placed and shall upon being required to do so by any such owners give them any such further information in relation thereto as they may desire :

35 (B) Every such notice shall contain a reference to this section and direct the attention of the owners to whom it is given to the provisions thereof :

(C) Within three weeks after the service of any such notice and plan upon any owners those owners may if they think fit serve a requisition upon the Undertakers requiring that any question in relation to the works or to compensation in respect thereof and any other question arising upon the notice or plan as aforesaid shall be settled by arbitration and thereupon that question unless settled by agreement shall be settled by arbitration accordingly :

40

(D) In settling any question under this section an arbitrator shall have regard to any duties or obligations which the owners may be under in respect of the street railway tramway or canal and may if he

45

A.D. 1905.

Woolwich.

thinks fit require the Undertakers to execute any temporary or other works so as to avoid any interference with any traffic so far as may be possible :

- (E) Where no such requisition as in this section mentioned is served upon the Undertakers or where after any such requisition has been served upon them any question required to be settled by arbitration has been so settled the Undertakers may upon paying or securing any compensation which they may be required to pay or secure cause to be executed the works specified in such notice and plan as aforesaid and may repair renew and amend the same (provided that their character and position are not altered) but subject in all respects to the provisions of this Order and the principal Act and only in accordance with the notice and plan so served by them as aforesaid or such modifications thereof respectively as may have been settled by arbitration as hereinbefore mentioned or as may be agreed upon between the parties : 5 10 15
- (F) All works to be executed by the Undertakers under this section shall be carried out to the reasonable satisfaction of the owners who shall have the right to be present during the execution of such works : 20
- (G) Where the repair renewal or amendment of any existing works of which the character or position is not altered will involve any interference with any railway or any tramway over or under which those works have been placed the Undertakers shall unless otherwise agreed between the parties or in cases of emergency give to the owners not less than 24 hours' notice before commencing to effect the repair renewal or amendment and the owners shall be entitled by their officer to superintend the work and the Undertakers shall conform to such reasonable requirements as may be made by the owners or that officer. The said notice shall be in addition to any other notices which the Undertakers may be required to give under this Order or the principal Act : 25 30
- (H) If the Undertakers make default in complying with any of the requirements or restrictions of this section they shall (in addition to any other compensation which they may be liable to make under the provisions of this Order or the principal Act) make full compensation to the owners affected thereby for any loss or damage which they may incur by reason thereof and in addition thereto they shall be liable for every such default to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds. Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements of this section so far as was reasonable under the circumstances. 35 40 45

Street authority &c. may give notice of

13. Any body or person for the time being liable to repair any street or part of a street or liable to repair any sewer subway or work or entitled to

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).* 9

work any railway or tramway which the Undertakers are empowered to break up for the purposes of this Order may if they think fit serve a notice upon the Undertakers stating that they desire to exercise or discharge all or any part of any of the powers or duties of the Undertakers as therein specified in relation to the breaking up filling in reinstating or making good any streets bridges sewers drains subways tunnels or other works vested in or under the control or management of that body or person and may amend or revoke any such notice by another notice similarly served Where such body or person as aforesaid (in this section referred to as the "givers of the notice") have given notice that they desire to exercise or discharge any such specified powers and duties of the Undertakers then so long as that notice remains in force the following provisions shall have effect unless otherwise agreed between the parties interested:—

A.D. 1905.

Woolwich.
desire to break
up streets &c.
on behalf of
Undertakers.

- 15 (A) The Undertakers shall not be entitled to proceed themselves to exercise or discharge any such specified powers or duties as aforesaid except where they have required the givers of the notice to exercise or discharge those powers or duties and the givers of the notice have refused or neglected to comply with that requisition as hereinafter provided or in cases of emergency:
- 20 (B) In addition to any other notices which they are required to give under the provisions of this Order or the principal Act the Undertakers shall not more than four days and not less than two days before the exercise or discharge of any such powers or duties so specified as aforesaid is required to be commenced serve a requisition upon the givers of the notice stating the time when that exercise or discharge is required to be commenced and the manner in which any such powers and duties are required to be exercised or discharged:
- 25 (C) Upon receipt of any such requisition as last aforesaid the givers of the notice may proceed to exercise or discharge any such powers or duties as required by the Undertakers subject to the like restrictions and conditions so far as they are applicable as the Undertakers would themselves be subject to in that exercise or discharge:
- 30 (D) If the givers of the notice decline or for twenty-four hours after the time when any such exercise or discharge of any powers or duties is by any requisition required to be commenced neglect to comply with the requisition the Undertakers may themselves proceed to exercise or discharge the powers or duties therein specified in like manner as they might have done if such notice as aforesaid had not been given to them by the givers of the notice:
- 35 (E) In any case of emergency the Undertakers may themselves proceed at once to exercise or discharge so much of any such specified powers or duties as aforesaid as may be necessary for the actual remedying of any defect from which the emergency arises without
- 40
- 45

A.D. 1905.
Woolwich.

servicing any requisition on the givers of the notice but in that case the Undertakers shall within twelve hours after they begin to exercise or discharge such powers or duties as aforesaid give information thereof in writing to the givers of the notice :

- (F) If the Undertakers exercise or discharge any such specified powers or duties as aforesaid otherwise than in accordance with the provisions of this section they shall be liable for every such offence to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds. Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements of this section so far as was reasonable under the circumstances :

- (G) All expenses properly incurred by the givers of the notice in complying with any requisition of the Undertakers under this section shall be repaid to them by the Undertakers and may be recovered summarily :

Provided that nothing in this section shall in any way affect the rights of the Undertakers to exercise or discharge any powers or duties conferred or imposed upon them by this Order or the principal Act in relation to the execution of any works beyond the actual breaking up filling in reinstating or making good any such street or part of a street or any such bridges sewers drains subways tunnels or other works or railway or tramway as in this section mentioned.

As to alteration
of pipes wires
&c. under
streets.

14. The Undertakers may alter the position of any pipes (not forming part of any sewer of the county council) or any wires being under any street or place authorised to be broken up by them which may interfere with the exercise of their powers under the principal Act or this Order and any body or person may in like manner alter the position of any electric lines or works of the Undertakers being under any such street or place as aforesaid which may interfere with the lawful exercise of any powers vested in that body or person in relation to that street or place subject to the following provisions unless otherwise agreed between the parties interested :—

- (A) One month before commencing any such alterations the Undertakers or such body or person (as the case may be) in this section referred to as the "operators" shall serve a notice upon the body or person for the time being entitled to the pipes wires electric lines or works (as the case may be) in this section referred to as the "owners" describing the proposed alterations together with a plan showing the manner in which it is intended that those alterations shall be made and shall upon being required to do so by any such owners give them any such further information in relation thereto as they may desire :
- (B) Within three weeks after the service of any such notice and plan upon any owners those owners may if they think fit serve a

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requisition upon the operators requiring that any question in relation to such works or to compensation in respect thereof or any other question arising upon such notice or plan as aforesaid shall be settled by arbitration and thereupon that question unless settled by agreement shall be settled by arbitration accordingly :

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(C) In settling any question under this section an arbitrator shall have regard to any duties or obligations which the owners may be under in respect of the pipes wires electric lines or works and may if he thinks fit require the operators to execute any temporary or other works so as to avoid interference with any purpose for which the pipes wires electric lines or works are used so far as may be possible :

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(D) Where no such requisition as in this section mentioned is served upon the operators the owners shall be held to have agreed to the notice or plan served on them as aforesaid and in that case or where after any such requisition has been served upon them any question required to be settled by arbitration has been so settled the operators upon paying or securing any compensation which they may be required to pay or secure may cause the alterations specified in such notice and plan as aforesaid to be made but subject in all respects to the provisions of this Order and the principal Act and only in accordance with the notice and plan so served by them as aforesaid or such modifications thereof respectively as may have been settled by arbitration as hereinbefore mentioned or as may be agreed upon between the parties :

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(E) At any time before any operators are entitled to commence any such alterations as aforesaid the owners may serve a statement upon the operators stating that they desire to execute the alterations themselves and where any such statement has been served upon the operators they shall not be entitled to proceed themselves to execute the alterations except where they have notified to such owners that they require them to execute the alterations and the owners have refused or neglected to comply with the notification as hereinafter provided :

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(F) Where any such statement as last aforesaid has been served upon the operators they shall not more than forty-eight hours and not less than twenty-four hours before the execution of the alterations is required to be commenced serve a notification upon the owners stating the time when the alterations are required to be commenced and the manner in which the alterations are required to be made :

40

(G) Upon receipt of any such notification as last aforesaid the owners may proceed to execute the alterations as required by the operators subject to the like restrictions and conditions so far as the same may be applicable as the operators would themselves be subject to in executing such alterations :

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- (H) If the owners decline or for twenty-four hours after the time when any such alterations are required to be commenced neglect to comply with the notification the operators may themselves proceed to execute the alterations in like manner as they might have done if no such statement as aforesaid had been served upon them : 5
- (I) All expenses properly incurred by any owners in complying with any notification of any operators under this section shall be repaid to them by the operators and may be recovered summarily :
- (J) Any owners may if they think fit by any statement served by them under this section upon any operators not being the county council or a local authority require the said operators to give them such security for the repayment to them of any expenses to be incurred by them in executing any alterations as above mentioned as may be determined in manner provided by this Order and where any operators have been so required to give security they shall not be entitled to serve a notification upon the owners requiring them to execute the alterations until the security has been duly given : 10 15
- (K) If the operators make default in complying with any of the requirements or restrictions of this section they shall (in addition to any other compensation which they may be liable to make under the provisions of this Order or the principal Act) make full compensation to the owners affected thereby for any loss damage or penalty which they may incur by reason thereof and in addition thereto they shall be liable for every such default to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds Provided that the operators shall not be subject to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the operators complied with the requirements of this section so far as was reasonable under the circumstances. 20 25 30

Laying of electric lines &c. near gas or water pipes or other electric lines

15. Where the Undertakers require to dig or sink any trench for laying down or constructing any new electric lines (other than service lines) or other works near to which any sewer drain watercourse defence or work under the jurisdiction or control of the county council or any main pipe syphon electric line or other work belonging to any gas electric supply or water company has been lawfully placed or where any gas or water company require to dig or sink any trench for laying down or constructing any new mains or pipes (other than service pipes) or other works near to which any lines or works of the Undertakers have been lawfully placed the Undertakers or the gas or water company (as the case may be) in this section referred to as the "operators" shall unless otherwise agreed between the parties interested or in case of sudden emergency give to the county council or to such gas electric supply or water company or to the Undertakers (as the case may be) in this section referred to as the "owners" not less than fourteen days' notice before commencing to dig or sink such trench as aforesaid and those owners shall be 35 40 45

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entitled by their officer to superintend the work and the operators shall conform with such reasonable requirements as may be made by the owners or the officer for protecting from injury every such sewer drain watercourse defence main pipe syphon electric line or work and for securing access thereto
5 and they shall also if required to do so by the owner thereof repair any damage that may be done thereto.

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Where the operators find it necessary to undermine but not alter the position of any pipe electric line or work they shall temporarily support the same in position during the execution of their works and before completion
10 provide a suitable and proper foundation for the same where so undermined.

The owners upon giving notice to the Undertakers during the fourteen days hereinbefore referred to of their desire to execute any work to which the provisions of this section apply may themselves execute the same and in case they give such notice they shall execute such work with due care and
15 diligence and shall be subject to the like restrictions and conditions as the operators would themselves be subject to in respect of the same and the reasonable costs of executing such works shall be repaid by the operators to the owners Provided always that the provisions of this paragraph shall not
20 apply where the Undertakers are themselves lawfully entitled to exercise the powers of any owners with respect to the breaking up and reinstating of any street nor so long as any like notice from the county council the local authority or other body or person under the provisions of the section of this Order whereof the marginal note is "Street authority &c. may give notice
25 of desire to break up streets &c. on behalf of Undertakers" remains in force :

Provided always that when the Undertakers or any gas company desire to lay a service pipe or line to a house or premises already connected by a service pipe or line with the works of the gas company or the Undertakers as the case may be forty-eight hours' notice shall be given by the Undertakers
30 or the gas company as the case may be to the other of them and in that case the provisions of this section so far as applicable shall then apply to such service pipes or lines accordingly.

Where the operators (being the Undertakers) lay any electric line crossing or liable to touch any mains pipes lines or services belonging to any
35 gas electric supply or water company the conducting portion of the electric line shall be effectively insulated in a manner approved by the Board of Trade and the Undertakers shall not except with the consent of the gas electric supply or water company as the case may be and of the Board of Trade lay their electric lines so as to come into contact with any such mains
40 pipes lines or services or except with the like consent employ any such mains pipes lines or services as conductors for the purpose of their supply of energy.

Any question or difference which may arise under this section shall be determined by arbitration.

45 If the operators make default in complying with any of the requirements or restrictions of this section they shall make full compensation to all owners

A.D. 1905. affected thereby for any loss damage penalty or costs which they may incur
Woolwich. by reason thereof and in addition thereto they shall be liable for every such
 default to a penalty not exceeding ten pounds and to a daily penalty not
 exceeding five pounds Provided that the operators shall not be subject to
 any such penalty if the court having cognizance of the case shall be of
 opinion that the case was one of emergency and that the operators complied
 with the requirements and restrictions of this section so far as was reasonable
 under the circumstances or that the default in question was due to the fact
 that the operators were ignorant of the position of the sewer drain water-
 course defence main pipe syphon electric line or work affected thereby and
 that that ignorance was not owing to any negligence on the part of the
 operators. 5 10

For the purposes of this section the expression "gas company" shall
 mean any body or person lawfully supplying gas the expression "water
 company" shall mean any body or person lawfully supplying water or water
 power and the expression "electric supply company" shall mean any body or
 person supplying energy under the principal Act but not under this Order. 15

For protection
 of railway and
 canal com-
 panies.

16. In the exercise of any of the powers of this Order relating to the
 execution of works the Undertakers shall not in any way injure the railways
 tunnels arches works or conveniences belonging to any railway or canal
 company nor obstruct or interfere with the working of the traffic passing along
 any railway. 20

For protection
 of telegraphic
 and telephonic
 wires.

17.—(1) The Undertakers shall take all reasonable precautions in con-
 structing laying down and placing their electric lines and other works of all
 descriptions and in working their undertaking so as not injuriously to affect
 whether by induction or otherwise the working of any wire or line from time
 to time used for the purpose of telegraphic telephonic or electric signalling
 communication or the currents in such wire or line whether such wire or line
 be or be not in existence at the time of the laying down or placing of such
 electric lines or other works If any question arises between the Undertakers
 and the owner of any such wire or line as to whether the Undertakers have
 constructed laid down or placed their electric lines or other works or worked
 their undertaking in contravention of this subsection and as to whether the
 working of such wire or line or the current therein is or is not injuriously
 affected thereby that question shall be determined by arbitration and the
 arbitrator (unless he is of opinion that such wire or line not having been so
 in existence at such time as aforesaid has been placed in unreasonable
 proximity to the electric lines or works of the Undertakers) may direct the
 Undertakers to make any alterations in or additions to their system so as to
 comply with the provisions of this section and the Undertakers shall make
 such alterations or additions accordingly. 25 30 35 40

(2) Seven days before commencing to lay down or place any electric
 line or to use any electric line in any manner whereby the work of telegraphic
 or telephonic or electric signalling communication through any wire or line
 lawfully laid down or placed in any position may be injuriously affected the
 Undertakers shall unless otherwise agreed between the parties interested give 45

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to the owner of such wire or line notice in writing specifying the course nature and gauge of such electric line and the manner in which such electric line is intended to be used and the amount and nature of the currents intended to be transmitted thereby and the extent to and manner in which (if
 5 at all) earth returns are proposed to be used and any owner entitled to receive such notice may from time to time serve a requisition on the Undertakers requiring them to adopt such precautions as may be therein specified in regard to the laying placing or user of such electric line for the purpose of preventing such injurious affection and the Undertakers shall conform with
 10 such reasonable requirements as may be made by such owner for the purpose of preventing the communication through such wire or line from being injuriously affected as aforesaid.

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If any difference arises between any such owner and the Undertakers with respect to the reasonableness of any requirements so made such difference
 15 shall be determined by arbitration :

Provided that nothing in this subsection shall apply to repairs or renewals of any electric line so long as the course nature and gauge of such electric line and the amount and nature of the current transmitted thereby are not altered.

20 (3) If in any case the Undertakers make default in complying with the requirements of this section they shall make full compensation to every such owner as aforesaid for any loss or damage which he may incur by reason thereof and in addition thereto they shall be liable for every such default to a penalty not exceeding five pounds and to a daily penalty not exceeding
 25 forty shillings. Provided that the Undertakers shall not be subject to any such penalties as aforesaid if the court having cognizance of the case shall be of opinion that the case was one of emergency and that the Undertakers complied with the requirements of this section so far as was reasonable under the circumstances or that the default in question was due to the fact that the
 30 Undertakers were ignorant of the position of the wire or line affected thereby and that that ignorance was not owing to any negligence on the part of the Undertakers.

(4) Nothing in this section contained shall be held to deprive any owner of any existing rights to proceed against the Undertakers by indictment
 35 action or otherwise in relation to any of the matters aforesaid.

18. Where the Undertakers desire to lay or may be required to lay any electric line in any street under the surface of which there is a subway vested in the county council and the county council serve a notice upon them requiring them to lay the same in the subway then notwithstanding anything
 40 in any special or general Act of Parliament contained the powers conferred by this Order and the principal Act with respect to the breaking up and interfering with streets shall not be exercised by the Undertakers as to such streets in so far as the subway extends under the surface thereof and any electric line to which this section applies shall be laid in the subway in such
 45 manner and position as the county council shall direct or approve.

Provision as to
subways.

A.D. 1905. *Woolwich* Where any electric line of the Undertakers shall be so laid under the provisions of this section they shall pay to the county council such reasonable rent for the use thereof as may be settled by agreement or in the case of difference by arbitration. Provided that the Undertakers shall have access to such subway at all such reasonable times and subject to such conditions as may be settled in like manner. 5

Compulsory Works.

Mains &c. to be laid down in streets specified in Second Schedule and in remainder of area of supply. 19.—(1) The Undertakers shall within a period of two years after the commencement of this Order lay down suitable and sufficient distributing mains for the purposes of general supply throughout every street or part of a street specified in that behalf in the Second Schedule and shall thereafter maintain the same. 10

(2) In addition to the mains hereinbefore specified the Undertakers shall at any time after the expiration of eighteen months after the commencement of this Order lay down suitable and sufficient distributing mains for the purposes of general supply throughout every other street or part of a street within the area of supply upon being required to do so in manner by this Order provided. 15

All such mains as last above mentioned (unless already laid down) shall be laid down by the Undertakers within six months after any requisition in that behalf served upon them in accordance with the provisions of this Order has become binding upon them or such further time as may in any case be approved of by the Board of Trade. 20

(3) When any such requisition is made in respect of any street not repairable by the local authority which is not specified in the Third Schedule the Undertakers shall (unless the authority or person by whom that street is repairable consent to the breaking up thereof) forthwith apply to the Board of Trade under section thirteen of the Electric Lighting Act 1882 for the written consent of the Board authorising and empowering the Undertakers to break up that street and the requisition shall not be binding upon them if the Board of Trade refuse their consent in that behalf. 25 30

If Undertakers fail to lay down mains &c. Order may be revoked. 20. If the Undertakers make default in laying down any distributing mains in accordance with the provisions of this Order within the periods prescribed in that behalf respectively the Board of Trade may after considering any representations of the Undertakers and the county council either revoke this Order as to the whole or any part of the area of supply or if the Undertakers so desire may suffer it to remain in force as to such area or part thereof subject to such conditions as they may think fit to impose and any conditions so imposed shall be binding on and observed by the Undertakers and shall be of the like force and effect in every respect as though they were contained in this Order. Provided that the Board of Trade shall not revoke this Order as to part of the area of supply where the Undertakers make a representation that they desire to be relieved of their liabilities as respects the rest of the area of supply and in that case the Board of Trade 35 40

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shall not under this section revoke this Order otherwise than as to the whole of the area of supply. A.D. 1906.

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21. Any requisition requiring the Undertakers to lay down distributing mains for the purposes of general supply throughout any street or part of a street may be made by two or more owners or occupiers of premises along that street or part of a street. Manner in which requisition is to be made.

Every such requisition shall be signed by the persons making it and shall be served upon the Undertakers.

Forms of requisition shall be kept by the Undertakers at their office and a copy shall be supplied free of charge to any owner or occupier of premises within the area of supply on application for the same and any requisition so supplied shall be deemed valid in point of form.

22. Where any such requisition is made by any such owners or occupiers as aforesaid the Undertakers (if they think fit) may within fourteen days after the service of the requisition upon them serve a notice on all the persons by whom the requisition is signed stating that they decline to be bound by the requisition unless such persons or some of them will bind themselves to take or will guarantee that there shall be taken a supply of energy for two years of such amount in the aggregate (to be specified by the Undertakers in the notice) as will at the rates of charge for the time being charged by the Undertakers for a supply of energy from distributing mains to ordinary consumers within the area of supply produce annually such reasonable sum as is specified by the Undertakers in such notice. Provided that in such notice the Undertakers shall not without the authority of the Board of Trade specify any sum exceeding twenty per centum upon the expense of providing and laying down the required distributing mains and any other mains or additions to existing mains which may be necessary for the purpose of connecting those distributing mains with the nearest available source of supply. Provisions on requisition by owners or occupiers.

Where such a notice is served the requisition shall not be binding on the Undertakers unless within fourteen days after the service of the notice on all the persons signing the requisition has been effected or in case of difference the delivery of the arbitrator's award there be tendered to the Undertakers an agreement severally executed by those persons or some of them binding them to take or guaranteeing that there shall be taken for a period of two years at the least such specified amounts of energy respectively as will in the aggregate at the rates of charge above specified produce an annual sum amounting to the sum specified in the notice or determined by arbitration under this section nor unless sufficient security for the payment to the Undertakers of all moneys which may become due to them from those persons under the agreement is offered to the Undertakers (if required by them by such notice as aforesaid) within the period limited for the tender of the agreement as aforesaid.

If the Undertakers consider that the requisition is unreasonable or that under the circumstances of the case the provisions of this section ought to be varied they may within fourteen days after the service of the requisition upon them appeal to the Board of Trade and that Board after such inquiry if

A.D. 1905. any as they shall think fit may by order either determine that the requisition is unreasonable and shall not be binding upon the Undertakers or may authorise the Undertakers by their notice to require a supply of energy to be taken for such longer period than two years and to specify such sum or percentage whether calculated as hereinbefore provided or otherwise as shall be fixed or directed by the order and the terms of the above-mentioned agreement shall be varied accordingly. 5

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In case of any such appeal to the Board of Trade any notice by the Undertakers under this section may be served by them within fourteen days after the decision of the Board of Trade. 10

If any difference arises between the Undertakers and any persons signing any such requisition as to any such notice or agreement that difference shall subject to the provisions of this section and to the decision of the Board of Trade upon any such appeal as aforesaid be determined by arbitration.

Supply.

Undertakers to furnish sufficient supply of energy to owners and occupiers within the area of supply.

23. The Undertakers shall upon being required to do so by the owner or occupier of any premises situate within fifty yards from any distributing main of the Undertakers in which they are for the time being required to maintain or are maintaining a supply of energy for the purposes of general supply to private consumers under this Order or the Board of Trade regulations give and continue to give a supply of energy for those premises in accordance with the provisions of this Order and of the said regulations and they shall furnish and lay any electric lines that may be necessary for the purpose of supplying the maximum power with which any such owner or occupier is entitled to be supplied under this Order subject to the conditions following (that is to say):— 15 20 25

The cost of so much of any electric line for the supply of energy to any owner or occupier as may be laid upon the property of that owner or in the possession of that occupier and of so much of any such electric lines as it may be necessary to lay for a greater distance than sixty feet from any distributing main of the Undertakers although not on that property shall if the Undertakers so require be defrayed by that owner or occupier; 30

Every owner or occupier of premises requiring a supply of energy shall—
Serve a notice upon the Undertakers specifying the premises in respect of which the supply is required and the maximum power required to be supplied and the day (not being an earlier day than a reasonable time after the date of the service of the notice) upon which the supply is required to commence; and 35

Enter into a written contract with the Undertakers (if required by them so to do) to continue to receive and pay for a supply of energy for a period of at least two years of such an amount that the payment to be made for the same at the rate of charge for the time being charged by the Undertakers for a supply of energy to ordinary consumers within the area of supply shall not be less than twenty per centum per annum on the outlay incurred by the Undertakers 40 45

in providing any electric lines required under this section to be provided by them for the purpose of the supply and give to the Undertakers (if required by them so to do) security for the payment to them of all moneys which may become due to them by the owner or occupier in respect of any electric lines to be furnished by the Undertakers and in respect of energy to be supplied by them :

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Provided always that the Undertakers may after they have given a supply of energy for any premises by notice in writing require the owner or occupier of those premises within seven days after the date of the service of such notice to give to them security for the payment of all moneys which may become due to them in respect of the supply in case the owner or occupier has not already given that security or in case any security given has become invalid or is insufficient and in case any such owner or occupier fail to comply with the terms of the notice the Undertakers may if they think fit discontinue to supply energy for the premises so long as such failure continues :

Provided also that if the owner or occupier of any such premises as aforesaid uses any form of lamp or burner or uses the energy supplied to him by the Undertakers for any purposes or deals with it in any manner so as to interfere unduly or improperly with the efficient supply of energy to any other body or person by the Undertakers the Undertakers may if they think fit discontinue to supply energy to those premises so long as that user continues :

Provided also that the Undertakers shall not be compelled to give a supply of energy to any premises unless they are reasonably satisfied that the electric lines fittings and apparatus therein are in good order and condition and not calculated to affect injuriously the use of energy by the Undertakers or by other persons :

Provided also that notwithstanding anything in the principal Act or this Order a person shall not be entitled to demand from the Undertakers a supply of electricity for any premises having a separate supply unless he shall have agreed with the Undertakers to pay to them such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises and the sum to be so paid shall be determined in default of agreement by arbitration.

If any difference arises under this section as to any improper use of energy or as to any alleged defect in any electric lines fittings or apparatus such difference shall be determined by arbitration.

24. The maximum power with which any consumer shall be entitled to be supplied shall be of such amount as he may require to be supplied with not exceeding what may be reasonably anticipated as the maximum consumption on his premises Provided that where any consumer has required the Undertakers to supply him with a maximum power of any specified amount he shall not be entitled to alter that maximum except upon one month's notice to the Undertakers and any expenses reasonably incurred

Maximum
power.

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Woolwich.

by the Undertakers in respect of the service lines by which energy is supplied to the premises of that consumer or any fittings or apparatus of the Undertakers upon those premises consequent upon the alteration shall be paid by him to the Undertakers and may be recovered summarily as a civil debt. 5

If any difference arises between any such owner or occupier and the Undertakers as to what may be reasonably anticipated as the consumption on his premises or as to the reasonableness of any expenses under this section such difference shall be determined by arbitration.

Penalty for failure to supply.

25. Whenever the Undertakers make default in supplying energy to any owner or occupier of premises to whom they may be and are required to supply energy under this Order they shall be liable in respect of every such default to a penalty not exceeding forty shillings for each day on which any such default occurs. 10

Whenever the Undertakers make default in supplying energy in accordance with the terms of the Board of Trade regulations they shall be liable to such penalties as may by the said regulations be prescribed in that behalf : 15

Provided that the penalties to be inflicted on the Undertakers under this section shall in no case exceed in the aggregate the sum of fifty pounds in respect of any defaults not being wilful defaults on the part of the Undertakers for any one day and provided also that in no case shall any penalty be inflicted in respect of any default if the court having cognizance of the case shall be of opinion that such default was caused by inevitable accident or force majeure or was of so slight or unimportant a character as not materially to affect the value of the supply. 20 25

Price.

Methods of charging.

26. The Undertakers may charge for energy supplied by them to any ordinary consumer (otherwise than by agreement)—

- (1) By the actual amount of energy so supplied; or
- (2) By the electrical quantity contained in the supply; or 30
- (3) By such other method as may for the time being be approved by the Board of Trade :

Provided that where the Undertakers charge by any method so approved by the Board of Trade any consumer who objects to that method may by one month's notice in writing require the Undertakers to charge him at their option by the actual amount of energy supplied to him or by the electrical quantity contained in the supply and thereafter the Undertakers shall not except with the consumer's consent charge him by any other method : 35

Provided also that before commencing to supply energy through any distributing main for the purposes of general supply the Undertakers shall by public advertisement give notice by what method they propose to charge for energy supplied through that main and shall serve a copy of such notice upon the county council and where the Undertakers have given any such notice they shall not be entitled to change that method of charging except after one 40

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month's notice of such change has been given by them to the county council and to every consumer who is supplied by them from the main. A.D. 1905.
Woolwich.

27. The prices to be charged by the Undertakers for energy supplied by them shall not exceed those stated in that behalf in the Fourth Schedule in 5 the first and second sections thereof respectively or in the case of a method of charge approved by the Board of Trade such price as the Board of Trade shall on approving such method determine. Maximum prices.

28. Subject to the provisions of this Order and of the principal Act and to the right of the consumer to require that he shall be charged according to 10 some one or other of the methods above mentioned the Undertakers may make any agreement with a consumer as to the price to be charged for energy and the mode in which those charges are to be ascertained and may charge accordingly. Other charges by agreement.

29.—(1) The Undertakers shall so soon as the annual statement of 15 accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the area of supply a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling 20 a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882. Revision of prices so as to balance revenue and expenditure.

(2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under 25 this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years :

30 Provided nevertheless that—

(a) The prices to be charged shall not exceed the maximum prices which may be charged under this Order ;

(b) The scales of prices so reconsidered and revised may be from 35 time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at 40 which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

(A) Be subject to revision at the next triennial revision provided for in this section ; or

(B) Vary in the same proportion as the prices charged to ordinary 45 consumers :

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Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract.

(4) There shall not be made against the general rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply. 5

Electric Inspectors.

Appointment
of electric
inspectors.

30. The county council may appoint and keep appointed one or more competent and impartial person or persons to be electric inspectors under this Order. 10

If no electric inspector is appointed by the county council the Board of Trade on the application of any consumer or of the Undertakers may appoint and keep appointed one or more competent and impartial person or persons to be electric inspectors under this Order. 15

The duties of an electric inspector under this Order shall be as follows :—

- (A) The inspection and testing periodically and in special cases of the Undertakers' electric lines and works and the supply of energy given by them; 20
- (B) The certifying and examination of meters; and
- (C) Such other duties in relation to the undertaking as may be required of him under the provisions of this Order or of the Board of Trade regulations.

The county council with the approval of the Board of Trade or the Board of Trade if the inspector is appointed by them may prescribe the manner in which and the times at which any such duties are to be performed by an electric inspector and also the fees to be taken by him and such fees shall be accounted for and applied as may be directed by the county council or the Board of Trade as the case may be. 30

Remuneration
of electric
inspectors.

31. The county council may pay to any electric inspector appointed by them under this Order such reasonable remuneration (if any) as they may determine and that remuneration may be in addition to or in substitution for any fees directed to be paid to electric inspectors in respect of their duties under this Order or of the Board of Trade regulations according as the county council shall determine. 35

Notice of
accidents and
inquiries by
Board of
Trade.

32.—(1) The Undertakers shall send to the Board of Trade notice of any accident by explosion or fire and also of any other accident of such kind as to have caused or to be likely to have caused loss of life or personal injury which has occurred in any part of the Undertakers' works or their circuits or in connection with those works or circuits and also notice of any loss of life or personal injury occasioned by any such accident. The notice shall be sent by the earliest practicable post after the accident occurs or as the case may be after the loss of life or personal injury becomes known to the Undertakers. 40

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).* 23

If the Undertakers fail to comply with the provisions of this subsection they shall be liable for each offence to a penalty not exceeding twenty pounds.

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(2) The Board of Trade may if they deem it necessary appoint any electric inspector or other fit person or persons to inquire and report as to the cause of any accident affecting the safety of the public which may have been occasioned by or in connection with the Undertakers' works whether notice of the accident has or has not been received from the Undertakers or as to the manner and extent in and to which the provisions of this Order and the principal Act and of the Board of Trade regulations so far as those provisions affect the safety of the public have been complied with by the Undertakers and any person appointed under this section not being an electric inspector shall for the purposes of his appointment have all the powers of an electric inspector under this Order.

15 *Testing and Inspection.*

33. On the occasion of the testing of any main of the Undertakers reasonable notice thereof shall be given to the Undertakers by the electric inspector and the testing shall be carried out at such suitable hours as in the opinion of the inspector will least interfere with the supply of energy by the Undertakers and in such manner as the inspector may think expedient but except under the provisions of a special order in that behalf made by the Board of Trade he shall not be entitled to have access to or interfere with the mains of the Undertakers at any points other than those at which the Undertakers have reserved for themselves access to the said mains

25 Provided that the Undertakers shall not be held responsible for any interruption in the supply of energy which may be occasioned by or required by such inspector for the purpose of any such testing as aforesaid. Provided also that the testings shall not be made in regard to any particular portion of a main oftener than once in any three months unless in pursuance of a special order

30 in that behalf made by the Board of Trade.

Testing of
mains.

34. An electric inspector if and when required to do so by any consumer shall on payment by the consumer of the prescribed fee test the variation of electric pressure at the consumer's terminals or make such other inspection and testing of the service lines apparatus and works of the Undertakers upon the consumer's premises as may be necessary for the purpose of determining whether the Undertakers have complied with the provisions of this Order and the Board of Trade regulations.

Testing of
works and
supply on
consumer's
premises.

35. The Undertakers shall at such places within a reasonable distance from a distributing main establish at their own cost and keep in proper condition such reasonable number of testing stations as the county council shall deem proper and sufficient for testing the supply of energy by the Undertakers through the main and shall place thereat proper and suitable instruments of a pattern to be approved by the Board of Trade and shall connect those stations by means of proper and sufficient electric lines with

45 the mains and supply energy thereto for the purpose of such testing.

Undertakers
to establish
testing
stations.

A.D. 1905. Woolwich. If any dispute arises between the county council and the Undertakers as to whether the number of such testing stations and the distance from the main at which they are established is reasonable or excessive or as to any excessive or improper use of energy for such testing or as to the performance by the Undertakers of their duties under this section that dispute shall be determined by arbitration. 5

Undertakers to keep instruments on their premises. 36. The Undertakers shall set up and keep upon all premises from which they supply energy by any distributing mains such suitable and proper instruments of such pattern and construction as may be approved or prescribed by the Board of Trade and shall take and record and keep recorded such observations as the Board of Trade may prescribe and any observations so recorded shall be receivable in evidence. 10

Readings of instruments to be taken. 37. The Undertakers shall keep in efficient working order all instruments which they are required by or under this Order to place set up or keep at any testing station or on their own premises and any electric inspector appointed under this Order may examine and record the readings of those instruments and any readings so recorded shall be receivable in evidence. 15

Electric inspector may test Undertakers' instruments. 38. Any electric inspector appointed under this Order shall have the right to have access at all reasonable hours to the testing stations and premises of the Undertakers for the purpose of testing the electric lines and instruments of the Undertakers and ascertaining if the same are in order and in case the same are not in order he may require the Undertakers forthwith to have the same put in order. 20

Representation of Undertakers at testings. 39. The Undertakers may if they think fit on each occasion of the testing of any main or service line or the testing or inspection of any instruments of the Undertakers by any electric inspector be represented by some officer or other agent but that officer or agent shall not interfere with the testing or inspection. 25

Undertakers to give facilities for testing. 40. The Undertakers shall afford all facilities for the proper execution of this Order with respect to inspection and testing and the readings and inspection of instruments and shall comply with all the requirements of or under this Order in that behalf and in case the Undertakers make default in complying with any of the provisions of this section they shall be liable in respect of each default to a penalty not exceeding 5*l.* and to a daily penalty not exceeding 1*l.* 30 35

Report of results of testing. 41. Every electric inspector shall on the day immediately following that on which any testing has been completed by him under this Order make and deliver a report of the results of his testing to the authority or person by whom he was required to make the testing and also to the Undertakers and that report shall be receivable in evidence. 40

If the Undertakers or any such authority or person are or is dissatisfied with any report of any electric inspector they or he may appeal to the Board of Trade against such report and thereupon the Board of Trade shall inquire into and decide upon the matter of any such appeal and their decision shall be final and binding on all parties. 45

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42. Save as otherwise provided by this Order or by the Board of Trade regulations all fees and reasonable expenses of an electric inspector shall unless agreed be ascertained by a court of summary jurisdiction or (where the inspector is appointed by them) by the Board of Trade and shall be paid by the Undertakers :

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Expenses of
electric
inspector.

10. Provided that where the report of an electric inspector or the decision of the Board of Trade shows that any consumer was guilty of any default or negligence those fees and expenses shall on being ascertained as above mentioned be paid by the consumer or consumers as the court or Board of Trade having regard to the report or decision shall direct and may be recovered summarily as a civil debt :

Provided also that in any proceedings for penalties under this Order the fees and expenses incurred in connection with those proceedings shall be payable by the complainant or defendant as the court may direct.

15 *Meters.*

43. The amount of energy supplied by the Undertakers to any ordinary consumer under this Order or the electrical quantity contained in the supply (according to the method by which the Undertakers elect to charge) in this Order referred to as "the value of the supply" shall except as otherwise agreed between the consumer and the Undertakers be ascertained by means of an appropriate meter duly certified under the provisions of this Order.

Meters to be
used except by
agreement.

25 44. A meter shall be considered to be duly certified under the provisions of this Order if it be certified by an electric inspector appointed under this Order to be a correct meter and to be of some construction and pattern and to have been fixed and to have been connected with the service lines in some manner approved by the Board of Trade and every such meter is in this Order referred to as a "certified meter" Provided that where any alteration is made in any certified meter or where any such meter is unfixed or disconnected from the service lines that meter shall cease to be a certified meter unless and until it be again certified as a certified meter under the provisions of this Order.

Meters to be
certified.

35 45. An electric inspector on being required to do so by the Undertakers or by any consumer and on payment of the prescribed fee by the party so requiring him shall examine any meter intended for ascertaining the value of the supply and shall certify the same as a certified meter if he considers it entitled to be so certified.

Inspector to
certify meters.

40 46. Where the value of the supply is under this Order required to be ascertained by means of an appropriate meter the Undertakers shall if required so to do by any consumer supply him with an appropriate meter and shall if required so to do fix the same upon the premises of the consumer and connect the service lines therewith and procure the meter to be duly certified under the provisions of this order and for such purposes may authorise and empower any officer or person to enter upon such premises at all reasonable times and execute all necessary works and do all necessary

Undertakers to
supply meters
if required
to do so.

A.D. 1905. *Woolwich.* acts Provided that previously to supplying any such meter the Undertakers may require the consumer to pay to them a reasonable sum in respect of the price of the meter or to give security therefor or (if he desires to hire such meter) may require him to enter into an agreement for the hire of the meter as hereinafter provided. 5

Meters not to be connected or disconnected without notice. 47. No consumer shall connect any meter used or to be used under this Order for ascertaining the value of the supply with any electric line through which energy is supplied by the Undertakers or disconnect any such meter from any such electric line unless he has given to the Undertakers not less than forty-eight hours' notice in writing of his intention so to do and if any person acts in contravention of this section he shall be liable for each offence to a penalty not exceeding forty shillings. 10

Consumer to keep his meter in proper order. 48. Every consumer shall at all times at his own expense keep all meters belonging to him whereby the value of the supply is to be ascertained in proper order for correctly registering that value and in default of his so doing the Undertakers may cease to supply energy through the meter. 15

The Undertakers shall have access to and be at liberty to take off remove test inspect and replace any such meter at all reasonable times Provided that all reasonable expenses of and incident to any such taking off removing testing inspecting and replacing and the procuring the meter to be again duly certified where such recertifying is thereby rendered necessary shall if the meter be found to be not in proper order be paid by the consumer but if the same be in proper order all expenses connected therewith shall be paid by the Undertakers. 20

Power to Undertakers to let meter. 49. The Undertakers may let for hire any meter for ascertaining the value of the supply and any fittings thereto for such remuneration in money and on such terms with respect to the repair of the meter and fittings and for securing the safety and return to the Undertakers of the meter and fittings as may be agreed upon between the hirer and the Undertakers or in case of difference decided by the Board of Trade and that remuneration shall be recoverable by the Undertakers summarily as a civil debt. 25 30

Undertakers to keep meters let for hire in repair. 50. The Undertakers shall unless the agreement for hire otherwise provides at all times at their own expense keep all meters let for hire by them to any consumer whereby the value of the supply is ascertained in proper order for correctly registering that value and in default of their so doing the consumer shall not be liable to pay rent for the same during such time as such default continues The Undertakers shall for the purposes aforesaid have access to and be at liberty to remove test inspect and replace any such meter at all reasonable times Provided that the expenses of procuring any such meter to be again duly certified where that recertifying is thereby rendered necessary shall be paid by the Undertakers. 35 40

Differences as to correctness of meter to be settled by inspector. 51. If any difference arises between any consumer and the Undertakers as to whether any meter whereby the value of the supply is ascertained (whether belonging to the consumer or the Undertakers) is or is not in proper order for correctly registering that value or as to whether that value has been correctly registered in any case by any meter such difference shall be determined upon the application of either party by an electric inspector or 45

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where the county council are the consumers by an inspector to be appointed by the Board of Trade who shall also order by which of the parties the costs of and incidental to the proceedings before him shall be paid and the decision of the inspector shall be final and binding on all parties Subject as aforesaid
 5 the register of the meter shall be conclusive evidence in the absence of fraud of the value of the supply.

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52. Where any consumer who is supplied with energy by the Undertakers from any distributing main is provided with a certified meter for the purpose of ascertaining the value of the supply and the Undertakers change
 10 the method of charging for energy supplied by them from the main the Undertakers shall pay to that consumer the reasonable expenses to which he may be put in providing a new meter for the purpose of ascertaining the value of the supply according to such new method of charging and such expenses may be recovered by the consumer from the Undertakers summarily
 15 as a civil debt.

Undertakers to pay expenses of providing new meters where method of charge altered.

53. In addition to any meter which may be placed upon the premises of any consumer to ascertain the value of the supply the Undertakers may place upon his premises such meter or other apparatus as they may desire for the purpose of ascertaining or regulating either the amount of energy supplied to
 20 the consumer or the number of hours during which the supply is given or the maximum power taken by the consumer or any other quantity or time connected with the supply Provided that such meter or apparatus shall be of some construction and pattern and shall be fixed and connected with the service lines in some manner approved by the Board of Trade and shall be
 25 supplied and maintained entirely at the cost of the Undertakers and shall not except by agreement be placed otherwise than between the mains of the Undertakers and the consumer's terminals.

Undertakers may place meters to measure supply or to check measurement thereof.

Maps.

54. The Undertakers shall forthwith after commencing to supply energy
 30 under this Order cause a map to be made of the area of supply and shall cause to be marked thereon the line and the depth below the surface of all their then existing mains service lines and other underground works and street boxes and shall once in every year cause that map to be duly corrected so as to show the then existing lines The Undertakers shall also if
 35 required by the Board of Trade or the Postmaster-General or the county council cause to be made sections showing the level of all their existing mains and underground works other than service lines The said map and sections shall be on such scale or scales as the Board of Trade shall prescribe.

40 Every map and section so made or corrected or a copy thereof marked with the date when it was so made or last corrected shall be kept by the Undertakers at their principal office within the area of supply and shall at all reasonable times be open to the inspection of all applicants and those applicants may take copies of the same or any part thereof The Undertakers
 45 may demand and take from every such applicant as aforesaid such fee not

Map of area of supply to be made.

A.D. 1905. exceeding one shilling for each inspection of the map section or copy and
 Woolwich. such further fee not exceeding five shillings for each copy of the same or
 any part thereof taken by the applicant as they may prescribe.

The Undertakers shall if so required by the Board of Trade or the
 Postmaster-General or the county council supply to them or him a copy of 5
 any such map or section and cause that copy to be duly corrected so as to
 agree with the original or originals thereof as kept for the time being at the
 office of the Undertakers.

If the Undertakers fail to comply with any of the requirements of this
 section they shall for every such offence be liable to a penalty not exceeding 10
 ten pounds and to a daily penalty not exceeding two pounds.

Application of Moneys received.

Application of
 revenue.

55. All moneys received by the Undertakers in respect of the under-
 taking except (A) borrowed money and (B) money arising from the disposal
 of lands acquired for the purposes of this Order shall be applied by them 15
 as follows:—

- (1) In payment of the working and establishment expenses and cost of
 maintenance of the undertaking including all costs expenses
 penalties and damages incurred or payable by the Undertakers
 consequent upon any proceedings by or against the Undertakers 20
 their officers or servants in relation to the undertaking :
- (2) In payment of the interest or dividend on any mortgages stock or
 other securities granted and issued by the Undertakers in respect
 of money borrowed for electricity purposes :
- (3) In providing any instalments or sinking fund required to be 25
 provided in respect of moneys borrowed for electricity purposes :
- (4) In payment of all other their expenses of executing this Order not
 being expenses properly chargeable to capital :
- (5) In providing a reserve fund if they think fit by setting aside such
 money as they may from time to time think reasonable and 30
 investing the same and the resulting income thereof in Govern-
 ment securities or in any other securities in which trustees are by
 law for the time being authorised to invest other than stock or
 securities of the Undertakers and accumulating the same at
 compound interest until the fund so formed amounts to one tenth 35
 of the aggregate capital expenditure on the undertaking which
 fund shall be applicable to answer any deficiency at any time
 happening in the income of the Undertakers from the undertaking
 or to meet any extraordinary claim or demand at any time arising
 against the Undertakers in respect of the undertaking and so that 40
 if that fund is at any time reduced it may thereafter be again
 restored to the prescribed limit and so from time to time as often
 as the reduction happens.

The Undertakers shall carry the net surplus remaining in any year and
 the annual proceeds of the reserve fund when amounting to the prescribed limit 45

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to the credit of the local rate as defined by the principal Act or at their option shall apply that surplus or any part thereof to the improvement of the district for which they are the local authority or in reduction of the capital moneys borrowed for electricity purposes :

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- 5** Provided always that if the surplus in any year exceed five pounds per centum per annum upon the aggregate capital expenditure on the undertaking the Undertakers shall make such a rateable reduction in the charge for the supply of energy as in their judgment will reduce the surplus to the said maximum rate of profit but this proviso shall only apply to so much
- 10** of the undertaking as shall for the time being remain in the hands of the Undertakers.

Any deficiency of income in any year not answered out of the reserve fund shall be charged upon and payable out of the local rate.

- 15** 56. All moneys arising from the disposal of lands acquired by the Undertakers for the purposes of this Order and all other capital moneys received by them in respect of the undertaking shall be applied by them as follows :—

Application of capital moneys.

- (1) In the reduction of the capital moneys borrowed by them for electricity purposes :
- 20** (2) In the reduction of the capital moneys borrowed by them for other than electricity purposes.

Notices &c.

- 25** 57. Notices orders and other documents under this Order may be in writing or in print or partly in writing and partly in print and where any such notice order or document requires authentication by the Undertakers the signature thereof by the town clerk or their electrical engineer shall be sufficient authentication.

Notices &c. may be printed or written.

- 30** 58. Any notice order or document required or authorised to be served upon any body or person under this Order or the principal Act may be served by the same being addressed to such body or person and being left at or transmitted through the post to the following addresses respectively :—

Service of notices &c.

- (A) In the case of the Board of Trade the Office of the Board of Trade :
- (B) In the case of the Postmaster-General the General Post Office :
- (C) In the case of the county council the office of that council :
- 35** (D) In the case of any local authority the office of that local authority :
- (E) In the case of any company having a registered office the registered office of that company :
- (F) In the case of a company having an office or offices but no registered office the principal office of that company :
- 40** (G) In the case of any other person the usual or last known place of abode of that person.

A notice order or document by this Order required or authorised to be served on the owner or occupier of any premises shall be deemed to be

A.D. 1905. properly addressed if addressed by the description of the "owner" or
Woolwich "occupier" of the premises (naming the premises) without further name
 or description.

A notice order or document by this order required or authorised to be
 served on the owner or occupier of premises may be served by delivering the 5
 same or a true copy thereof to some person on the premises or if there is no
 person on the premises to whom the same can with reasonable diligence be
 delivered by fixing it on some conspicuous part of the premises.

Subject to the provisions of this Order as to cases of emergency where
 the interval of time between the service of any notice or document under the 10
 provisions of this Order and the execution of any works or the performance of
 any duty or act is less than seven days the following days shall not be
 reckoned in the computation of that time that is to say Sunday Christmas
 Day Good Friday any Bank Holiday under and within the meaning of the
 Bank Holiday Act 1871 and any Act amending that Act and any day 15
 appointed for public fast humiliation or thanksgiving.

Revocation of Order.

Revocation
 where works
 not executed.

59. If at any time after the commencement of this Order the Board of
 Trade have reason to believe that the Undertakers have made default in
 executing works or supplying energy in accordance with the provisions of this 20
 Order the Board of Trade may after such inquiry as they may think
 necessary revoke this Order as to the whole or with the consent of the
 Undertakers any part of the area of supply upon such terms as to the Board
 of Trade may seem just.

Revocation of
 Order with
 consent.

60. In addition to any powers which the Board of Trade may have in 25
 that behalf they may revoke this Order at any time with the consent and
 concurrence of the Undertakers upon such terms as the Board of Trade may
 think fit.

Provisions
 where Order
 revoked.

61. If the Board of Trade at any time revoke this Order as to the whole
 or any part of the area of supply any persons who are liable to repair any 30
 street or part of a street within such area or part thereof in which any works
 of the Undertakers may have been placed may forthwith remove those works
 with all reasonable care and the Undertakers shall pay to those persons such
 reasonable costs of such removal as may be specified in a notice to be served
 on the Undertakers by those persons or if so required by the Undertakers 35
 within one week after the service of such notice upon them as may be settled
 by arbitration.

If the Undertakers fail to pay such reasonable costs as aforesaid within
 one month after the service upon them of such notice or the delivery of the
 award of the arbitrator (as the case may be) such persons as aforesaid may 40
 without any previous notice to the Undertakers (but without prejudice to any
 other remedy which they may have for the recovery of the amount) sell and
 dispose of any such works as aforesaid either by public auction or private sale
 and for such sum or sums and to such person or persons as they may think fit
 and may out of the proceeds of the sale pay and reimburse themselves the 45

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amount of the costs so specified or settled as aforesaid and of the costs of sale and the balance (if any) of the proceeds of the sale shall be paid over by them to the Undertakers. A.D. 1905.
Woolwich.

General.

5 62. If at any time it is established to the satisfaction of the Board of Trade (A) that the Undertakers are supplying energy otherwise than by means of a system which has been approved by the Board of Trade or except in accordance with the provisions of this Order have permitted any part of their circuits to be connected with earth or placed any electric line above
10 ground or (B) that any electric lines or works of the Undertakers are defective so as not to be in accordance with the provisions of this Order or the Board of Trade regulations or (C) that any work of the Undertakers or their supply of energy is attended with danger to the public safety or injuriously affects any telegraphic line of the Postmaster-General the Board of Trade may by
15 order specify the matter complained of and require the Undertakers to abate or discontinue the same within such period as may be therein limited in that behalf and if the Undertakers make default in complying with the order they shall be liable to a penalty not exceeding twenty pounds for every day during which such default continues.

Remedying of system and works.

20 The Board of Trade may also if they think fit by the same or any other order forbid the use of any electric line or work as from such date as may be specified in that behalf until the order is complied with or for such time as may be so specified and if the Undertakers make use of any such electric line or work while the use thereof is so forbidden they shall be liable to a penalty
25 not exceeding one hundred pounds for every day during which the user continues.

In any case of non-compliance with an order under this section whether a pecuniary penalty has been recovered or not the Board of Trade if in their opinion the public interest so requires may revoke this Order on such terms
30 as they may think just.

63. The Board of Trade regulations for the time being in force shall within one month after the same as made or last altered have come into force be printed at the expense of the Undertakers and true copies thereof certified by or on behalf of the Undertakers shall be forthwith served upon the county
35 council and like copies shall also be kept by them at their principal office within the area of supply and supplied to any person demanding the same at a price not exceeding sixpence for each copy.

Publication of regulations.

If the Undertakers make default in complying with the provisions of this section they shall be liable to a penalty not exceeding five pounds and to
40 a daily penalty not exceeding five pounds.

64. Where any security is required under this Order to be given to or by the Undertakers that security may be by way of deposit or otherwise and of such amount as may be agreed upon between the parties or as in default of agreement may be determined on the application of either party by a
45 court of summary jurisdiction who may also order by which of the parties the

Nature and amount of security.

A.D. 1905. costs of the proceedings before them shall be paid and the decision of the said court shall be final and binding on all parties. Provided that where any such security is given by way of deposit the party to whom the security is given shall pay interest at the rate of four per centum per annum on every sum of ten shillings so deposited for every six months during which the same remains 5 in their hands.

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Proceedings of Board of Trade.

65. All things required or authorised under this Order to be done by to or before the Board of Trade may be done by to or before the President or a secretary or an assistant secretary of the Board.

All documents purporting to be orders made by the Board of Trade and 10 to be sealed with the seal of the Board or to be signed by a secretary or assistant secretary of the Board or by any person authorised in that behalf by the President of the Board shall be received in evidence and shall be deemed to be those orders without further proof unless the contrary is shown.

A certificate signed by the President of the Board of Trade that any 15 order made or act done is the order or act of the Board shall be conclusive evidence of the order or act so certified.

As to approval or consent of Board of Trade.

66. Where this Order provides for any consent or approval of the Board of Trade the Board may give that consent or approval subject to terms or conditions or may withhold their consent or approval as in their discretion 20 they may think fit.

All costs and expenses of or incident to any approval consent certificate or order of the Board of Trade or of any inspector or person appointed by the Board of Trade including the cost of any inquiry or tests which may be required to be made by the Board of Trade for the purpose of determining 25 whether the same should be given or made to such an amount as the Board of Trade shall certify to be due shall be borne and paid by the applicant or applicants therefor. Provided always that where any approval is given by the Board of Trade to any plan pattern or specification they may require such copies of the same as they may think fit to be prepared and deposited 30 at their office at the expense of the said applicant or applicants and may as they think fit revoke any approval so given or permit the approval to be continued subject to such modifications as they may think necessary.

Notice of approval of Board of Trade &c. to be given by advertisement.

67. Where the Board of Trade upon the application of the Undertakers give any approval or grant any extension of any time limited for the per- 35 formance of any duties by the Undertakers or revoke this order as to the whole or any part of the area of supply notice that the approval has been given or the extension of time granted or the revocation made shall if the Board of Trade so direct be published by public advertisement once at least in each of two successive weeks in some one and the same local newspaper by 40 the Undertakers.

Notice of application for extension of time &c. to be given to county council.

68. Where any application is made to the Board of Trade to extend any time limited for the performance of any duties by the Undertakers notice of such application shall be served on the county council by the Under- 45 takers and an opportunity shall be given to the county council to make representations or objections with reference thereto.

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69. All penalties fees expenses and other moneys recoverable under this Order or under the Board of Trade regulations the recovery of which is not otherwise specially provided for may be recovered summarily in manner provided by the Summary Jurisdiction Acts.

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Recovery and
application of
penalties.

5 Any penalty recovered on prosecution by an officer of the county council shall if there is an electric inspector for the time being appointed by the county council be paid to that officer and by him to the county council and shall be carried to the county fund.

10 Any penalty recovered on prosecution by any other body or person or any part thereof may if the court shall so direct be paid to that body or person.

Save as aforesaid all penalties recovered summarily under this Order shall be applied according to the law regulating the application of penalties so recovered within the metropolitan police district.

15 70. The Undertakers shall be answerable for all accidents damages and injuries happening through the act or default of the Undertakers or of any person in their employment by reason of or in consequence of any of the Undertakers' works and shall save harmless all authorities bodies and persons by whom any street is repairable and all other authorities companies and
20 bodies collectively and individually and their officers and servants from all damages and costs in respect of such accidents damages and injuries.

Undertakers to
be responsible
for all damages.

71. Section one hundred and twenty-four of the Public Health (London) Act 1891 shall be incorporated with this Order and in the construction of that section for the purposes of this Order "this Act" means this Order and the
25 principal Act and "any sanitary authority" means the Undertakers.

Incorporation
of section 124
of Public
Health (Lon-
don) Act 1891.

72. Nothing herein contained shall affect prejudicially any estate right power privilege or exemption of the King's most Excellent Majesty and in particular—

Saving rights
of Crown.

30 (A) Nothing herein contained shall authorise the Undertakers to take use or in any manner interfere with any land or hereditaments (including the sub-soil of any street) or any rights of whatsoever description belonging to or under the management of the Secretary of State for War without the consent in writing of the Secretary of State first had and obtained for that purpose (which consent the
35 Secretary of State is hereby authorised to give) neither shall anything herein contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Secretary of State for War :

40 (B) Nothing herein contained shall authorise the Undertakers to take use or in any manner interfere with any portion of the shore or bed (including the sub-soil) of the River Thames or any land or hereditaments (including the sub-soil of any street) or any rights of whatsoever description belonging to the King's most Excellent Majesty in the right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the
45

(87.) E

A.D. 1905.

Woolwich.

Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose which consent the Commissioners are hereby authorised to give.

Saving for Postmaster-General.

73. Nothing in this Order shall affect any right or remedy of the Postmaster General under the principal Act or the Telegraph Acts 1863 to 1897 and all provisions contained in this Order in favour of the Postmaster-General shall be construed to be in addition to and not in modification of the provisions of those Acts. 5

Protection for Conservators of River Thames.

74. Nothing in this Order shall authorise the Undertakers to interfere in any manner with the bed soil banks or shores of the River Thames or the navigation thereof or affect in any manner the rights powers or privileges of the Conservators of the River Thames. 10

Saving for embankment &c. of county council.

75. Nothing in this Order shall authorise the Undertakers to break up or otherwise interfere with any embankment park or open space for the time being vested in the county council except so far as any part of such embankment park or open space forms part of a street or to interfere with or make use of any tunnel sewer or subway so vested except with the consent in writing of the county council and subject to such terms and conditions as they may impose. 15

Undertakers not exempted from proceedings for nuisance.

76. Nothing in this Order shall exonerate the Undertakers from any indictment action or other proceedings for nuisance in the event of any nuisance being caused or permitted by them. 20

Provision as to general Acts.

77. Nothing in this Order shall exempt the Undertakers or their undertaking from the provisions of or deprive the Undertakers of the benefits of any general Act relating to electricity or to the supply of or price to be charged for energy which may be passed after the commencement of this Order. 25

Revocation of Orders.

78. As from the commencement of this Order the Woolwich Electric Lighting Orders 1899 and 1902 shall be revoked and the Blackheath and Greenwich District Electric Lighting Orders 1897 and 1899 shall cease to apply to the area of supply but without prejudice to anything done or suffered or any liability to a penalty or otherwise incurred or to the prosecution of any legal proceedings under any of the said Orders. 30

SCHEDULES.

FIRST SCHEDULE.

35

AREA OF SUPPLY.

The metropolitan borough of Woolwich as constituted at the commencement of this Order.

[5 EDW. 7.] *Electric Lighting Provisional Order (No. 3).* 35

SECOND SCHEDULE.

A.D. 1905.

Woolwich.

5 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

10 Globe Lane High Street Eltham on the south side from 200 yards west of Well Hall Road to the Monument and on the north side from the same point to Gravel Pit Lane Court Road on the west side from Eltham High Street to Wellington Road thence on the west side to a point 200 yards north of the South Eastern and Chatham Railway Victoria Road from Eltham High Street to Footscray Road on west side.

THIRD SCHEDULE.

15 *List of Streets not repairable by the Local Authority Railways and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

(a) STREETS :

Shrewsbury Lane Plum Lane footpath leading from Shooter's Hill opposite the "Bull Inn" Shooter's Hill to the boundary of the Corbett Estate Eltham Westmount Road.

20 (b) RAILWAYS :

The level crossings on the South Eastern and Chatham Railway at Sand Street Bostall Lane and Station Road Abbey Wood.

(c) TRAMWAYS :

25 The tramways of the Bexley Urban District Council of the Woolwich and South-East London Tramways Company Limited and of the London County Council.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

30 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

(87.)

F

A.D. 1905.

Woolwich.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—

- (A) For any amount up to twenty units ten shillings and for each unit 5
over twenty units sixpence ; or
- (B) With the consent of the consumer for any amount not exceeding the equivalent of ninety-one hours of supply at the maximum power which has been demanded by him at the rate of sevenpence per unit and for any further amount exceeding the equivalent of 10
ninety-one hours of supply at such maximum power at the rate of threepence-halfpenny per unit.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him 15
according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of such electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 20

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 4).* 1

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B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Denny and Dunipace Grangemouth Inverness Pollokshaws Renfrew Rutherglen and Uphall. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act : 45 & 46 Vict.
c. 56.
51 & 52 Vict.
c. 12.
53 & 54 Vict.
c. 13.
2 Edw. 7.
c. 35.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

Be it therefore 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 :—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 4) Act 1905. Short title.

2. The several Orders as amended and set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out Orders in
schedule
confirmed.

(117.)

A

A.D. 1905. in the said schedule shall from and after the passing of this Act
— have full validity and effect.

As to ex-
penses of
county
council of
Linlithgow
under Up-
hall Electric
Lighting
Order.

3. Any expenses incurred by the Undertakers under the Uphall Electric Lighting Order 1905 confirmed by this Act and not otherwise provided for including any expenses incurred in con- 5
nection with the obtaining by them of the Order shall be defrayed out of that part of the local rate as defined in the schedule to the Electric Lighting (Scotland) Act 1890 known as the general purposes rate and that rate so far as levied for the purpose of defraying those expenses shall be imposed only upon the lands and 10
heritages within the Uphall Special Lighting District and shall be shown separately on the demand notes issued by the Undertakers.

SCHEDULE.

A.D. 1905.

LIST OF ORDERS.

- 5
 1. DENNY AND DUNIPACE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Burgh of Denny and Dunipace.
- 10
 2. GRANGEMOUTH.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Burgh of Grangemouth.
- 15
 3. INVERNESS.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the North of Scotland Electric Light and Power Company Limited.
- 20
 4. POLLOKSHAWS.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Burgh of Pollokshaws.
- 25
 5. RENFREW.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Royal Burgh of Renfrew.
- 30
 6. RUTHERGLEN.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Royal Burgh of Rutherglen.
- 30
 7. UPHALL.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the County Council of Linlithgow.

A.D. 1905. DENNY AND DUNIPACE ELECTRIC LIGHTING.

*Denny and
Dunipace.*

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Burgh of Denny 5 and Dunipace in respect of the Burgh of Denny and Dunipace in the County of Stirling.

Short title. 1. This Order may be cited as the Denny and Dunipace Electric Lighting Order 1905.

Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting 10 (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order.

Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the provost magistrates and councillors of the burgh of Denny and 15 Dunipace.

Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this 20 Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

Power to break up streets. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authorities which are mentioned in the Second 25 Schedule to this Order and the railways which are also mentioned in that schedule.

Compulsory works. 6. The streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as 30 mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 is that mentioned in the Third Schedule to this Order.

Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 35

Commencement of Order. 8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 4).*

5

SCHEDULES.

A.D. 1905.

FIRST SCHEDULE.

*Denny and
Dunipace.*

AREA OF SUPPLY.

The burgh of Denny and Dunipace as constituted at the commencement
5 of this Order.

SECOND SCHEDULE.

*List of Streets not repairable by the Local Authorities and Railway which
may be broken up by the Undertakers in pursuance of the special powers
granted by this Order.*

10 STREETS :—

The roadway on railway bridges and the approaches in Stirling Street
Broad Street and Herbertshire Street.

RAILWAY :—

The level crossing of the Caledonian Railway in Glasgow Road.

15

THIRD SCHEDULE.

*Street throughout which the Undertakers are to lay down suitable and
sufficient Distributing Mains for the purposes of general supply within
a period of Two Years after the commencement of this Order.*

Stirling Street from the Cross to the Bridge over the River Carron.

20

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current
of one thousand ampères flowing under an electro-motive force of
one volt during one hour.

25

SECTION I.

Where the Undertakers charge any consumer by the actual amount of
energy supplied to him they shall be entitled to charge him at the following
rates per quarter :—For any amount up to twenty units thirteen shillings
30 and fourpence and for each unit over twenty units eightpence.

SECTION 2.

A.D. 1905.

*Denny and
Dunipace.*

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 5

GRANGEMOUTH ELECTRIC LIGHTING.

Grangemouth.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Burgh of Grangemouth in respect of the Burgh of Grangemouth in the County of Stirling. 10
15

- Short title. 1. This Order may be cited as the Grangemouth Electric Lighting Order 1905.
- Incorporation of the Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order 20
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the provost magistrates and councillors of the burgh of Grangemouth.
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 25
30
- Compulsory works. 5. The street throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 is that mentioned in the Second Schedule to this Order. 35
- Maximum prices. 6. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Third Schedule to this Order.

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 4).*

7

- 7.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the Burgh of Grangemouth a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882.
- 10 (2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable
- 15 no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years provided nevertheless that—
- (a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order;
- 20 (b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.
- (3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods
- 25 at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—
- (a) be subject to revision at the next triennial revision provided for in this section; or
- 30 (b) vary in the same proportion as the price charged to ordinary consumers.
- Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such
- 35 contract.
- (4) There shall not be made against the burgh assessment or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.
- 40 8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Grangemouth.
Revision of
prices so as to
balance
revenue and
expenditure.

Commence-
ment of Order.

A.D. 1905.
Grangemouth.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The burgh of Grangemouth as constituted at the commencement of this Order. 5

SECOND SCHEDULE.

Street throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

Lumley Street. 10

THIRD SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of 15 one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and 20 fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of 25

[5 Edw. 7.] *Electric Lighting Provisional Order (No. 4).* 9

energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

A.D. 1905.
Grangemouth.

5 **INVERNESS ELECTRIC LIGHTING.**

Inverness.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the North of Scotland Electric Light and Power Company Limited in respect of the Royal Burgh of Inverness.

- 10 1. This Order may be cited as the Inverness Electric Lighting Order Short title.
1905.
- 15 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 20 3. The Undertakers for the purposes 'of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the North of Scotland Electric Light and Power Company Limited a company registered under the Companies Acts 1862 to 1898 whose registered office is at the Electricity Works Montrose. Undertakers.
- 25 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 30 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the Local Authority which are mentioned in the Second Schedule to this Order, and the railways which are also mentioned in that schedule. Power to break up streets &c.
- 35 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply as mentioned in subsection 1 of section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order and that subsection as incorporated with this Order shall have effect as if three months were substituted for two years as the period within which those mains are to be laid down. Compulsory works.

(117.)

B

A.D. 1905.

Inverness.
Maximum
prices.

Deposit.

Purchase by
local authority.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is five hundred pounds. 5

9.—(1) The local authority may if they think fit at the expiration of a period of 6 13 16 20 or 27 years from the commencement of this Order or at any subsequent time before the expiration of 42 years from that commencement by giving twelve months' previous notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the 10
undertaking including all lands buildings works materials and plant suitable to and used by them for the purpose of their Undertaking.

(2) The price to be paid on any such purchase shall be—

(a) If the option to purchase is exercised upon the expiration of a period of six years from the commencement of this Order 15
an amount equal to the capital properly expended by the Undertakers on the undertaking with the addition of an amount equal to 15 per cent. thereon and also with the addition of a sum sufficient to make up the profits to an average of 5 per cent. per annum on the capital at the time 20
being reasonably expended by the Undertakers upon the undertaking if the said profits have not amounted to such average 5 per cent. per annum.

(b) If the option to purchase is exercised upon the expiration of a period of 13 years from the commencement of this Order 25
an amount equal to the capital properly expended by the Undertakers with the addition of an amount equal to 15 per cent. thereon.

(c) If the option to purchase is exercised upon the expiration of a period of 16 or 20 years from the commencement of this 30
Order an amount equal to the capital properly expended by the Undertakers with the addition of an amount equal to 10 per cent. thereon.

(d) If the option to purchase is exercised after the expiration of a period of 27 and before the expiration of 42 years from the 35
commencement of this Order an amount equal to the capital properly expended by the Undertakers without any further addition.

(e) The Undertakers shall not be entitled to receive the 10 or 40
15 per cent. premiums above specified upon any capital expended after notice to purchase has been given by the local authority and any expenditure which may be

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 4).* 11

necessary at the date of such notice to purchase in order to put the whole of the works into good working order and repair shall be deducted from the price to be paid for the purchase of the undertaking previous to the calculation of the premium.

A.D. 1905.
—
Invern ss.

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(3) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date.

10 (4) From the date on which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the undertaking or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall absolutely
15 cease and determine and shall vest in the local authority who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

(5) The power of the local authority to purchase under this section shall be in addition to and not in derogation of the power of the local authority
20 to purchase under section 2 of the Electric Lighting Act 1888.

10. The Inverness Electric Lighting Order 1899 is hereby revoked without prejudice to anything done or suffered thereunder.

Inverness
Electric Light-
ing Order 1899
repealed.

11. This Order shall come into force upon the day when the Act con-
firming this Order is passed and that day for the purposes of the Electric
25 Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commence-
ment of Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The whole of the royal burgh of Inverness as constituted at the
30 commencement of this Order.

A.D. 1905,

SECOND SCHEDULE.

Inverness.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS :—

5

Queensgate Lombard Street Ness Walk from the burgh boundary westwards to the wall beyond Bught Mill Harbour quays and roads.

(b) RAILWAYS :—

Highland Railway Shore Street level crossing Inverness Harbour Trustees Harbour lines at Shore Street and Shore Street level crossing.

10

THIRD SCHEDULE.

Lists of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Three Months after the commencement of this Order.

15

Shore Street Chapel Street Academy Street Hamilton Street Kingsmills Road Church Street Queen's Gate Union Street Inglis Street High Street Friar's Lane Bank Street Bridge Street and Suspension Bridge Stephen's Brae Southside Road Culduthel Road Old Edinburgh Road East Gate Greig Street Castle Street View Place Ness Bank Huntly Street Tomnahurich Street Ardross Street Kenneth Street Fairfield Road.

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FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

25

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 4).* 13

SECTION 1.

A.D. 1905.

—
Inverness.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—

- 5 For lighting :
- 1.—(a) For any quantity not exceeding the equivalent of ninety-one hours of supply at the maximum power which has been demanded by him at the rate of sevenpence per unit ;
 - (b) For any further quantity exceeding the equivalent of ninety-one hours of supply at such maximum power at the rate of threepence per unit ; or
- 10 2.—At the option of the consumer sixpence per unit.
- For motive power or heating :
- 1.—(a) For any quantity not exceeding the equivalent of ninety-one hours of supply at the maximum power which has been demanded by him at the rate of fourpence per unit ;
 - (b) For any further quantity exceeding the equivalent of ninety-one hours of supply at such maximum power at the rate of three-halfpence per unit ; or
- 15 2. At the option of the consumer twopence halfpenny per unit.
- 20

SECTION 2.

- Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.
- 25

POLLOKSHAWS ELECTRIC SUPPLY.

Pollokshaws.

- 30 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Burgh of Pollokshaws in respect of the Burgh of Pollokshaws in the County of Renfrew.*
- 35

1. This Order may be cited as the Burgh of Pollokshaws Electric Supply Short title. Order 1905.

A.D. 1905.

Pollokshaws.
Incorporation of
Electric Lighting
(Clauses) Act
1899.

Undertakers.

Area of supply.

Power to break
up streets.

Compulsory
works.

Power to
transfer
undertaking
to the cor-
poration of
Glasgow.

Maximum
prices.

Commence-
ment of Order.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order. 5

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the provost magistrates and councillors of the burgh of Pollokshaws. 5

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 10

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that Schedule. 15

6. The streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 20

7. At any time within one year from the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the corporation of the city of Glasgow and on that transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the transferees who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 25 30

8. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 35

SCHEDULES.

A.D. 1905.

Pollokshaws.

FIRST SCHEDULE.

AREA OF SUPPLY.

The burgh of Pollokshaws as constituted at the commencement of this
5 Order.

SECOND SCHEDULE.

*List of Streets not repairable by the Local Authority and Tramways which
may be broken up by the Undertakers in pursuance of the special
powers granted by this Order.*

10 STREETS:—

Aulhouse Avenue Bengal Lane Carment Drive Carment Lane Colledge
Street Duncan Street Grantly Gardens Grantly Lane Greenbank
Street Hopehill Street Lilybank Place Pettigrew Avenue Pollok Road
Regent Street Rossendale Road and Wodrow Street.

15 TRAMWAYS:—

The tramways of the Corporation of the City of Glasgow.

THIRD SCHEDULE.

*Names of Streets throughout which the Undertakers are to lay down suitable
and sufficient Distributing Mains for the purposes of general supply
within a period of Two Years after the commencement of this Order.*

20

King Street Main Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

25

The expression "unit" shall mean the energy contained in a current
of one thousand amperes flowing under an electro-motive force of
one volt during one hour.

A.D. 1905.

SECTION 1.

Pollokshaws.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

5

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

10

Renfrew.

RENFREW BURGH ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Royal Burgh of Renfrew in the County of Renfrew in respect of that Burgh.

20

Short title.

1. This Order may be cited as the Renfrew Burgh Electric Lighting Order 1905.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order.

25

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the provost magistrates and councillors of the royal burgh of Renfrew.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 4).* 17

- 5 Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways and tramways which are also mentioned in that schedule. **A.D. 1905.**
Renfrew.
Power to break up streets &c.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. **Compulsory works.**
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. **Maximum prices.**
8. Nothing in the provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall be construed as preventing the Undertakers from entering into or carrying into effect any contract agreement or arrangement which under the Clyde Valley Electrical Power Act 1901 may be entered into and carried into effect by the Clyde Valley Electrical Power Company and any authorised distributors as defined by that Act. **Saving of power to contract with Clyde Valley Electrical Power Company.**
9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. **Commencement of Order.**

25

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The royal burgh of Renfrew as constituted at the commencement of this Order.

A.D. 1905.

SECOND SCHEDULE.

Renfrew.

List of Streets not repairable by the Local Authority and Railways and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

London Street Meadowside Street Campbell Street Blythwood Road 5
 Tennant Street King's Lane Road from Canal Street to King's Inch Station
 Muir Street Richard Street Donaldson Drive Ferguson Street Midfaulds Road
 Kirklandneuk Road Oxford Drive Albert Drive Victoria Drive Brown Street
 Clark Street Porterfield Road Windsor Drive Haining Loan Alexandra Drive
 Newton Street the unnamed road leading from Glebe Street southwards and 10
 immediately east of Newton Street Croft Place Arklestone Road.

RAILWAYS:—

Level crossing of the railway of the Glasgow and South Western Railway Company in Ferry Road.

Level crossing of the railway of the Glasgow and Renfrew District 15
 Railway Company in Meadowside Street.

TRAMWAYS:—

The tramways of the Glasgow Corporation.

The tramways of the Paisley District Tramway Company.

THIRD SCHEDULE.

20

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

Ferry Road Canal Street Hairst Street Paisley Road from Hairst Street 25
 to Porterfield Road High Street Fulbar Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current 30
 of one thousand ampères flowing under an electro-motive force of
 one volt during one hour.

SECTION 1.

A.D. 1905.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—For any amount up to twenty units eleven shillings and
5 eightpence and for each unit over twenty units sevenpence.

Renfrew.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of
10 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

RUTHERGLEN ELECTRIC SUPPLY.

Rutherglen.

15 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Provost Magistrates and Councillors of the Royal Burgh of Rutherglen in respect of the Police Area of the*
20 *Royal Burgh of Rutherglen in the County of Lanark.*

1. This Order may be cited as the Rutherglen Electric Supply Order Short title.
1905.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule)
25 are incorporated with and form part of this Order.

Incorporation
of Electric
Lighting
(Clauses) Act
1899.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the provost magistrates and councillors of the royal burgh of Rutherglen.

Undertakers.

30 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant
35 secretary to the Board of Trade.

Area of supply.

- A.D. 1905. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that schedule. 5
- Rutherglen.*
Power to break up streets.
- Compulsory works. 6. The street throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 is that mentioned in the Third Schedule to this Order. 10
- Power to transfer undertaking to the corporation of Glasgow. 7. At any time within one year from the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the Clyde Valley Electrical Power Company and on that transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the transferees who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 15
- Maximum prices. 8. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 20
- Commencement of Order. 9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 25

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The police area of the royal burgh of Rutherglen as constituted at the commencement of this Order. 30

SECOND SCHEDULE.

A.D. 1905.

Rutherglen.

List of Streets and parts of Streets not repairable by the Local Authority and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

5 STREETS :—

- Passage off east side of Farmeloan Road at Lizzieville Place to Millar and Carlyle Terraces service road to new Stonelaw Pit off east side of Farmeloan Road at south end of railway bridge new street off east side of Farmeloan Road and nearly opposite King Street new street running
- 10 eastwards from junction of Farmeloan Road Main Street and Hamilton Road Dunard Road Wardlaw Avenue back lane between villas fronting Kelso Avenue and Wardlaw Avenue lane at back of houses fronting west side of Wardlaw Avenue Kelso Avenue Parkhill Avenue Parkhill Drive avenue off west side of Stonelaw Street immediately to the north of Clincarthill
- 15 Road and leading to the villas called Winsford Offerton Reuther House Berryknowe and Eskdale avenue off west side of Stonelaw Street at junction with Greenhill Road and leading to Reuther Cottage Sherwood Cottage Temple Villa Newton Villa Reuther House and Baptist Church private road running northwards along the east side of the ground occupied by John
- 20 Love's villa "Rockland" to Greenhill Road at east side of Greenhill Place passage from Main Street to Mitchel Street Kirkwood Street Moray Place Macdonald Street Greenhill Street new road off east side of Mill Street south of Sheriff Park and near burgh boundary new avenue off west side of Mill Street at "Avonholm" and near burgh boundary avenue off east
- 25 side of Mill Street at Sheriff Park Arnot Street Burnside Road along east bank of West Burn Kildale Street India Street continuation of Greenbank Street on north side of High Street Quay Road off east side of Glasgow Road immediately to the north of railway bridge to Rutherglen Quay Artizan Street including passage thereto from new street service road
- 30 from Rutherglen Quay along the south bank of the River Clyde to Dalmarnock Bridge service road in continuation of Queen Street over railway bridge to River Clyde at slaughter house passage for foot passengers only along south boundary of railway between Queen Street and Farmeloan Road Crawford Street King Street Lane Church Place private road along
- 35 west side of Ashfield Cottage off Berelands Road to "Whitefield" and "Avondale."

TRAMWAYS :—

The tramways of the corporation of the city of Glasgow.

A.D. 1905.

THIRD SCHEDULE.

Rutherglen.

Name of Street throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

Main Street.

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FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 10

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence. 15

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 20

Uphall.

UPHALL ELECTRIC LIGHTING.

25

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the County Council of the County of Linlithgow in respect of the Uphall Special Lighting District in the Parish of Uphall in the County of Linlithgow. 30

Short title.

1. This Order may be cited as the Uphall Electric Lighting Order 1905.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 4).* 23

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the county council of the county of Linlithgow.
4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.
8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Uphall.
Incorporation of
Electric Lighting
(Clauses) Act
1899.
Undertakers.

Area of supply.

Power to break
up streets.Compulsory
works.Maximum
prices.Commence-
ment of Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The Uphall Special Lighting District as constituted at the commencement of this Order.

A.D. 1905.

SECOND SCHEDULE.

Uphall.

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Back Street or School Place Uphall Hawthorn Place Uphall Shrine 5
Place Broxburn Mid Street Broxburn Back Street Broxburn West Street
Broxburn Stewartfield Rows Road Broxburn.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

The Bathgate and Airdrie Road from Houston Bridge on the west to Stewartfield on the east and the Ecclesmachan or Uphall Road from its junction with the Bathgate and Airdrie Road to Uphall Church. 15

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 20

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence. 25

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 30

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 1

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Andover Burslem (Extension to Tunstall) Hessle Litherland Little Hulton Penmaenmawr Ravensthorpe Stratford-upon-Avon Surbiton and Tewkesbury. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the Schedule to this Act :

45 & 46 Vict.
c. 56.
51 & 52 Vict.
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

Be it therefore 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:—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 5) Act 1905. Short title.

2. The several Orders as amended and set out in the Schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said Schedule shall from and after the passing of this Act have full validity and effect. Orders in Schedule confirmed.

(118.)

A

A.D. 1905.
For pro-
tection of
Staffordshire
County
Council.

3.—(1) Nothing in the Burslem Electric Lighting (Extension to Tunstall) Order 1905 confirmed by this Act shall in any way limit or affect the powers of the Staffordshire County Council to rebuild alter raise widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. 5

(2) If at any time the county council require to carry out works for rebuilding altering raising widening or repairing any bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is necessary to remove temporarily the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council. 10 15 20

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out. 25

(4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

For pro-
tection of
West Riding
County
Council.

4.—(1) Nothing in the Ravensthorpe Electric Lighting Order 1905 confirmed by this Act shall in any way limit or affect the powers of the West Riding County Council to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. 30 35

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such 40

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 8

work give the Undertakers one month's notice of their intention to carry out such work and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county surveyor necessary to remove temporarily the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised to do so) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council

A.D. 1905.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

5.—(1) Nothing in the Tewkesbury Electric Lighting Order 1905 confirmed by this Act shall in any way limit or affect the powers of the Gloucestershire County Council to rebuild alter widen or repair any arch or bridge in or upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order.

For protection of Gloucestershire County Council.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any arch or bridge which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county council necessary to remove temporarily the mains and other electrical appliances belonging to the Undertakers from such arch or bridge then the Undertakers shall and may at their own expense temporarily carry their cables and wires along or across such arch or bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to

A.D. 1905. — be carried out by the county council and the county council shall not be required to pay compensation to the Undertakers for any loss or damage to which they may be put in consequence of the exercise of the powers of the county council or of the removal of such mains and appliances. 5

(3) When the rebuilding altering widening or repairing of such arch or bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such arch or bridge as they had before the works were carried out.

(4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade. 10

Power to break up roads outside area of supply.

6. The Undertakers for the purposes of the Stratford-on-Avon Electric Lighting Order (1901) (Amendment) Order 1905 confirmed by this Act may subject to and in accordance with such of the provisions of the Electric Lighting (Clauses) Act 1899 incorporated with that Order as relate to the breaking up of streets break up so much of the Tiddington Alveston and Wellesbourne Road (from the boundary of the borough of Stratford-upon-Avon to Hill Road) Hill Road The Rookery and Mill Lane as lies outside the borough and within the parish of Alveston in the rural district of Stratford-on-Avon. 15 20

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 5

SCHEDULE.

A. D. 1905.

LIST OF ORDERS.

1. ANDOVER.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Andover.
5
 2. BURSLEM (EXTENSION TO TUNSTALL).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Burslem.
 - 10 3. HESSLE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Hessle.
 4. LITHERLAND.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Litherland.
 - 15 5. LITTLE HULTON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Little Hulton.
 - 20 6. PENMAENMAWR.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Penmaenmawr.
 7. RAVENSTHORPE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Ravensthorpe.
 - 25 8. STRATFORD-UPON-AVON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Stratford-upon-Avon.
 9. SURBITON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Surbiton.
 - 30 10. TEWKESBURY.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Tewkesbury.
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A.D. 1905.

ANDOVER ELECTRIC LIGHTING.

Andover.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Andover in respect of the Borough of Andover in the County of Southampton.

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Short title.

1. This Order may be cited as the Andover Electric Lighting Order 1905.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

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Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Mayor Aldermen and Burgesses of the Borough of Andover.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

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Power to break up streets &c.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that Schedule.

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Compulsory works.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

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Maximum prices.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

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Special power of transfer of undertaking.

8. At any time within one year after the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the Andover Gas and Coke Company Limited or to their successors in title (being a limited company registered under the Companies Acts 1862 to 1900 or a company incorporated by Act of Parliament) and on any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the

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40

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 7

transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. A.D. 1905.
Andover.

9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order.

THE SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The borough of Andover as constituted at the commencement of this Order.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

15 STREETS :—

Anton Mill Road from Bridge Street to South Street Osborne Road Alexandra Road the "George" Yard the "Black Swan" Yard the "White Bear" Yard Eastfield pathway from the Walled Meadow to Vigo Road "New Street Cut" from New Street to Vigo Road Rooksbury Road from Salisbury Road to Rooksbury Mill Dene Path from Old Winchester Road to Wolverdene Mount Terrace.

RAILWAYS :—

The level crossing in Bridge Street of the London and South Western Railway Company (Andover Romsey Redbridge and Southampton branch).

25 THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

30 Millway Road from the railway to the Weyhill Road Weyhill Road from Millway Road to Bridge Street Bridge Street High Street Newbury Street London Street from Bridge Street to East Street Winchester Street from Bridge Street to Old Winchester Road Junction Road.

A.D. 1905.
 Andover.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of 5 one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and 10 pence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount 15 of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Burslem.

BURSLEM ELECTRIC LIGHTING (EXTENSION TO TUNSTALL). 20

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Burslem in respect of the Urban District of Tunstall in the County of Stafford. 25

Short and collective titles.

1. This Order may be cited as the Burslem Electric Lighting (Extension to Tunstall) Order 1905 and the Burslem Electric Lighting Order 1898 the Burslem Electric Lighting (Extension) Order 1899 and this Order may be cited together as the Burslem Electric Lighting Orders 1898 to 1905.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting 30 (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the mayor aldermen and burgesses of the borough of Burslem 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 9

but those Undertakers are not the local authority for the purposes of that Act within the area of supply under this Order except that sections 23 and 65 of the said schedule shall apply as respects that area as if the Undertakers were the local authority.

A.D. 1905.
Burslem.

- 5 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an
- 10 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the railway and tramways which are mentioned in the Second Schedule to this Order.
- 15 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.
- 20 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order Provided that unless and until the undertaking authorised by this Order is transferred to the local authority under the special powers given by this Order or under
- 25 section 2 of the Electric Lighting Act 1888 the Undertakers shall not be entitled to charge consumers for energy supplied to them whether for public or private purposes at a higher rate than the charge made to consumers in similar circumstances for similar purposes in the area of supply under the Burslem Electric Lighting Order 1898.
- 30 8.—(1) The local authority may at any time after the commencement of this Order by six months' notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order upon the terms of the local authority paying to the Undertakers the then value of all lands buildings works materials and plant of
- 35 the Undertakers suitable to and used by them for the purposes of the undertaking within the area of supply such value to be in case of difference determined by arbitration Provided that the value of such lands buildings works materials and plant shall be deemed to be their fair market value at the time of the purchase due regard being had to the nature and then condition
- 40 of such buildings works materials and plant and to the state of repair thereof and to the circumstance that they are in such a position as to be ready for immediate working and to the suitability of the same to the purposes of the undertaking Provided also that no addition to such value shall be made

Area of supply.

Power to break up railway and tramways.

Compulsory works.

Maximum prices.

Power to Tunstall Urban District Council to purchase undertaking.

10 *Electric Lighting Provisional Orders (No. 5).* [5 EDW. 7.]

A.D. 1905. on account of compulsory purchase or of goodwill or of any profits which may
Burslem. or might have been or be made from the undertaking or of any similar
considerations The Board of Trade may determine any other questions
which may arise in relation to such purchase and may fix the date from
which such purchase is to take effect and from and after the date so fixed all 5
lands buildings works materials and plant so purchased as aforesaid shall vest
in the local authority freed from any debts mortgages or similar obligations
of the Undertakers or attaching to the undertaking and the powers of the
Undertakers in relation to the supply of electricity under this Order within
the area of supply under this Order shall absolutely cease and determine and 10
shall vest in and attach to and may be exercised by the local authority who
shall as from the date of the transfer become the Undertakers for the
purposes of this Order.

(2) The powers of purchase given by this section shall be in addition to
and not in derogation of the power of the local authority to purchase under 15
section 2 of the Electric Lighting Act 1888.

For protection
of the Potteries
Electric Trac-
tion Company
Limited.

9. Where the exercise of the powers of the Undertakers will involve the
placing of any works alongside and within three feet of any rail of any
existing tramway of the Potteries Electric Traction Company Limited the
provisions of section 15 of the Schedule to the Electric Lighting (Clauses) 20
Acts 1899 shall with any necessary modifications apply and have effect as if
such works were placed over or under such tramway.

Repeal of Tun-
stall Electric
Lighting Order
1900.

10. The Tunstall Electric Lighting Order 1900 is hereby repealed
without prejudice to anything done or suffered thereunder.

Commence-
ment of Order.

11. This Order shall come into force upon the day when the Act 25
confirming this Order is passed and that day for the purposes of the Electric
Lighting (Clauses) Act 1899 shall be the commencement of this Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Tunstall as constituted at the commencement of
this Order.

30

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 11

SECOND SCHEDULE.

A.D. 1905.

Burslem.

List of Railway and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) RAILWAY:—

- 5 The level crossing on the mineral railway of the Chatterley Whitfield Colliery Company at Scotia Road Burslem.

(b) TRAMWAYS:—

The tramways of the Potteries Electric Traction Company Limited.

THIRD SCHEDULE.

- 10 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

- 15 High Street (from the boundary between the borough of Burslem and the urban district of Tunstall to Christ Church) Market Square and Station Road (from its junction with High Street to the railway bridge).

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this Schedule—

- 20 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- 25 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

- 30 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by
35 the Undertakers under the Board of Trade regulations.

A.D. 1905.

HESSLE ELECTRIC LIGHTING.

Hessle.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Hessle in respect of the Urban District of Hessle in the East Riding of the County of York. 5

- Short title. 1. This Order may be cited as the Hessle Electric Lighting Order 1905.
- Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Hessle. 10
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 15
- Power to break up streets. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. 20
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 25
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 30
- Revision of prices so as to balance revenue and expenditure. 8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the urban district a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882. 35 40

(2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged
 5 for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that—

A.D. 1905.

Hessle.

10 (a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order;

(b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the
 15 periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

20 (a) be subject to revision at the next triennial revision provided for in this section; or

(b) vary in the same proportion as the prices charged to ordinary consumers:

25 Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract.

(4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.

30 9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commence-
ment of Order.

SCHEDULES.

35

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Hessle as constituted at the commencement of this Order.

14 *Electric Lighting Provisional Orders (No. 5). [5 EDW. 7.]*

A.D. 1905.

SECOND SCHEDULE.

Hessle.

List of Streets and parts of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

West Hill the street (unnamed) leading from the Ferry Road to the 5
Hessle Gasworks the street (unnamed) leading from the Ferry Road to the
Haven Side Shipbuilding Yard the street (unnamed) leading from the Ferry
Road to the Humber Bank Cliff Road from the termination of the public
highway known as Cliff Road to Hessle Cliffs Ferry Road over the North
Eastern Railway at or near the Hessle Haven Station Road over the 10
North Eastern Railway at or near the east end of the railway station at
Hessle Woodfield Lane over the North Eastern Railway at or near the west
end of the railway station at Hessle public footpath known as Switzerland
passing under the North Eastern Railway near Hessle Cliff Chapel Hull
Road over Sniggle Bridge near Itlings Lane Itlings Lane over bridge near 15
Church Farm Hull Road over bridge near Second Lane Hull Road over
bridge at the boundary of the urban district near Third Lane Second Lane
over bridge near Hull Road road (unnamed) over bridge near Hessle Haven.

THIRD SCHEDULE.

*List of Streets and parts of Streets throughout which the Undertakers are 20
to lay down suitable and sufficient Distributing Mains for the purposes
of general supply within a period of Two Years after the commencement
of this Order.*

Hull Road from its junction with Eastgate to its junction with Southgate
Southgate Swinegate from its junction with Southgate to its junction with 25
Northgate Northgate and Prestongate.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this Schedule—

The expression “unit” shall mean the energy contained in a current 30
of one thousand ampères flowing under an electro-motive force of
one volt during one hour.

SECTION I.

Where the Undertakers charge any consumer by the actual amount of
energy supplied to him they shall be entitled to charge him at the following 35
rates per quarter For any amount up to twenty units thirteen shillings and
fourpence and for each unit over twenty units eightpence.

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 5).* 15

SECTION 2.

A.D. 1905.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Hessle.

LITHERLAND ELECTRIC LIGHTING.

Litherland.

10 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Litherland in respect of the Urban District of Litherland in the County of Lancaster.*

1. This Order may be cited as the Litherland Electric Lighting Order Short title.
15 1905.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Incorporation of Electric Lighting (Clauses) Act 1899.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Litherland.

Undertakers.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

Area of supply.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that Schedule.

Power to break up streets.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Compulsory works.

- A.D. 1905. **7.** The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 5
- Litherland.*
Maximum prices.
Saving of powers to contract with corporation of Bootle.
- 8.** Nothing in the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall be construed as preventing the Undertakers from entering into or carrying into effect any agreement which under the Bootle Corporation Act 1899 may be entered into and carried into effect by the mayor aldermen and burgesses of the borough of Bootle and any local authority for a district adjoining the area of that borough for the supply of electrical energy in bulk to that local authority. 10
- Power to transfer to corporation of Bootle or to Liverpool District Lighting Company Limited.
- 9.—(1)** At any time after the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the mayor aldermen and burgesses of the borough of Bootle or to the Liverpool District Lighting Company Limited. Provided that the power to transfer the undertaking to the Liverpool District Lighting Company Limited given by this section shall not be exercised unless in addition to the consent of the Board of Trade the consent of the urban district council of Waterloo is first had and obtained for the purpose. 15
- (2)** Upon any such transfer being made the rights powers authorities obligations and liabilities of the Undertakers shall be transferred to and may be exercised by and shall attach to the transferees who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 20
- Commencement of Order.
- 10.** This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 25

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

30

The urban district of Litherland as constituted at the commencement of this Order.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 17

SECOND SCHEDULE.

A.D. 1905.

Litherland.

List of Streets not repairable by the Local Authority and of Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

- 5 (a) STREETS :—
Kirk Road Pennington Road Cobb Avenue Lander Road Blisworth Street Towcester Street Hartwell Street Bowden Street Hinton Street Lawler Street Catherine Street Catherine Terrace Hands Street Road Street Webster Street Ken Street Wood Street Cottier Street
- 10 Thornton Street Oakland Street Firwood Street Mason Street Rydal Street Barnton Street Ismay Road Inman Road Guion Road Delta Road Alpha Road Riddock Road Violet Road Lily Road Langton Road Phelps Street Irving Street Garrick Street Siddons Street Palmerston Drive Ince Avenue Scarisbrick Avenue Sefton Avenue
- 15 Penrhyn Avenue Eaton Avenue Croxteth Avenue Palmerston Avenue Jubilee Road Ruthven Road Nelson Road Beach Road Tattersall Road Hawthorn Grove Laburnum Grove Hughes Buildings Mill Grove Victoria Road Armagh Vale Parr Street Edgar Terrace Alexandra Mount Canal Road Bates Cottages Wellington Road the roadway on the bridge carrying the Orrell Road over the Aintree branch of the Lancashire and Yorkshire Railway Company footbridge over the Leeds and Liverpool Canal connecting Bridge Road and Sefton Street footbridge over the Leeds and Liverpool Canal in continuation of Pennington Road.
- 20
- 25 (b) TRAMWAYS :—
Electric tramways of the Liverpool Corporation.

THIRD SCHEDULE.

- 30 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

Linacre Road Bridge Road Sefton Street Sefton Road (from Sefton Street to the north entrance of Litherland Park).

A.D. 1905.

FOURTH SCHEDULE.

Litherland.

MAXIMUM PRICES.

In this Schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of 5 one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and 10 eightpence and for each unit over twenty units sevenpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of 15 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer’s terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Little Hulton.

LITTLE HULTON ELECTRIC LIGHTING.

20

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Little Hulton in respect of the Urban District of Little Hulton in the County of Lancaster.

Short title.

1. This Order may be cited as the Little Hulton Electric Lighting Order 25 1905.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the 30 meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Little Hulton.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 19

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this
5 Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

A.D. 1905.
Little Hulton.
Area of supply.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this
10 Order and the railway which is also mentioned in that Schedule.

Power to break
up streets &c.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric
15 Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

Compulsory
works.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Maximum
prices.

20 8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the urban district a notification that such statement of accounts has been filled up and that copies of it can be
25 obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882.

Revision of
prices so as
to balance
revenue and
expenditure.

(2) The Undertakers shall on the expiration of the fifth complete
30 financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future
35 expenses of the said undertaking during the next three years Provided nevertheless that—

(a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order ;
40 (b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this

A.D. 1905. section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—
Little Hulton.

- (a) be subject to revision at the next triennial revision provided for in this section ; or 5
- (b) vary in the same proportion as the prices charged to ordinary consumers :

Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract. 10

(4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.

(5) This section shall not apply to the Undertakers or to the undertaking if and so long as the Undertakers are not a local authority. 15

Special powers of transfer. 9. At any time within six months or such further period not exceeding in the whole twelve months as may be allowed by the Board of Trade from the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the Lancashire Electric Power Company and upon that transfer being made the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the said company and that company shall subject to the provisions of this Order become the undertakers for the purposes of this Order. 20 25

Commencement of Order. 10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 30

S C H E D U L E S.

FIRST SCHEDULE.

AREA OF SUPPLY.

The whole of the urban district of Little Hulton as constituted at the commencement of this Order.

SECOND SCHEDULE.

A.D. 1905.

Little Hulton.

List of Streets not repairable by the Local Authority and the Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

5 (a) STREETS:—

Whitby Street Mill Street Longshaw Street Greenheys Street Peel Street
Clarke Street Kirkham Street Mark Street Lever Street Co-operative
Street Grundy Street Belcroft Street Wynne Street Rothwell Lane
10 Hilton Street Highfield Road Hope Street Watson Street Harrison
Street Bank Street Smethurst Street street unnamed between
Nos. 464 and 462 Manchester Road East Spring Gardens Cocker
Street street unnamed between 88 and 84 Manchester Road West
Mount Skip Lane two streets unnamed between Nos. 394 and 392
15 also between 260 and 262 Manchester Road East Baron Fold Lane
Baron Fold Hilton Square Thomas Street Church Street Pemberton
Street Croft Street Bridgewater Street Martin Street Queen Street
Mort Fold Ellesmere Street Seddon Street passage between 112 and
114 Manchester Road East Old Lane Russell Street Duke Street
Ridyard Street Spa Lane Tyne's Bank Edmondson Street Brougham
20 Street Barnes Street Jackson's Court Albert Street Turner Street
Rushton Street Ram Street Bowker Street Hindley Place Claude
Street passage between 45 and 47 Manchester Road West London
Street Mabel Street Beatrice Street Kenyon Hall Lane Vicarage
Lane or Parsonage Lane Wharton Lane Wharton Terrace Providence
25 Place Wharton Harrops Fold School Street Engine Fold Johnson
Street Stevenson Street Crompton Street Lloyd Street Grosvenor
Street Ellis Street Gower Street Prescott Street street in front of
Blackleach Row street unnamed between Primitive Methodist School
and Co-operative Stores Lansdale Street Enfield Street Southern
30 Street street between 205 and 207 Manchester Road East Harcourt
Street street unnamed between Dyson's Mill and 191 Worsley Road
Shamrock Court Argyle Street street unnamed between 77 and 75
Worsley Road Harrop Street Virgins Inn street unnamed between 27
and 25 Worsley Road Smith Street Jackson's Street Makin Street
35 Back Worsley Road Bridge Street Smithfold Lane Allen Street
Providence Place Providence Street street between Antelope Hotel
and Manchester Road West passages between 17 Manchester Road
West and workshop and between workshop and 23 Manchester
Road West.

40 (b) RAILWAY:—

The mineral branch railway of the Bridgewater collieries at the level crossing near Ashton Field collieries.

A.D. 1905.

THIRD SCHEDULE.

Little Hulton.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

5

Manchester Road East from Clegg's Lane to Moorside House Manchester Road West from Clegg's Lane to Peel Lane.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this Schedule—

10

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

15

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

20

25

Penmaenmawr.

PENMAENMAWR URBAN DISTRICT COUNCIL
ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Penmaenmawr in respect of the Urban District of Penmaenmawr in the County of Carnarvon.

30

Short title.

1. This Order may be cited as the Penmaenmawr Electric Lighting Order 1905.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 23

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. A.D. 1905.
Penmaenmawr.
Incorporation of
Electric Lighting
(Clauses) Act
1899.
Undertakers.
3. The Undertakers for the purposes of this Order and within the **5** meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Penmaenmawr.
4. The area of supply for the purposes of this Order and within the **10** meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not **15** repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that Schedule. Power to break
up streets &c.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes **20** of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule of this Order. Compulsory
works.
7. The maximum prices which may be charged by the Undertakers as **25** mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum
prices.
8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commence-
ment of Order.

30

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Penmaenmawr as constituted at the commencement of this Order.

A.D. 1905.

Penmaenmawr.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS :—

5

Cwm Road The subways at main promenade entrance off Station Road and at the Ship Cottage Penmaenbach leading from Conway main road to the beach.

(b) RAILWAYS :—

The following level crossings of the London and North Western Railway :—

10

Cae Mawr Trwyn-yr-Wylfa.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

15

The Conway main road from Dyffryn to Chapel Street Paradise Road Fernbrook Road Conway Old Road from Graiglwyd Road to Pantyrafon Station Road east and west Bryn-y-mor Terrace.

20

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

25

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

30

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 25

SECTION 2.

A.D. 1905.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

RAVENSTHORPE ELECTRIC LIGHTING.

Ravensthorpe.

10 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Ravensthorpe in respect of the Urban District of Ravensthorpe in the West Riding of the County of York.*

1. This Order may be cited as the Ravensthorpe Electric Lighting Order 1905. Short title.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Ravensthorpe. Undertakers.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railway which is also mentioned in that Schedule. Power to break up streets &c.

6. The streets or parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.

(118.)

D

A.D. 1905.
 —
Ravensthorpe.
 Maximum
 prices.

Revision of
 prices so as
 to balance
 revenue and
 expenditure.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the urban district a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882.

(2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that—

(a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order;

(b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

(a) be subject to revision at the next triennial revision provided for in this section; or

(b) vary in the same proportion as the prices charged to ordinary consumers:

Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract.

(4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.

Saving of
 power to make
 contracts &c.

9. Nothing in the provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Order shall be

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 27

construed as preventing the Undertakers from entering into or carrying into effect any contract agreement or arrangement which under the Yorkshire Electric Power Act 1901 may be entered into and carried into effect by the Yorkshire Electric Power Company and any authorised Undertakers.

A.D. 1905.
Ravensthorpe,
with Yorkshire
Electric Power
Company.

- 5 10. Where the exercise of the powers of the Undertakers will involve the placing of any works alongside and within three feet of any rail of any existing light railway of the Yorkshire (Woollen) District Electric Tramways Limited the provisions of section 15 of the schedule to the Electric Lighting (Clauses) Act 1899 shall with any necessary modifications
10 apply and have effect as if such works were placed over or under such light railway.

For protection
of Yorkshire
(Woollen) Dis-
trict Electric
Tramways
Limited.

11. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commence-
ment of Order.

15

SCHEDULES.**FIRST SCHEDULE.****AREA OF SUPPLY.**

The urban district of Ravensthorpe as constituted at the commencement of this Order.

20

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

STREETS :—

- 25 Albion Street Aire Street Armitage Street Bradbury Street Bridge Street Charles Street Clarkson Street Commercial Street Crawshaw Street Day Street Dearnaly Street Duke Street Field Lane Foundry Street Fox Street Garden Street Garden Terrace George Street Great Pond Street Havelock Street John Street Low Mills Myrtle Avenue Myrtle Road Pit
30 Lane Raven Street Sackville Street School Street Spen Valley Road Tanhouse Street Union Street Victoria Street Walker Street William Street and William Square.

RAILWAY :—

Spen Valley Light Railway in Huddersfield Road.

(118.)

E

A.D. 1905.
—
Ravensthorpe.

THIRD SCHEDULE.

Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

Huddersfield Road from William Street to Bridge Street and North 5
Road from Huddersfield Road to Craven Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this Schedule—

The expression "unit" shall mean the energy contained in a current 10
of one thousand ampères flowing under an electro-motive force of
one volt per hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of
energy supplied to him they shall be entitled to charge him at the following 15
rates per quarter For any amount up to twenty units thirteen shillings and
fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity
contained in the supply given to him they shall be entitled to charge him 20
according to the rates set forth in section 1 of this Schedule the amount of
energy supplied to him being taken to be the product of that electrical
quantity and the declared pressure at the consumer's terminals that is to
say such a constant pressure at those terminals as may be declared by the
Undertakers under the Board of Trade regulations. 25

*Stratford-
upon-Avon.*

STRATFORD-UPON-AVON ELECTRIC LIGHTING.

*Provisional Order granted by the Board of Trade under the
Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen
and Burgesses of the Borough of Stratford-upon-Avon for the
amendment of the Stratford-upon-Avon Electric Lighting 30
Order 1901.*

Short title and
construction.

1.—(1) This Order may be cited as the Stratford-upon-Avon Electric
Lighting Order 1901 (Amendment) Order 1905 and the Stratford-upon-
Avon Electric Lighting Order 1901 (hereinafter called "the principal

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 29

Order") and this Order may be cited together as the Stratford-upon-Avon Electric Lighting Orders 1901 and 1905. A.D. 1905.

Stratford-upon-Avon.

(2) This Order and the principal Order shall save as hereinafter expressly provided be read and construed together as one Order.

- 5 2. The date from which the periods of two years and eighteen months are to be reckoned for the purposes of section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with the principal Order shall be the commencement of this Order. Extension of time for compulsory works.
- 10 3. At any time within six months or such extended period not exceeding in the whole twelve months as the Board of Trade may allow after the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by the principal Order as amended by this Order to a company to be formed under the name of the Stratford-upon-15 Avon Electricity Company Limited for the purpose of taking such transfer and registered under the Companies Acts 1862 to 1900 and on any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking authorised by that Order as so amended shall be transferred to and may be exercised by and shall attach to the 20 company and the company shall subject to the provisions of that Order as so amended become the Undertakers for the purposes of that Order as so amended. Transfer of powers under Order of 1901.
- 25 4. This Order shall come into force upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order." Commencement of Order.

SURBITON ELECTRIC LIGHTING.

Surbiton.

30 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Surbiton for the extension of their Area of Supply to a part of the Urban District of Surbiton.*

1. This Order may be cited as the Surbiton Electric Lighting Order 1905 and the Surbiton Electric Lighting Order 1891 (hereinafter called "the principal Order") and this Order shall be read and construed together as one Order and may be cited together as the Surbiton Electric Lighting Orders 35 1891 and 1905. Short title and construction.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 are not incorporated with this Order. Exception of Electric Lighting (Clauses) Act 1899.

(118.)

F 2

- A.D. 1905. 3. Subject to the provisions of this Order there shall be added to the
Surbiton. area of supply for the purposes of the principal Order the area which is
 Area of supply. described in the First Schedule to this Order and is more particularly
 delineated on the map deposited together with this Order at the Board of
 Trade by the Undertakers and signed by an assistant secretary to the 5
 Board of Trade.
- Compulsory 4. Subject to the provisions of this Order there shall be added to the
 works. list of streets and parts of streets mentioned in the Second Schedule to
 the principal Order (being the streets and parts of streets throughout which
 the Undertakers are to lay down suitable and sufficient distributing mains) 10
 the streets and parts of streets mentioned in the Second Schedule to this
 Order.
- Saving for 5. The Undertakers shall not except with the approval of the Com-
 Commissioners missioners of Works erect any generating station or take a supply of energy
 of Works. from any generating station within a distance of nine hundred yards from 15
 any part of the Hampton Court Park or the grounds of Hampton Court
 Palace Provided that this section shall not apply to any sub-station for the
 transformation and distribution of electrical energy.
- Application of 6. In the application of the provisions of the principal Order to so much
 principal Order of the area of supply as is added by this Order the expression "commencement 20
 to added area. of this Order" shall mean the day on which the Act confirming this Order
 is passed.

SCHEDULES.

FIRST SCHEDULE.

AREA ADDED TO THE AREA OF SUPPLY UNDER THE PRINCIPAL ORDER. 25

So much of the urban district of Surbiton as constituted at the commencement of this Order as is not included in the area of supply under the principal Order.

SECOND SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient. Distributing Mains within a period of Two Years after the commencement of this Order. 30

Ewell Road from the boundary of the area of supply under the principal Order to the corner of Red Lion Lane Hook Road from the boundary aforesaid to the "North Star" public-house. 35

TEWKESBURY ELECTRIC LIGHTING.

A.D. 1905.

Tewkesbury.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Tewkesbury in respect of the Borough of Tewkesbury in the County of Gloucester.

- 5 1. This Order may be cited as the Tewkesbury Electric Lighting Order 1905. Short title.
- 10 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of the Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the mayor aldermen and burgesses of the borough of Tewkesbury in the county of Gloucester. Undertakers.
- 15 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 20 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the railway which is mentioned in the Second Schedule to this Order. Power to break up railway.
- 25 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 30 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
8. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commence- ment of Order.

A.D. 1905,
Tewkesbury.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The borough of Tewkesbury as constituted at the commencement of this Order. 5

SECOND SCHEDULE.

Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

The Midland Railway branch line to the Quay Tewkesbury at the level crossings in Chance Street the Oldbury High Street and down or along Quay 10 Lane or Street.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 15

High Street Barton Street Church Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this Schedule—

20

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :— 25

- (a) For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence ; or

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 5).* 33

(b) At the option of the consumer—

A.D. 1905.

(i) For any amount not exceeding the equivalent of ninety-one hours of supply at the maximum power which has been demanded by him at the rate of eightpence per unit; and

Tewkesbury.

5 (ii) For any further quantity exceeding the equivalent of ninety-one hours of supply at such maximum power at the rate of threepence per unit.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity
 10 contained in the supply given to him they shall be entitled to charge him
 according to the rates set forth in section 1 of this Schedule the amount of
 energy supplied to him being taken to be the product of that electrical
 quantity and the declared pressure at the consumer's terminals that is to
 say, such a constant pressure at those terminals as may be declared by the
 15 Undertakers under the Board of Trade regulations.

**Electric Lighting
Provisional Orders
(No. 5).**

A

B I L L

INTITULIED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Andover Burslem (Extension to Tunstall) Hesse Litherland Little Hulton Penmaenmawr Ravenssthorpe Stratford - upon - Avon Surbiton and Tewkesbury.

(Brought from the Commons 3rd July 1905.)

Ordered to be printed 3rd July 1905.

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[Price 3½d.]

(118.)

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Barnet Brockenhurst Farnham Gosport and Alverstoke Houghton-le-Spring and District (Amendment) Lichfield Ludlow Lytham St. Albans (Rural) and Ware. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act: 45 & 46 Vict.
c. 56.
51 & 52 Vict.
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

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

Be it therefore 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:—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 6) Act 1905. Short title.

2. The several Orders as amended and set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Orders in
schedule
confirmed.

(119.)

A

A.D. 1905.
For protec-
tion of Hert-
fordshire
County
Council.

3.—(1) Nothing in the St. Albans (Rural) Electric Lighting Order 1905 shall take away or abridge any power to repair open or break up any road or county bridge along or across which any pipe wire cable or electric main is laid or any other power vested in the council for any of the purposes for which the council is constituted but before commencing any work pursuant to such powers whereby any pipe wire cable or electric main will be interfered with they shall (except in case of emergency in which cases no notice shall be necessary) give the company notice of their intention to commence such work specifying the time at which they will begin to do so such notice to be given three days at least before the commencement of the work and shall always complete such work with all reasonable expedition and cause as little damage or inconvenience to the company as circumstances admit. 5 10 15

(2) The council shall not be liable to pay to the company any compensation for injury done to any pipes wires cables or electric mains by the execution of such works or for loss occasioned thereby or for the reasonable exercise of the powers so vested in them as aforesaid. 20

(3) The council shall not execute such work so far as it immediately affects any pipe wire cable or electric main except under the superintendence of the company unless they refuse or neglect to give such superintendence at the time specified in the notice for the commencement of the work or discontinue the same during the progress of the work and they shall execute such work at their own expense and to the reasonable satisfaction of the company Provided that any additional expense imposed upon them by reason of the existence of any pipes wires cables or electric mains of the company in any road or place shall be borne by the company. 25 30

(4) Any difference which may arise between the company and the council under this section shall be determined by arbitration.

S C H E D U L E.

A.D. 1905.

LIST OF ORDERS.

- 5 1. BARNET.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the North Metropolitan Electrical Power Distribution Company Limited.
2. BROCKENHURST.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to Messrs. Christy Brothers and Middleton.
- 10 3. FARNHAM.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Farnham and District Electric Supply Company Limited.
4. GOSPORT AND ALVERSTOKE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Gosport and Alverstokey Electric Lighting Company Limited.
- 15 5. HOUGHTON-LE-SPRING AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Sunderland District Electric Tramways Limited.
6. LICHFIELD.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to Foote and Milne Limited.
- 20 7. LUDLOW.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to William Norton.
8. LYTHAM.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to Foote and Milne Limited.
- 25 9. ST. ALBANS (RURAL).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the St. Albans and District Electric Supply Company Limited.
10. WARE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the North Metropolitan Electrical Power Distribution Company Limited.

A.D. 1905.

BARNET ELECTRIC LIGHTING.

Barnet. *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the North Metropolitan Electrical Power Distribution Company Limited in respect of the Urban District of Barnet in the County of Hertford.* 5

- Short title. 1. This Order may be cited as the Barnet Electric Lighting Order 1905.
- Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 10
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the North Metropolitan Electrical Power Distribution Company Limited being a company registered under the Companies Acts 1862 to 1898 with limited liability whose registered offices are situated at Evelyn House Finsbury Pavement London E.C. 15
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 20
- Power to break up streets. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. 25
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 30
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.
- As to supply of electricity where consumer has separate supply. 8. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply unless he shall have previously agreed to pay to the Undertakers such minimum annual sum as will give to the Undertakers a reasonable return 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 6).*

5

on the capital expenditure and other standing charges incurred by the Undertakers to meet the possible maximum demand of such person the sum to be so paid shall be determined in default of agreement by arbitration.

A.D. 1905.

Barnet.

9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds.

Deposit.

10.—(1) The local authority may on giving twelve months' notice in writing to the Undertakers terminating at the expiration of 14 21 28 or 35 years from the commencement of this Order require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order (including all lands buildings works materials and plant suitable to and used by the Undertakers for the purposes of the undertaking) upon the terms of the local authority paying to the Undertakers the amount of capital properly expended by them upon the undertaking as appearing by the annual statement of accounts audited by the Board of Trade and in addition thereto a sum equal to one-third of that capital expenditure.

Purchase by local authority.

(2) The amount to be paid on any such purchase shall be determined in default of agreement by arbitration. The Board of Trade may determine any other question which arises with reference to the purchase and in default of agreement as to the date on which the purchase is to take effect may fix that date.

(3) From the date on which any such purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall absolutely cease and determine and shall vest in the local authority who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

(4) The power of purchase given by this section shall be in addition to and not in derogation of the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888.

11. The Barnet Local Board Electric Lighting Order 1893 and the Barnet Urban District Council Electric Lighting Order 1900 are hereby repealed provided that as respects the undertakings authorised by those Orders and any rights or obligations acquired or incurred thereunder this Order shall have effect as if those undertakings were authorised by this Order.

Repeal of Barnet Electric Lighting Orders 1893 and 1900.

12. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commencement of Order.

A.D. 1905.

Barnet.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Barnet as constituted at the commencement of this Order. 5

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Fitzjohn's Avenue Orchard Road Elm Road. 10

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 15

Wood Street (from public lamp No. 15 opposite a house called "Springfield" to the boundary of the district) Argyle Road Granville Road Queen's Road Bells Hill (from public lamp No. 35 opposite a house "Oak Hill" to the boundary of the district) Manor Road (from public lamp No. 34 opposite "Dudley House" to the boundary of the district). 20

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 25

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :— 30

(a) For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence; or

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 6).* 7

- (b) At the option of the consumer—
- (i) For any amount up to twenty units thirteen shillings and fourpence;
- 5 (ii) For any further amount beyond twenty units but not exceeding the equivalent of one hundred hours of supply at the maximum power which has been demanded by him at the rate of eightpence per unit; and
- 10 (iii) For any further quantity exceeding the equivalent of one hundred hours of supply at that maximum power at the rate of twopence per unit.

A.D. 1905.

Barnet.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of

15 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

BROCKENHURST ELECTRIC LIGHTING.

Brockenhurst.

- 20 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to Messrs. Christy Brothers and Middleton in respect of part of the Parish of Brockenhurst in the Rural District of Lymington in the County of Southampton.*
- 25 1. This Order may be cited as the Brockenhurst Electric Lighting Order 1905. Short title.
2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 30 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are Messrs. Christy Brothers and Middleton of Chelmsford Essex. Undertakers.
- 35 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.

- A.D. 1905. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the railway which is mentioned in the Second Schedule to this Order.
- Brookenhurst.*
Power to break up railway.
Compulsory works. 6. The streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 5
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 10
- Deposit. 8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred pounds.
- Powers not to be exercised unless undertaking is transferred to a registered company. 9.—(1) The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole one year as the Board of Trade allow after the commencement of this Order the Undertakers transfer the undertaking to a limited company registered under the Companies Acts 1862 to 1900 and approved by the Board of Trade for the purpose. 15 20
- (2) Within that period the Undertakers may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade.
- (3) On any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 25
- For protection of Commissioners of Woods. 10. Nothing in this Order shall affect prejudicially any estate right power privilege or exemption of the King's most Excellent Majesty and in particular nothing therein shall authorise the Undertakers to take use or in any manner interfere with any land or hereditament or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose (which consent the Commissioners are hereby authorised to give). 30 35
- Commencement of Order. 11. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. 40

S C H E D U L E S.

A.D. 1905.

Brockenhurst.

FIRST SCHEDULE.

AREA OF SUPPLY.

- So much of the parish of Brockenhurst in the rural district of Lymington
- 5 in the county of Southampton as is bounded on the south by the parish boundary on the east by the Lymington River from the intersection of that boundary with the said river to a point north-westward where the said river passes under the road at or near the Government Bench mark stone marked 29·7 feet above Ordnance datum level thence in a north-westerly direction
- 10 along that road to the point where the same crosses the London and South Western Railway at Colleys Green thence along that road in a north-westerly and westerly direction to the point where the said road joins the Lymington and Southampton Road at Brockenhurst Bridge thence along the said Lymington River in a north-westerly direction to its junction with the stream
- 15 known as the Ober Water at Bolderford Bridge thence in a south-westerly direction along the said Ober Water to a point measured one mile and a quarter or thereabouts south-westerly from the said Bolderford Bridge and bounded on the west from that point by an imaginary line drawn due south to a point on the southern boundary of the parish measured three-quarters of
- 20 a mile westerly from the cottage known as "Caters Cottage" situate on the southern boundary of the parish aforesaid Provided that in case of difference between this description and the area as delineated on the deposited map the latter shall prevail.

SECOND SCHEDULE.

- 25 *Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*
- Level crossing over the London and South Western Railway at Brockenhurst Station.

THIRD SCHEDULE.

- 30 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*
- The Southampton and Lymington Road from the level crossing near
- 35 Brockenhurst Railway Station to Martins Road Station Road High Street from Station Road to the ford.

A.D. 1905.
Brookenhurst.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of 5 one volt per hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and 10 fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount 15 of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer’s terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Farnham.

FARNHAM ELECTRIC LIGHTING.

20

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Farnham and District Electric Supply Company Limited in respect of the Urban District of Farnham in the County of Surrey.

Short title.

1. This Order may be cited as the Farnham Electric Lighting Order 1905. 25

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Farnham and District Electric Supply Company Limited a 30 Company registered under the Companies Acts 1862 to 1900 whose registered office is situate at “Lyenne” Firgrove Hill Farnham.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 6).* 11

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together
5 with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.
- A.D. 1905.
Farnham.
Area of supply.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second
10 Schedule to this Order and the railways which are also mentioned in that schedule.
- Power to break
up streets &c.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of
15 this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.
- Compulsory
works.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses)
20 Act 1899 are those stated in the Fourth Schedule to this Order.
- Maximum
prices.
8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds.
- Deposit.
9. This Order shall come into force upon the day when the Act con-
25 firming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.
- Commence-
ment of Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

- 30 The urban district of Farnham as constituted at the commencement of this Order.
-

A.D. 1905.
 Farnham.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

STREETS:

Mount Pleasant West End Estate Potter's Yard and West End Schools Road Park Road St. James' Avenue Castle View Victoria Road Averley Towers Road Weydon Hill Road Elms Road Ridgeway Hill Road Great Austins Road the roads leading over the bridges across the London and South Western Railway at Firgrove Hill and Weydon Hill. 5
 10

RAILWAYS:

London and South Western Railway—the level crossing at Station Hill.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 15

Castle Street from the Borough to Farnham Castle the Borough from West Street to East Street West Street from the Borough to Mead Lane East Street from the Borough to Congregational Sunday Schools South Street from Park Lane to the railway station (including Station Hill). 20

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand amperes flowing under an electro-motive force of one volt during one hour. 25

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence, 30

SECTION 2.

A.D. 1905.

Farnham.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of
 5 energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

GOSPORT AND ALVERSTOKE ELECTRIC LIGHTING.

Gosport and Alverstoke.

- 10 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Gosport and Alverstoke Electric Lighting Company Limited in respect of the Urban District of Gosport and Alverstoke in the County of Southampton.*
- 15 1. This Order may be cited as the Gosport Electric Lighting Order 1905. Short title.
- 2.—(1) The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- (2) Section 69 of the said schedule as so incorporated shall be read as if
- 20 the words "the Admiralty or the Secretary of State for War" were added after the words "Postmaster-General" at the end of the paragraph (c) of subsection (1) of that section.
3. The Undertakers for the purpose of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act
 25 1899 are the Gosport and Alverstoke Electric Lighting Company Limited being a company registered under the Companies Acts 1862 to 1900 with limited liability and having its registered offices at 74 Cheapside in the city of London. Undertakers.
4. The area of supply for the purposes of this Order and within the
 30 meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 35 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable Power to break up streets &c.

- A.D. 1905. by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule.
- Gosport and Alverstoke.*
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 5
- Maximum prices. 7.—(1) The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 10
- (2) Two years shall be substituted for seven years in subsection 2 of section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Order both as respects the time after which the first alteration of prices and methods of charge may be made and as respects the period after which subsequent alterations may be made. 15
- Deposit. 8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds.
- Purchase by local authority. 9.—(1) The local authority may within six months after the expiration of a period of fourteen twenty-one twenty-eight or thirty-five years from the commencement of this Order by one year's notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them their undertaking under this Order (including all lands buildings works materials and plant suitable to and used by the Undertakers for the purpose of the undertaking) upon the terms of the local authority paying to the Undertakers an amount equal to the fair market value of the undertaking as a going concern regard being had to the profits earned by the company in the year in which the notice is given but not to the prospective or future increase of profits that value to be determined in default of agreement by arbitration. 20 25
- (2) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date. 30
- (3) From the date on which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of the supply under this Order or the principal Act shall absolutely cease and determine and shall vest in the local authority. 35
- (4) The power of purchase given by this section shall be in addition to and not in derogation of the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888. 40

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 6).* 15

10. Nothing contained in this Order shall authorise the Undertakers to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to or under the management of the Admiralty or the Secretary of State for War without the consent in writing of the Admiralty or the Secretary of State as the case requires first had and obtained for that purpose (which consent the Admiralty and Secretary of State are hereby authorised to give) neither shall anything in this Order contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exercisable by the Admiralty or the Secretary of State for War.

A.D. 1905.

Gosport and Alverstoke.
Saving rights of Admiralty and War Office.

11. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commencement of Order.

SCHEDULES.

15

FIRST SCHEDULE

AREA OF SUPPLY.

So much of the urban district of Gosport and Alverstoke as is bounded on the north and west by lands belonging to the War Department on the south by Stokes Bay and Spithead and on the east by Portsmouth Harbour.

20 Provided that in case of difference between the above description and the area delineated upon the deposited Map the latter shall prevail.

SECOND SCHEDULE.

25 *List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

(a) STREETS:

30 Westfield Road Avenue Road Elmhurst Road King's Road Percy Road
Sydney Road Richmond Road Upper Queen's Road Parham Road
White's Slip Linden Grove Stoke Gardens Cranborne Road Burnett
Road Cambridge Road Hartington Road.

(b) RAILWAYS (the following level crossings of the London and South Western Railway Company):—

Cambridge Road Crossing Lees Lane Crossing Little Anglesey Crossing
Anglesey Crossing Mumby Road Crossing.

A.D. 1905.

THIRD SCHEDULE.

*Gosport and
Alverstoke.*

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 5

High Street Clarence Road Lees Lane Beach Street Mumby Road Alver Road Spring Garden Lane Whitworth Road Walpole Road Gordon Road Forton Road Stoke Road Lower Queen's Road Brockhurst Road from Forton Road to Elson Lane Bury Road Shaftesbury Road North and South Cross Streets The Avenue Castle Row The Green Crescent Road North Street 10
St. Mark's Road Harbour Road Clarence Square Anglesey Road Foster Road.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of 15
one thousand ampères flowing under an electro-motive force of one
volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following 20
rates per quarter:—For any amount up to twenty units ten shillings and
for each unit over twenty units sixpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him 25
according to the rates set forth in section 1 of this schedule the amount of
energy supplied to him being taken to be the product of that electrical
quantity and the declared pressure at the consumer's terminals that is to
say such a constant pressure at those terminals as may be declared by the 30
Undertakers under the Board of Trade regulations.

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 6).* 17

HOUGHTON-LE-SPRING AND DISTRICT ELECTRIC
LIGHTING.

A.D. 1905.

Houghton-le-Spring and District.

5 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 amending the Houghton-le-Spring and District Electric Lighting Order 1904.*

1. This Order may be cited as the Houghton-le-Spring and District Electric Lighting Order 1904 Amendment Order 1905. Short title.

10 2. Except as is by this Order otherwise provided the Houghton-le-Spring Electric Lighting Order 1904 (hereinafter called "the principal Order") and this Order shall be read and construed together as one Order and may be cited together as the Houghton-le-Spring and District Electric Lighting Orders 1904 and 1905. This Order and principal Order to be read together. ?

15 3. At any time within one year after the commencement of this Order the Sunderland District Electric Tramways Limited being the Undertakers for the purposes of the principal Order may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by the principal Order to the Houghton-le-Spring and District Electric Lighting Company Limited a company registered Power to transfer.

20 under the Companies Acts 1862 to 1900 whose registered office is at 13 St. Helens Place London E.C. and upon that transfer all the rights powers authorities obligations and liabilities of the Undertakers in respect to the undertaking shall be transferred to and may be exercised by and shall attach to that company and that company shall subject to the provisions of the

25 principal Order become the Undertakers for the purposes of the principal Order.

4. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order." Commencement of Order.

30 LICHFIELD ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to Foote and Milne Limited in respect of the City of Lichfield in the County of Stafford.

35 1. This Order may be cited as the Lichfield Electric Lighting Order 1905. Short title.

(119.)

C

A.D. 1905.

Lichfield.
Incorporation of
Electric Lighting
(Clauses) Act
1899.

Undertakers.

Area of supply.

Power to break
up streets &c.

Compulsory
works.

Maximum
prices.

Powers not to
be exercised
unless under-
taking
transferred to
a registered
company.

Purchase of
undertaking
by local
authority.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are Foote and Milne Limited a company registered under the Companies Acts 1862 to 1900 whose registered office is at 66 Victoria Street in the city of Westminster. 5

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 10

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule. 15

6. The street throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 is that mentioned in the Third Schedule to this Order. 20

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 25

8.—(1) The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole twelve months as the Board of Trade allow after the commencement of this Order the Undertakers transfer the undertaking to a limited company registered under the Companies Acts 1862 to 1900 and approved by the Board of Trade for the purpose. 30

(2) Within that period the Undertakers may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and upon such terms and conditions as may be approved by the Board of Trade and upon any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to that company and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 35 40

9.—(1) The local authority may at any time after the expiration of ten years from the commencement of this Order by twelve months' notice in

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 6).* 19

writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order upon the terms of the payment by the local authority to the Undertakers of the fair market value of the undertaking as a going concern that value to be determined in default of agreement by arbitration.

A.D. 1905.

Lichfield.

(2) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date at which the purchase is to take effect may fix that date.

10 (3) From the date at which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the power of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall cease and shall 15 vest in the local authority who shall become the Undertakers for the purposes of this Order.

(4) The power of purchase given to the local authority by this section shall be in addition to and not in derogation of their power to purchase under section 2 of the Electric Lighting Act 1888.

20 10. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds. Deposit.

11. The Lichfield Electric Lighting Order 1901 is hereby repealed without prejudice to anything done or suffered thereunder. Repeal of Lichfield Electric Lighting Order 1901.

25 12. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Ord

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

30

The city of Lichfield as constituted at the commencement of this Order.

A.D. 1905.

SECOND SCHEDULE.

Lichfield.

List of Streets not repairable by the Local Authority and of the Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS:

5

The road in front of Chappells Terrace.

(b) RAILWAYS:

The level crossings of the London and North-Western Railway (South Staffordshire Section) situate at Fosseyway and on the Old Burton Road.

THIRD SCHEDULE.

10

Street throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

Market Street.

FOURTH SCHEDULE.

15

MAXIMUM PRICES.

In this schedule :

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

20

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

25

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

30

LUDLOW ELECTRIC LIGHTING.

A.D. 1905.

Ludlow.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to William Norton in respect of the Borough of Ludlow in the County of Salop.

- 5 1. This Order may be cited as the Ludlow Electric Lighting Order Short title.
1905.
2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 10 3. The Undertaker for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 is William Norton of 14 Corve Street Ludlow in the county of Salop auctioneer. Undertaker.
- 15 4.—(1) The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole twelve months as the Board of Trade allow after the commencement of this Order the Undertaker transfers the undertaking to a limited company registered under the Companies Acts 1862 to 1900 and approved by the Board of Trade for the purpose or to the local authority. Powers not to be exercised unless undertaking is transferred to a registered company or local authority.
- 20 (2) Within that period the Undertaker may transfer and the company to whom the transfer is made or the local authority may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade.
- 25 (3) On any such transfer the rights powers authorities obligations and liabilities of the Undertaker in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made or to the local authority as the case may be and that company or local authority shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.
- 30 5. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertaker and signed by an assistant secretary to the Board of Trade. Area of supply.
- 35 6. The streets and parts of streets throughout which the Undertaker is to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Compulsory works.

- A.D. 1905. Ludlow. Lighting (Clauses) Act 1899 are those mentioned in the Second Schedule to this Order.
- Maximum prices. 7. The maximum prices which may be charged by the Undertaker as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Third Schedule to this Order. 5
- Deposit. 8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred pounds.
- Purchase by local authority. 9.—(1) The local authority (if they do not become the Undertakers under the foregoing provisions of this Order) may at the expiration of a period of twenty years from the commencement of this Order or at the expiration of any subsequent period of ten years by six months' previous notice in writing require the Undertaker to sell and thereupon the Undertaker shall sell to them the undertaking authorised by this Order including all lands buildings works materials and plant suitable to and used by the Undertaker for the purposes of the undertaking. 15
- (2) The price to be paid on any such purchase shall according as may be stated by the local authority in their notice to purchase under this section be either—
- (a) a sum equal to the fair market value of the undertaking as a going concern; or 20
- (b) a sum equal to the total amount of capital properly expended on the undertaking with the addition of such an amount as together with any sums paid or available for payment as dividends will make up a further sum equal to seven per cent. per annum upon the capital so expended. 25
- (3) The amount payable on purchase under this section shall be ascertained in default of agreement by arbitration and the Board of Trade may determine any other question which arises with reference to the purchase and in default of agreement as to the date on which the purchase is to take effect may fix that date. 30
- (4) From the date on which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertaker or attaching to the undertaking and the powers of the Undertaker in relation to the supply of electricity within the area of supply under this Order or the principal Act shall absolutely cease and determine and shall vest in the local authority who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 35
- (5) The power of purchase given by this section shall be in addition to and not in derogation of the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888. 40

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 6).*

23

10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Ludlow.
Commence-
ment of Order.

SCHEDULES.

5

FIRST SCHEDULE.

AREA OF SUPPLY.

The borough of Ludlow as constituted at the commencement of this Order.

SECOND SCHEDULE.

- 10 *List of Streets and parts of Streets throughout which the Undertaker is to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

- 15 Corve Street from Station Road to Bull Ring Bull Ring Tower Street
from Bull Ring to the junction of Upper and Lower Galdeford King Street
Broad Street from King Street to Brand Lane High Street Castle Street and
Mill Street from Castle Street to Bell Lane.

THIRD SCHEDULE.

MAXIMUM PRICES.

20

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

25

Where the Undertaker charges any consumer by the actual amount of energy supplied to him he shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

A.D. 1905.

SECTION 2.

Ludlow.

Where the Undertaker charges any consumer by the electrical quantity contained in the supply given to him he shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical 5 quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertaker under the Board of Trade regulations.

Lytham.

LYTHAM ELECTRIC LIGHTING.

*Provisional Order granted by the Board of Trade under the 10
Electric Lighting Acts 1882 and 1888 to Foote and Milne
Limited in respect of the Urban District of Lytham in the
County of Lancaster.*

- Short title. 1. This Order may be cited as the Lytham Electric Lighting Order 15
1905.
- Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.
- Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 20
1899 are Foote and Milne Limited a company registered under the Companies Acts 1862 to 1900 whose registered office is at 66 Victoria Street in the city of Westminster.
- Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 25
1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.
- Power to break up streets &c. 5. Subject to the provisions incorporated with this Order the Undertakers 30
are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that schedule.
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers 35
are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

A.D. 1905.

Lytham.
Maximum
prices.

8. The Undertakers shall not be entitled to break up any streets for the purpose of laying down distributing mains between the fifteenth day of May and the fifteenth day of September in any year except with the consent in writing of the local authority.

Restriction as
to time for
laying distri-
buting mains.

9.—(1) The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole twelve months as the Board of Trade allow after the commencement of this Order the Undertakers transfer the undertaking to a limited company registered under the Companies Acts 1862 to 1900 and approved by the Board of Trade for the purpose.

Powers not to
be exercised
unless under-
taking trans-
ferred to a
registered
company.

(2) Within that period the Undertakers may transfer and the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and upon such terms and conditions as may be approved by the Board of Trade and upon any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to that company and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order.

10.—(1) The local authority may at any time after the commencement of this Order by twelve months' notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order upon the terms of the payment by the local authority to the Undertakers of the fair market value of the undertaking as a going concern:

Purchase of
undertaking
by local autho-
rity.

Provided that the price to be paid shall if the local authority so determine be a sum equal to the capital reasonably expended on the undertaking with the addition of a sum equal to ten per cent. thereon if the purchase be made after the expiration of fifteen years from the commencement of this Order or a sum equal to six per cent. thereon if the purchase be made after the expiration of twenty-two years from that date or a sum equal to four per cent. thereon if the purchase be made after the expiration of twenty-nine years from that date.

(2) Any question arising as to the amount to be paid in the event of a purchase under this section shall in default of agreement be determined by arbitration. The Board of Trade may determine any other question which arises with reference to the purchase and in default of agreement as to the date at which the purchase is to take effect may fix that date.

(3) From the date at which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or similar obligations of the Undertakers or attaching to the undertaking and the

- A.D. 1905. power of the Undertakers in relation to the supply of electricity within the
 ———
 Lytham. area of supply under this Order or the principal Act shall cease and shall
 vest in the local authority who shall become the Undertakers for the purposes
 of this Order. 5
- (4) The power of purchase given to the local authority by this section 5
 shall be in addition to and not in derogation of their power to purchase
 under section 2 of the Electric Lighting Act 1888.
- Deposit. 11. The sum to be deposited or secured in pursuance of section 5 of the
 schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and
 fifty pounds. 10
- Repeal of Lytham Elec-
 tric Lighting
 Order 1900.
 Commence-
 ment of Order. 12. The Lytham Electric Lighting Order, 1900 is hereby repealed
 without prejudice to anything done or suffered thereunder.
13. This Order shall come into force upon the day when the Act con-
 firming this Order is passed and that day for the purposes of the Electric
 Lighting (Clauses) Act 1899 shall be the commencement of this Order. 15

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Lytham as constituted at the commencement of
 his Order. 20

SECOND SCHEDULE.

*List of Streets not repairable by the Local Authority and of the Tramways
 which may be broken up by the Undertakers in pursuance of the
 special powers granted by this Order.*

- (a) STREETS: 25
- St. Paul's Avenue from Clifton Drive to the Marine Parade Myra Road
 from Clifton Drive to the Inner Promenade Cyprus Avenue from
 Clifton Drive to the Inner Promenade Pollux Gate from Crete Gardens
 to Lake Road Lake Road from Clifton Drive to the Inner Promenade
 Marine Drive from Clifton Drive to St. Paul's Avenue Clifton Drive 30
 from Ansdell Road to St. Paul's Avenue Ansdell Road from Promenade
 to Blackpool Road Rossall Road from Ansdell Road to Golf Links
 Woodlands Road from Blackpool Road to Clifton Drive unnamed new
 street from Blackpool Road to the railway Stanley Road from
 Cambridge Road to Clifton Drive Cambridge Road from Ansdell Road 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 6).* 27

- to Church Road Park Avenue from Stanley Road to Willows Avenue
 Willows Avenue from Cambridge Road to Clifton Drive Riversleigh
 Avenue from Cambridge Road to Clifton Drive Elms Avenue from
 Church Road to Clifton Drive Eden Avenue from Church Road to
 5 Clifton Drive Agnew Street from Westby Street to the railway
 Cleveland Road from Bannister Street to Cleveland Road East
 Cleveland Road East from Westby Street to Cleveland Road Victoria
 Street from Alber Street to Preston Road Trent Street from Warton
 Street to Liggard Brook Albert Street from Victoria Street to Liggard
 10 Brook unnamed road from Preston Road to Lytham Shipbuilding
 Yard and the roadways on the bridges carrying the Blackpool High-
 way over the private road in Lytham Hall Park in the Watchwood
 Road at Lytham Passenger Station in Station Road in Park Road and
 in Saltcotes Road over the Lancashire and Yorkshire and London and
 15 North Western Joint Railway.

A.D. 1905.

Lytham.

(b) TRAMWAYS :

The tramways belonging to the Blackpool St. Annes and Lytham
 Tramway Company Limited or their successors.

THIRD SCHEDULE.

- 20 *List of Streets and parts of Streets throughout which the Undertakers are to
 lay down suitable and sufficient Distributing Mains for the purposes of
 general supply within a period of Two Years after the commencement
 of this Order.*
- Albert Street Warton Street from Albert Street to Grosvenor Street
 25 Grosvenor Street West Beach from Lowther Terrace to Central Beach Central
 Beach East Beach from Central Beach to Grosvenor Street Station Road from
 East Beach to Clifton Street Clifton Street from Station Road to Clifton
 Square Dicconson Terrace from Central Beach to Clifton Square Clifton
 Square Lowther Terrace from West Beach to Church Road Church Road
 30 from Market Square to Fairlawn Road Market Square from Clifton Square
 to Church Road Fairlawn Road from Church Road to Clifton Drive Clifton
 Drive from Fairlawn Road to Ansdell Road.

FOURTH SCHEDULE.

MAXIMUM PRICES.

- 35 In this schedule—
 The expression "unit" shall mean the energy contained in a current
 of one thousand ampères flowing under an electro-motive force of
 one volt during one hour
 (119.) E

A.D. 1905.

SECTION 1.

Lytham.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—

(i) For lighting purposes—

For any amount up to twenty units ten shillings and for each unit over twenty units sixpence :

(ii) For all other purposes—

For any amount up to twenty units five shillings and for each unit over twenty units threepence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

*St. Albans
Rural.*

ST. ALBANS RURAL ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the St. Albans and District Electric Supply Company Limited in respect of the Parishes of St. Michael Rural St. Stephen St. Peter Rural and Sandridge Rural in the Rural District of St. Albans in the County of Hertford.

Short title.

1. This Order may be cited as the St. Albans Rural Electric Lighting Order 1905.

Incorporation
of Electric
Lighting
(Clauses) Act
1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the St. Albans and District Electric Supply Company Limited being a company registered under the Companies Acts 1862 to 1900 with limited liability whose registered offices are situated at Evelyn House 101 Finsbury Pavement in the city of London.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 6).* 29

- 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. A.D. 1905.
St. Albans Rural.
- 5 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order. Power to break up streets.
- 10 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 15 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 20 8. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply unless he shall have previously agreed to pay to the Undertakers such minimum annual sum as will give to the Undertakers a reasonable return on the capital expenditure and other standing charges incurred by the Undertakers to meet the possible maximum demand of such person. The sum to be so paid shall be determined in default of agreement by arbitration. As to supply of electricity where consumer has separate supply.
- 25 9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is five hundred pounds. Deposit.
- 30 10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

- 35 The parishes of St. Michael Rural St. Stephen St. Peter Rural and Sandridge Rural in the rural district of St. Albans as respectively constituted at the commencement of this Order.

A.D. 1905.

SECOND SCHEDULE.

*St. Albans
Rural.*

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

Clarence Park Road Cavendish Road Albion Road Royal Road Laurel 5
Road Blandford Road Glenferrie Road Sandfield Road Harleston Road Tess
Road Arthur Road Burnham Road York Road Brampton Road Warwick
Road Battlefield Road Lancaster Road Woodstock Road Blenheim Road
Beaumont Avenue Sutton Road Castle Road Hedley Road Kimberley Road.

THIRD SCHEDULE.

10

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

Hatfield Road (from the boundary of the city of St. Alban to the eastern 15
corner of the Cemetery) Clarence Park Road London Road (from the
boundary of the city of St. Alban to the Old Mile House).

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

20

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of 25
energy supplied to him they shall be entitled to charge him at the following
rates per quarter:—For any amount up to twenty units thirteen shillings and
fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity 30
contained in the supply given to him they shall be entitled to charge him
according to the rates set forth in section 1 of this schedule the amount of
energy supplied to him being taken to be the product of that electrical
quantity and the declared pressure at the consumer's terminals that is to
say such a constant pressure at those terminals as may be declared by the 35
Undertakers under the Board of Trade regulations.

WARE ELECTRIC LIGHTING.

A.D. 1905.

Ware.

5 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the North Metropolitan Electrical Power Distribution Company Limited in respect of the Urban District of Ware in the County of Hertford.*

1. This Order may be cited as the Ware Electric Lighting Order 1905. Short title.
- 10 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 15 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the North Metropolitan Electrical Power Distribution Company Limited being a company registered under the Companies Acts 1862 to 1900 with limited liability whose registered offices are situated at Evelyn House Finsbury Pavement London E.C. Undertakers.
- 20 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 25 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railway which is also mentioned in that schedule. Power to break up streets.
- 30 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 35 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 40 8. The sum to be deposited or secured in pursuance of section 5 of the Schedule to the Electric Lighting (Clauses) Act 1899 is five hundred pounds. Deposit.
9. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply. As to supply of electricity where consumer has separate supply.

A.D. 1905. unless he shall have previously agreed to pay to the Undertakers such
 Ware. minimum annual sum as will give to the Undertakers a reasonable return on
 the capital expenditure and will cover other standing charges incurred by the
 Undertakers to meet the possible maximum demand of such person The
 sum to be so paid shall be determined in default of agreement by arbitration. 5

Purchase by
 local autho-
 rity.

10.—(1) The local authority may at the expiration of a period of
 16 years from the commencement of this Order or at the expiration of
 any subsequent period of seven years give to the Undertakers two years'
 notice in writing requiring the Undertakers to sell to them the undertaking
 authorised by this Order and at the expiration of any such notice the 10
 Undertakers shall sell and the local authority shall purchase the said
 undertaking (including all lands buildings works materials and plant within
 the district of the local authority suitable to and used by the Undertakers
 for the purposes of the undertaking) upon the terms of the payment by 15
 the local authority to the Undertakers of a sum equal to the fair market
 value of the undertaking as a going concern but without any allowance for
 compulsory sale such value to be determined in default of agreement by
 arbitration.

(2) The Board of Trade may determine any question which arises with
 reference to the purchase which is not to be determined by arbitration and 20
 in default of agreement as to the date on which the purchase is to take
 effect may fix that date.

(3) From the date on which the purchase takes effect the undertaking
 shall vest in the local authority freed from all debts mortgages or other
 similar obligation of the Undertakers or attaching to the undertaking and 25
 the powers of the Undertakers in relation to the supply of electricity within
 the area of supply under this Order or the principal Act shall cease and
 determine and shall vest in the local authority who shall subject to the
 provisions of this Order become the Undertakers for the purposes of this
 Order. 30

(4) The power of purchase given by this section shall be in addition to
 and not in derogation of the power of the local authority to purchase under
 section 2 of the Electric Lighting Act 1888.

Ware Electric
 Lighting
 Order 1901
 repealed.

11. The Ware Electric Lighting Order 1901 is hereby repealed without
 prejudice to anything done or suffered thereunder. 35

Commence-
 ment of Order.

12. This Order shall come into force upon the day when the Act
 confirming this Order is passed and that day for the purposes of the Electric
 Lighting (Clauses) Act 1899 shall be the commencement of this Order.

SCHEDULES.

A.D. 1905.

Ware.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Ware as constituted at the commencement of this
5 Order.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and the Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

10 (a) STREETS :

Walton Road Warner Road Scots Road Viaduct Road road over New River Bridge at Amwell End Jeffries Road Grasmere Road Redan Road Milton Road.

15 (b) RAILWAYS :

Level crossing on the Great Eastern Railway at Amwell End.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

20

Amwell End Ware Bridge Bridge Foot Street High Street Baldock Street New Road.

FOURTH SCHEDULE.

MAXIMUM PRICES.

25

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

34 *Electric Lighting Provisional Orders (No. 6).* [5 Edw. 7.]

A.D. 1905.

SECTION 1.

Ware.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter :—For any amount up to twenty units thirteen shillings and five pence and for each unit over twenty units eightpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

Electric Lighting Provisional Orders (No. 6).

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Barnet Brookenhurst Farnham Gosport and Alverstoke Houghton-le-Spring and District (Amendment) Lichfield Ludlow Lytham St. Albans (Rural) and Ware.

(Brought from the Commons 3rd July 1905.)

Ordered to be printed 3rd July 1905.

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(119.)

**Electric Lighting Provisional Orders
(No. 6.) Bill.**

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D P R I V Y S E A L (*M. Salisbury*).

Clause 3, page 2, line 2, after (" 1905 ") insert (" confirmed
" by this Act ")

line 5, leave out the first (" council ") and
insert (" Hertfordshire County Council (in this section called
" ' the Council ' ")

BARNET ELECTRIC LIGHTING ORDER.

First Schedule, page 6, lines 4 and 5, leave out (" at the
" commencement of this Order ") and insert (" on the first day of
" January 1905 ")

Third Schedule, page 6, line 17, leave out (" district ") and
insert (" area of supply ")

line 19, leave out (" district ") and
insert (" area of supply ")

line 20, leave out (" district ") and
insert (" area of supply ")

Electric Lighting Provisional
Orders (No. 6.) Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD PRIVY SEAL (*M. Salisbury*).

12th July 1905.

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(119*a.*)

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B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bishop's Stortford Dover (Extension) Hemsworth and District Marlborough Tottington and Woking (Chertsey Extension). A.D. 1905

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the Schedule to this Act : 45 & 46 Vict.
c. 56.
51 & 52 Vict.
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

Be it therefore 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 :--

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 7) Act 1905. Short title.

2. The several Orders as set out in the Schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said Schedule shall from and after the passing of this Act have full validity and effect. Orders in
Schedule
confirmed.

(95.)

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A.D. 1905.
For protec-
tion of Hert-
fordshire
County
Council.

3.—(1) Nothing in the Bishop's Stortford Electric Lighting Order 1905 confirmed by this Act shall in any way limit or affect the powers of the Hertfordshire County Council to rebuild alter widen or repair the structure of any bridge or the approaches thereto upon which any work by the Order authorised shall be 5
constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge 10
which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such works give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid 15
interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county surveyor for the time being of the county of Hertford necessary to temporarily remove any mains electric lines works or appliances belonging to the Undertakers from such bridge then the Undertakers shall at their own expense 20
temporarily carry their cables wires and lines across such bridge overhead or at the side thereof in such a manner that the same will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council Provided that the county council shall not be liable to make com- 25
pensation to the Undertakers in respect of any expense or loss incurred by the Undertakers by reason of the rebuilding altering widening or repairing such bridge.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its 30
approaches as they had before the said works were commenced.

(4) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade. 35

For protec-
tion of West
Riding
County
Council.

4.—(1) Nothing in the Hemsworth and District Electric Lighting Order 1905 confirmed by this Act shall in any way limit or affect the powers of the West Riding County Council to rebuild alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or 40

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 7).*

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impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order. A.D. 1905

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking authorised by the Order they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such work and if in order to avoid interruption to the supply by the Undertakers of electrical energy it is in the opinion of the county surveyor necessary to remove temporarily the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised to do so) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) When renewing any mains or other works laid in any portion of a main road which the county council have widened since such mains or works were laid or since any subsequent renewal thereof the Undertakers shall at their own expense if required by the county council lay such renewed mains or works (to the extent of such widening only) in such altered position as the surveyor of the county council shall reasonably direct.

(5) If any dispute arises between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

5.—(1) Nothing in the Tottington Electric Lighting Order 1905 confirmed by this Act shall in any way limit or affect the powers of the Lancashire County Council to re-build alter widen or repair the structure of any bridge upon which any work by the Order authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of the Order.

For the protection of the Lancashire County Council.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge

(95.)

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A.D. 1905. which might involve interference with any portion of the undertaking by the Order authorised they shall prior to the commencement of such work give the Undertakers one month's notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Undertakers of electrical energy 5 it is in the opinion of the county bridgemaster necessary to temporarily remove the mains and other electrical appliances belonging to the Undertakers from such bridge then the Undertakers shall (and they are hereby authorised) at their own expense temporarily carry their cables and wires across such bridge over- 10 head or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Undertakers shall have 15 the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute shall arise between the county council and the Undertakers with regard to this section the same shall be determined by an arbitrator to be appointed on the application 20 of either party by the Board of Trade.

SCHEDULE.

A.D. 1905.

LIST OF ORDERS.

- 5 1. BISHOP'S STORTFORD.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Bishop's Stortford.
 2. DOVER (EXTENSION).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Dover.
 - 10 3. HEMSWORTH AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Hemsworth Electricity Supply Company Limited.
 4. MARLBOROUGH.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Marlborough Electric Supply Company Limited.
 - 15 5. TOTTINGTON.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Lancashire Electric Power Company.
 - 20 6. WOKING (CHERTSEY EXTENSION).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Woking Electric Supply Company Limited.
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A.D. 1905.

BISHOP'S STORTFORD ELECTRIC LIGHTING.*Bishop's
Stortford.*

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Bishop's Stortford in respect of the Urban District of Bishop's Stortford in the County of Hertford.

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Short title.

1. This Order may be cited as the Bishop's Stortford Electric Lighting Order 1905.

Incorporation
of Electric
Lighting
(Clauses) Act
1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

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Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the urban district council of Bishop's Stortford.

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

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Power to break
up streets &c.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets and parts of streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railway which is also mentioned in that schedule.

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Compulsory
works.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.

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Maximum
prices.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.

Revision of
prices so as to
balance
revenue and
expenditure.

8.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the area of supply a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in

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[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 7).* 7

substitution for any publication prescribed by the Board of Trade under the Electric Lighting Act 1882. A.D. 1905.

*Bishop's
Stortford.*

(2) The Undertakers shall on the expiration of the fifth complete financial year after they have commenced to supply electrical energy under this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter maintain the scales of prices charged for electrical energy under this Order so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years. Provided nevertheless that—

(a) the prices to be charged shall not exceed the maximum prices which may be charged under this Order;

(b) the scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

(a) be subject to revision at the next triennial revision provided for in this section; or

(b) vary in the same proportion as the prices charged to ordinary consumers :

Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in such contract.

(4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.

(5) This section shall not apply to the Undertakers or to the undertaking if and so long as the Undertakers are not a local authority.

9. At any time within six months or such extended period not exceeding in the whole one year as may be allowed by the Board of Trade after the commencement of this Order the Undertakers may with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking authorised by this Order to the Bishop's Stortford and Stansted Electric Lighting Company Limited and on such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking authorised by this Order shall be transferred to and may be exercised by and shall attach to that Company who shall

Transfer of
undertaking.

A.D. 1905. subject to the provisions of this Order become the Undertakers for the purposes of this Order.

*Bishop's
Stortford.*
Commence-
ment of Order.

10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

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SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The urban district of Bishop's Stortford as constituted at the commencement of this Order.

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SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Railway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

STREETS :—

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Stort Road Sidney Street Trinity Street from Jervis Road to its southern termination Elm Grove Thornfields Road road (unnamed) near Silverleys from Hadham Road to Cricketfield Lane Warwick Road Crescent Road Avenue Road Pine Grove Thorn Grove Grange Road from the termination of the portion repairable by the council and 280 yards or thereabouts distant from its junction with London Road to its eastern extremity.

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RAILWAY :—

The level crossing over Parsonage Mill Lane on the Cambridge line of the Great Eastern Railway.

THIRD SCHEDULE.

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List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.

North Street Northgate End Hadham Road from North Street to Maze Green Road Market Square Potter Street South Street from Potter Street to Southmill Road Bridge Street The Causeway Hockerill Street.

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FOURTH SCHEDULE.

A.D. 1905.

MAXIMUM PRICES.

*Bishop's
Stortford.*

In this Schedule—

- 5 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- 10 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

- 15 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

20 DOVER ELECTRIC LIGHTING (EXTENSION).

Dover.

- 25 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Dover in respect of the Parishes of River Ewell Whitfield St. Margarets-at-Cliffe West Cliffe and Guston and part of the Parish of Alkham all in the Rural District of Dover in the County of Kent.*

1. This Order may be cited as the Dover Electric Lighting (Extension) Order 1905 and the Dover Electric Lighting Order 1902 and this Order may be cited together as the Dover Electric Lighting Orders 1902 to 1905. Short and collective titles.
- 30 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 35 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the mayor aldermen and burgesses of the borough of Dover but those Undertakers are not the local authority for the purposes of that Act as
- (95.) Undertakers.

A.D. 1905. respects the area of supply under this Order except that sections 23 and 65
 — of the said schedule shall apply as respects that area as if the Undertakers
 Dover. were the local authority.

Area of supply. 4. The area of supply for the purposes of this Order and within the
 meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 5
 1899 shall be the area which is described in the First Schedule to this Order
 and is more particularly delineated on the map deposited together with this
 Order at the Board of Trade by the Undertakers and signed by an assistant
 secretary to the Board of Trade.

Compulsory works. 5. The streets and parts of streets throughout which the Undertakers 10
 are to lay down suitable and sufficient distributing mains for the purposes of
 general supply within a period of two years after the commencement of this
 Order as mentioned in section 21 of the schedule to the Electric Lighting
 (Clauses) Act 1899 are those mentioned in the Second Schedule to this Order.

Maximum prices. 6. The maximum prices which may be charged by the Undertakers as 15
 mentioned in section 32 of the schedule to the Electric Lighting (Clauses)
 Act 1899 are those stated in the Third Schedule to this Order.

Revision of prices so as to balance revenue and expenditure. 7. The Undertakers shall once in every year after the completion of
 three years from the commencement of this Order cause to be laid before
 them an estimate showing the probable financial result of the next ensuing 20
 year's working of the undertaking under this Order and shall thereupon
 fix the charges to be made for the supply of energy in the then ensuing year
 those charges to be calculated so that as far as reasonably practicable the
 revenue of the year shall not be less than the expenditure for that year
 (including in that expenditure the interest and instalments of capital which 25
 will become due during the same year in respect of the same but not
 including any expenditure properly chargeable to capital account) and any
 loss incurred in carrying on the undertaking in that year shall be taken
 into account and debited in the estimate for the next ensuing year:

Provided that the prices so fixed shall not exceed the maximum prices 30
 which may be charged under this Order.

Protection for Secretary of State for War. 8. Nothing in this Order shall authorise the Undertakers to lay down
 distributing mains under any street or part of a street the soil of which is
 vested in or which is under the management of His Majesty's principal
 Secretary of State for the War Department without the consent in writing 35
 of the said Secretary of State first had and obtained for that purpose which
 consent the said Secretary of State is hereby authorised to give.

Protection for Guston Royal Military School. 9. The Undertakers shall not except with the approval of the Commis-
 sioners of Works erect any generating station or take a supply of energy 40
 from any generating station situate within a distance of nine hundred yards
 from any part of the grounds of the Royal Military School at Guston
 Provided always that this section shall not apply to any sub-station for the
 transformation or distribution of electrical energy.

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 7).* 11

10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.
 —
Dover.
 Commencement of Order.

SCHEDULES.

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FIRST SCHEDULE.

AREA OF SUPPLY.

The parishes of River Ewell Whitfield St. Margarets-at-Cliffe West Cliffe and Guston in the rural district of Dover and so much of the parish of Alkham in the said rural district as lies to the east of a line drawn from the south-eastern boundary of that parish at the junction of Minnis Lane and Abbey Road in a northerly direction to the road leading to Ewell Minnis at the point where the north-eastern boundary of the parish running in a south-easterly direction meets the said road as those parishes are respectively constituted at the commencement of this Order. Provided that in case of difference between the description in this Schedule and the area as delineated on the deposited map the latter shall prevail.

SECOND SCHEDULE.

20 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

In the parish of River—

The road from Dover to Canterbury from the Dover borough boundary to the junction of that road with the road to Alkham.

25 The road from the Canterbury Road to Alkham from the said junction to the turning to Temple Ewell.

In the parish of Guston—

The Deal road from its junction with Castle Hill Road at the Dover borough boundary to the Lone Tree.

A. D. 1905.

THIRD SCHEDULE.

Dover.

MAXIMUM PRICES.

In this Schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 5

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence. 10

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 15

Hemsworth and District.

HEMSWORTH AND DISTRICT ELECTRIC LIGHTING. 20

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Hemsworth Electricity Supply Company Limited in respect of part of the Rural District of Hemsworth in the West Riding of the County of York. 25

Short title.

1. This Order may be cited as the Hemsworth and District Electric Lighting Order 1905.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 30

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Hemsworth Electricity Supply Company Limited a company registered under the Companies Acts 1862 to 1900 whose registered office is at Cross Hill Hemsworth aforesaid. 35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 7).* 13

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this
- 5 Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this
- 10 Order.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting
- 15 (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.
8. The sum to be deposited or secured in pursuance of section 5 of the
- 20 schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds.
9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Hemsworth
and District.

Area of supply.

Power to break
up streets.Compulsory
works.Maximum
prices.

Deposit.

Commence-
ment of Order.

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SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

- The townships of Hemsworth Winterset Ryhill Havercroft South Hiendley Shafton Brierley South Kirkby South Elmsall North Elmsall Upton
- 30 Badsworth and Ackworth in the rural district of Hemsworth as respectively constituted at the commencement of this Order.
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A.D. 1905.

SECOND SCHEDULE.

*Hemsworth
and District.*

List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

In the township of Hemsworth—	5
West Street Close Street Town Street Top Street Sandygate Lane Westfield Road Holly Street Centre Street Lodge Street Cemetery Lane Gorton Terrace Hoyle Mill Lane Victoria Street South Street West View Fitzwilliam Street.	
In the township of South Kirkby—	10
Pit Row North Street.	
In the township of South Elmsall—	
Approaches to Frickley Colliery.	
Footpaths traversing various townships—	
Footpath from Kingsley Common Road to Newstead Lane (Hemsworth) footpath from Blacker Lane (Shafton) over the bridge over the Hull Barnsley and West Riding Junction Railway to Cockshot Lane South Hiendley Common footpath from Highfield Lane (Hemsworth) over Brierley Tunnel (H.B. and W.R. Railway) to the main street of Brierley footpath from Low Ackworth main street past Moor House through Oaktree Lane to Ninevah Lane (Badsworth) footpath from South Kirkby Colliery to North Field Lane South Kirkby footpath from Blacker Lane (Shafton) to Hill Lane and Mackey Lane (Brierley) footpath from Butcher Hill Lane to Royd Moor Lane (Hemsworth) bridle road from Lowfield Road (Hemsworth) over the bridge over the Midland and North-Eastern Railway to Wakefield and Doncaster main road (Upton) footpath from Wakefield and Doncaster main road (Upton) to Chapel Lane (Badsworth).	15 20 25
ROADS UNDER OR OVER RAILWAY BRIDGES.	30
In the township of Hemsworth—	
Newstead Lane Kingsley Lane Butcher Hill Lane Lowfield Road South Moor Lane.	
In the township of Ryhill—	
Ryhill Pit Lane.	35
In the township of Havercroft with Cold Hiendley—	
Church Lane Lundhill Lane.	
In the township of South Kirkby—	
Hague Lane Kirkby Bridge Field Lane Millwood Lane.	

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 7).* 15

- A.D. 1905.
*Hemsworth
and District.*
- In the township of North Elmsall—
Back Lane footpath through Royd Moor to Gray Cocks portion of Wakefield and Doncaster road.
- In the township of Upton—
5 Road from North Elmsall to Wrangbrook portion of Wakefield and Doncaster road.
- In the township of South Hiendley—
Footpath from Blacker Lane (Shafton) to Cockshot Lane (South Hiendley) Sandy Bridge Lane.
- 10 In the township of Winterset—
Back Lane Long Dam Lane.
- In the township of Shafton—
Quiby Lane.
- In the township of Brierley—
15 Frickley Bridge Lane Berewell Lane.
- In the township of Badsworth—
Main road from Ackworth Moor Top to South Elmsall Royd Moor Lane.
- In the township of Ackworth—
20 Rigg Lane.

 THIRD SCHEDULE.

- List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*
- 25 In the township of Hemsworth—
Market Street Bank Street Barnsley Road from Steam Corn Mill to Hemsworth G.N. Station.

 FOURTH SCHEDULE.

- MAXIMUM PRICES.
- 30 In this Schedule—
The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

A.D. 1905.

SECTION 1.

*Hemsworth
and District.*

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

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SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

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Marlborough.

MARLBOROUGH ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Marlborough Electric Supply Company Limited in respect of the Borough of Marlborough in the County of Wilts.

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Short title.

1. This Order may be cited as the Marlborough Electric Lighting Order 1905.

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Incorporation
of Electric
Lighting
(Clauses) Act
1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Marlborough Electric Supply Company Limited being a company registered under the Companies Acts 1862 to 1900 with limited liability whose registered offices are situate at 38 Parliament Street Westminster.

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Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

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Compulsory
works.

5. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of

35

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 7).* 17

general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Second Schedule to this Order. A.D. 1905.
Marlborough.

6. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Third Schedule to this Order. Maximum prices.

7.—(1) The local authority may at the expiration of twenty-one years after the commencement of this Order by twelve months' notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order upon the terms of the payment by the local authority to the Undertakers of a sum equal to the fair market value of the undertaking as a going concern. Purchase of undertaking by local authority.

(2) If any question arises with regard to the sum to be paid as the price of the undertaking that question shall be determined by arbitration and any sum which is in the opinion of the arbitrator required to place the undertaking in a proper condition of repair shall be deducted from the sum which would otherwise be payable as the price of the undertaking. 15

(3) The Board of Trade may determine any other question which arises with reference to the purchase and in default of agreement as to the date at which the purchase is to take effect may fix that date. 20

(4) From the date at which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages and other similar obligations of the Undertakers or attaching to the undertaking and the power of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall cease and shall vest in the local authority who shall become the Undertakers for the purposes of this Order. 25

(5) The power of purchase given to the local authority by this section shall be in addition to and not in derogation of their power to purchase under section 2 of the Electric Lighting Act 1888. 30

8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds. Deposit.

9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order. 35

A.D. 1905.
Marlborough.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The borough of Marlborough in the county of Wilts as constituted at the commencement of this Order. 5

SECOND SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purpose of general supply within a period of Two Years after the commencement of this Order. 10

Bridewell Street High Street The Parade London Road from the Parade to the Town Bridge Kingsbury Street (from High Street to Silverless Street) Silverless Street.

THIRD SCHEDULE.

MAXIMUM PRICES. 15

In this Schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1. 20

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

SECTION 2. 25

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 30

A.D. 1905.

Tottington.

TOTTINGTON ELECTRIC LIGHTING.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Lancashire Electric Power Company in respect of the Urban District of Tottington in the County of Lancaster.

1. This Order may be cited as the Tottington Electric Lighting Order 1905. Short title.
2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Lancashire Electric Power Company a company incorporated by Act of Parliament whose office is at 196 Deansgate Manchester in the county of Lancaster. Undertakers.
4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that Schedule. Power to break up streets &c.
6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is five hundred pounds. Deposit.

A.D. 1905. 9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Tottington.
Commence-
ment of Order.

SCHEDULES.

FIRST SCHEDULE.

5

AREA OF SUPPLY.

The whole of the urban district of Tottington as constituted at the commencement of this Order.

SECOND SCHEDULE.

List of streets not repairable by the Local Authority and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order. 10

(a) STREETS :—

Cann Street Kirklees Street Royds Street Hawkshaw Lane Two Brooks Lane Mill Street Back Chapel Street Back Club Row Street Club Row Street Spring Street Back Market Street Spring Vale Street Wellbank Street Holly Street New Street Rhode Street Newport Street Queen Street Leemans Hill Street Scobell Street Acres Street Collins Street Pleasant Street Hall Street Green Street Sunny Bower Street Haworth Street Pennington Street. 20

(b) TRAMWAYS :—

The tramways of the corporation of Bury.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 25

Market Street from Cophill Street to Chapel Street Chapel Street from Market Street to Royds Street.

FOURTH SCHEDULE.

A.D. 1905.

Tottington.

MAXIMUM PRICES.

In this Schedule—

- 5 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

- Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this Schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

20 WOKING ELECTRIC SUPPLY COMPANY LIMITED.

Woking.

- 25 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Woking Electric Supply Company Limited in respect of the extension of their area of supply to a part of the Urban District of Chertsey and to the Parishes of Bisley Byfleet and Pyrford in the Rural District of Chertsey all in the County of Surrey.*

1. This Order may be cited as the Woking Electric Supply Company Electric Lighting (Chertsey Extension) Order 1905 and the Woking Electric Supply Company Electric Lighting Order 1900 (hereinafter called the "principal Order") and this Order shall be read and construed together as one Order and may be cited together as the Woking Electric Supply Company Electric Lighting Orders 1900 and 1905.

Short title.

Interpretation.

2. Subject to the provisions of this Order there shall be added to the area of supply for the purposes of the principal Order the area of which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

Area of supply.

- A.D. 1905. 3. Subject to the provisions of this Order there shall be added to the
Working. list of streets mentioned in the Second Schedule to the principal Order
 Power to break (being streets not repairable by the local authority which may be broken
 up streets &c. up by the undertakers in pursuance of the special powers granted by that
 Order) the streets not repairable by the local authority mentioned in the 5
 Second Schedule to this Order and the railways which are also mentioned
 in that Schedule.
- Compulsory 4. Subject to the provisions of this Order there shall be added to the
 works. lists of streets and parts of streets mentioned in the Third Schedule to the
 principal Order (being streets and parts of streets throughout which the 10
 undertakers are to lay down suitable and sufficient distributing mains)
 the streets and parts of streets mentioned in the Third Schedule to this
 Order.
- Deposit. 5. In the application of the principal Order to so much of the area of
 supply as is added by this Order there shall be substituted for the sum of 15
 six hundred pounds (being the sum mentioned in section 8 of the principal
 Order as the sum to be deposited or secured by the Undertakers to the
 satisfaction of the Board of Trade in pursuance of section 5 of the schedule
 to the Electric Lighting (Clauses) Act 1899) the sum of five hundred pounds
 which sum shall be deposited or secured as to two hundred and fifty pounds 20
 in respect of so much of the area of supply added by this Order as is situate
 in the urban district of Chertsey and as to two hundred and fifty pounds in
 respect of the remainder of the said added area.
- Provision with 6.—(1) Nothing in the principal Order as amended by this Order shall
 respect to the authorise the undertakers to interfere in any manner with the bed soil banks 25
 River Thames. or shores of the River Thames or the navigation thereof or affect in any
 manner the rights powers or privileges of the Conservators of the River
 Thames save so far as may be necessary to enable the undertakers to lay and
 maintain their mains and connections to consumers on in or under the towing-
 path of the River Thames. 30
- (2) So far as the said towing-path is not a street within the meaning
 of the principal Act section 14 of the schedule to the Electric Lighting
 (Clauses) Act 1899 (so far as that section relates to the Postmaster-General)
 and section 15 of the said schedule shall apply with reference to the placing
 of works under the principal Order as amended by this Order as if the 35
 towing-path were such a street.
- Application of 7. In the application of the principal Order to so much of the area of
 principal Order supply as is added by this Order the expression commencement of this Order
 to added area. shall mean the day on which the Act confirming this Order is passed.

SCHEDULES.

A.D. 1905.

Woking.

FIRST SCHEDULE.

AREA ADDED TO THE AREA OF SUPPLY UNDER THE PRINCIPAL ORDER.

5 So much of the urban district of Chertsey as constituted at the commencement of this Order as is not included in the area of supply under the principal Order and the parishes of Byfleet Pyrford and Bisley in the rural district of Chertsey as so constituted respectively all in the county of Surrey.

10 In case of difference between the description in this Schedule and the area as delineated on the deposited map the latter is to prevail.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and of Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

15 In the parish of Bisley—
Stafford Lake Road.

In the parish of Byfleet—

20 King's Head Road roads on Dartnell Park Estate roads on Sanway Fields roads on Highfield Park estate York Road Binfield Road Madeira Road St. George's Hill Road.

In the parish of Chertsey—

25 Lyme Grove roads on Pinewood estate Colonel's Lane Fernbank Road Ongar Road Bittom's Lane the roadway on the London and South Western Railway bridge at Addlestone leading from the High Street.

RAILWAYS:—

In the parish of Chertsey—

The level crossings of the London and South Western Railway at Chertsey and Addlestone stations.

A.D. 1905.

THIRD SCHEDULE.

Woking.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 5

In the parish of Bisley—

Chobham Road from Garibaldi Corner to Horsell parish boundary.

In the parish of Byfleet—

Station Road West Byfleet Road Pyrford Road from Byfleet Corner as far as Rosemount Camphill Road from Byfleet Corner for a 10 distance of 400 yards towards railway line.

In the parish of Chertsey—

Chertsey.

Guildford Street Windsor Street London Street Abbey Road Weir Road. 15

Addlestone.

Crockford Park Road Station Road from Duke's Head to Albert Road Church Road from Duke's Head to Ivydene Brighton Road Burleigh Road.

**Electric Lighting
Provisional Orders
(No. 7).**

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bishop's Stortford Dover (Extension) Hemsworth and District Marlborough Tottington and Woking (Chertsey Extension).

(Brought from the Commons 30th May 1905.)

Ordered to be printed 30th May 1905.

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[*Price 2½d.*]

(95.)

**Electric Lighting Provisional Orders
(No. 7.) Bill.**

A M E N D M E N T

T O B E M O V E D O N T H I R D R E A D I N G

BY

BY THE LORD PRIVY SEAL (*M. Salisbury*).

Clause 2, page 1, line 17, after (" as ") insert (" amended and ")

Electric Lighting Provisional
Orders (No. 7.) Bill.

A M E N D M E N T

TO BE MOVED ON THIRD READING

BY

THE LORD PRIVY SEAL (*M. Salisbury*).

26th June 1905.

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[*Price 4d.*]]

(95 a.)

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 8)*. [H.L.] 1

A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Airdrie Coatbridge and Cults and District. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act :

45 & 46 Viet.
c. 56.
51 & 52 Viet.
c. 12.
53 & 54 Viet.
c. 13.
2 Edw. 7.
c. 35.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

15 Be it therefore 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 :—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 8) Act 1905. Short title.

20 **2.** The several Orders as set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Orders in
schedule
confirmed.

A.D. 1905.

SCHEDULE.

LIST OF ORDERS.

1. AIRDRIE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Scottish House-to-House Electricity Company Limited. 5
2. COATBRIDGE.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Scottish House-to-House Electricity Company Limited. 10
3. CULTS AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to Edward Joseph Bonner Lowdon and Kenneth Lowdon.

AIRDRIE BURGH ELECTRIC LIGHTING.

A.D. 1905.

Airdrie.

Provisional Order granted by the Board of Trade under the *Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Scottish House-to-House Electricity Company Limited in respect of the Burgh of Airdrie in the County of Lanark.*

WHEREAS by the Airdrie Burgh Electric Lighting Order 1898 (herein-after referred to as "the Order of 1898") confirmed by the Electric Lighting Orders Confirmation (No. 1) Act 1898 the Provost Magistrates and Town Council of the burgh of Airdrie (herein-after referred to as "the Council") were authorised to supply energy as defined in that Order in the Burgh of Airdrie :

And whereas by an agreement dated the twenty-sixth day of November one thousand nine hundred and one and made between the Council of the one part and the Scottish House-to-House Electricity Company Limited (herein-after referred to as "the Company") of the other part the Council transferred the undertaking authorised by the Order of 1898 (herein-after referred to as "the undertaking") and all their rights duties and liabilities under the Order of 1898 to the Company and the Company became the Undertakers for the purposes of the Order of 1898 subject to the exceptions and modifications and upon the terms in the said agreement appearing :

And whereas it is expedient that the Company be empowered to sell the undertaking and transfer the rights powers duties and liabilities so transferred to them as aforesaid :

The following provisions shall have effect under this Order :—

1. This Order may be cited as the Airdrie Burgh Electric Lighting Order 1905. Short title.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 are not incorporated with this Order. Exception of Electric Lighting (Clauses) Act 1899.

3. The Company may within one year after the commencement of this Order (or such extended period not exceeding in the whole two years after the commencement of this Order as the Board of Trade allow) with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking to a company to be formed under the name of the Scottish Electricity Supply Company Limited and registered under the Companies Acts 1863 to 1900 or such other company to be formed for the purpose as the Board of Trade may approve and on any such transfer the rights powers authorities obligations and liabilities of the Company in respect of the undertaking shall subject to such exceptions and modifications as the Board of Trade may impose be transferred to and may be exercised by and

(64.)

A 2

A.D. 1905. shall attach to the Company to whom the transfer is made and that Company shall subject to the provisions of the Order of 1898 and the exceptions and modifications imposed by the Board of Trade become the Undertakers for the purposes of the Order of 1898.

Power to enter into agreements with Clyde Valley Electrical Power Company. 4. Nothing in the Order of 1898 shall be construed as preventing the Undertakers under that Order as amended by this Order from entering into or carrying into effect any contract agreement or arrangement which under the Clyde Valley Electrical Power Act 1901 may be entered into and carried into effect by the Clyde Valley Electrical Power Company and any authorised Undertakers nor from purchasing or acquiring the undertaking authorised by the Coatbridge Electric Supply Order 1890. 5 10

Commencement of Order. 5. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as "the commencement of this Order."

COATBRIDGE ELECTRIC LIGHTING. 15

Coatbridge. Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to the Scottish House-to-House Electricity Company Limited in respect of the Burgh of Coatbridge in the County of Lanark. 20

WHEREAS by the Coatbridge Electric Supply Order 1890 (herein-after referred to as "the Order of 1890") confirmed by the Electric Lighting Orders Confirmation (No. 10) Act 1890 the Scottish House-to-House Electricity Company Limited (herein-after referred to as "the Company") were authorised to supply electricity as defined in that Order in the burgh of Coatbridge : 25

And whereas it is expedient that the Company be empowered to transfer the undertaking authorised by the Order of 1890 (herein-after referred to as "the undertaking") and their rights powers authorities and liabilities in respect of the undertaking : 30

The following provisions shall have effect under this Order :

Short title. 1. This Order may be cited as the Coatbridge Electric Lighting Order 1905.

Exception of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 are not incorporated with this Order. 35

As to transfer of undertaking. 3. The Company may within one year after the commencement of the Order (or such extended period not exceeding in the whole two years after the commencement of this Order as the Board of Trade allow) with the consent of and upon such terms and conditions as may be approved by the Board of Trade transfer the undertaking to a company to be formed under 40

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 8).* 5

- the name of the Scottish Electricity Supply Company Limited and registered under the Companies Acts 1863 to 1900 or such other company to be formed for the purpose as the Board of Trade may approve and on any such transfer the rights powers authorities obligations and liabilities of the Company in
 5 respect of the undertaking shall subject to such exceptions and modifications as the Board of Trade may impose be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of the Order of 1890 and the exceptions and modifications imposed by the Board of Trade become the
 10 Undertakers for the purpose of the Order of 1890.
4. Nothing in the Order of 1890 shall be construed as preventing the Undertakers under that Order as amended by this Order from entering into or carrying into effect any contract agreement or arrangement which under the Clyde Valley Electrical Power Act 1901 may be entered into and
 15 carried into effect by the Clyde Valley Electrical Power Company and any authorised Undertakers nor from purchasing or acquiring the undertaking authorised by the Airdrie Burgh Electric Lighting Order 1898.
5. This Order shall come into force upon the day when the Act confirming this Order is passed and that day is in this Order referred to as
 20 "the commencement of this Order."

A.D. 1905.
Coatbridge.

Power to enter into agreements with the Clyde Valley Electrical Power Company.

Commencement of Order

CULTS AND DISTRICT ELECTRIC LIGHTING.

- Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 to Edward Joseph Bonner Lowdon and Kenneth Lowdon in respect of a portion of the Parish of Peterculter in the County of Aberdeen.*
 25
1. This Order may be cited as the Cults and District Electric Lighting Order 1905. Short title.
- 30 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of section 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 35 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are Edward Joseph Bonner Lowdon and Kenneth Lowdon electrical engineers carrying on business under the name or style of Lowdon Brothers and Company whose address is Temple Electric Works Dundee in the county of Forfar. Undertakers.

Cults and District.

- A.D. 1905.
Cults and
District.
Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 5
- Power to break up streets &c. 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramway which is also mentioned in that schedule. 10
- Compulsory works. 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 15
- Maximum prices. 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.
- Deposit. 8. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is five hundred pounds. 20
- Purchase by local authority. 9.—(1) The local authority may at any time after the commencement of this Order and before the eleventh day of November one thousand nine hundred and twelve by notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order upon such terms as may be agreed upon or as failing agreement shall be determined by arbitration. 25
- (2) The Board of Trade may determine any question which arises with reference to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date. 30
- (3) From the date on which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers under the principal Act or this Order in relation to the supply of electricity within the area of supply shall absolutely cease and determine and shall vest in the local authority and that authority shall subject to the provisions of this Order be the Undertakers for the purposes for this Order. 35
- (4) The power of the local authority to purchase under this section shall be in addition to and not in derogation of the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888. 40
- Undertaking to be transferred to a registered company. 10.—(1) The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole twelve months as the Board of Trade allow after the commencement of this Order the Undertakers transfer the undertaking to a limited company registered 45

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 8).* 7

under the Companies Acts 1862 to 1900 and approved by the Board of Trade for the purpose. A.D. 1905

(2) Within that period the Undertakers may transfer and the Company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and on such terms and conditions as may be approved by the Board of Trade. *Cults and District*

(3) On any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect to the undertaking shall be transferred to and may be exercised by and shall attach to the Company to whom the transfer is made and that Company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 15

11. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commence-ment of Order.

10

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

So much of the parish of Peterculter in the county of Aberdeen as is situate between—

- 20 (1) The municipal boundary of the city and royal burgh of Aberdeen on the east ;
- 25 (2) An imaginary line drawn along the road known as the Oldfold Road for a distance of two hundred yards or thereabouts from its junction with the North Deeside Turnpike and produced in a south-easterly direction to the north bank of the River Dee and in a north-westerly direction to a point distant one and a half miles or thereabouts measured along the said line from the north bank of the River Dee on the west ;
- 30 (3) The north bank of the River Dee on the south ; and
- (4) The north boundary of the said parish from its junction with the said municipal boundary to the road leading to the Convalescent Hospital of the Aberdeen Infirmary Board and an imaginary line drawn thence in a westerly direction to the northern extremity of the western boundary of the area of supply herein-before described on the north :
- 35

Provided that in case of difference between the above description and the area as delineated on the deposited map the latter shall prevail.

A.D. 1905.

*Cults and
District.*

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Tramway which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS :—

- The unnamed road immediately to the west of Bielside Station Road leading southwards from the North Deeside Turnpike for a distance of one hundred yards from the said turnpike. 5
- The unnamed road at right angles to the immediately preceding unnamed road from its junction therewith for a distance of fifty yards to the west and thirty yards to the east of the junction. 10
- The Bielside Station Road from its junction with the North Deeside Turnpike to a point fifty yards south thereof.
- The unnamed road leading from the North Deeside Turnpike past Cults Established Church to a point fifty yards north of the junction. 15
- The unnamed road leading from the North Deeside Turnpike to Eddislea for a distance of fifty yards from the junction of the road under description with the said turnpike.
- The unnamed road leading from the North Deeside Turnpike under the railway bridge at West Cults Station along the north side of the Allan Park eastwards to the junction with the road leading direct from the North Deeside Turnpike to the said park but excluding the portion of the said unnamed road underneath the said bridge and ten yards of the said road on each side of the said bridge. 20
- The unnamed road on the west side of Peterculter School grounds. 25
- The unnamed road on the east side of said school grounds from its junction with the North Deeside Turnpike to a point opposite the house known as "Allandale."
- Cults Avenue from its junction with the North Deeside Turnpike for a distance of one hundred yards. 30
- Manor Place.
- The unnamed road at right angles to the unnamed road leading southwards from Cults Square from its junction therewith to a point opposite Birchwood.
- The Mill Den Road for a distance of thirty yards southwards from its junction with the North Deeside Turnpike. 35
- Primrose Hill Road.
- The unnamed road leading northwards from the North Deeside Turnpike to the Convalescent Hospital then eastwards to Cliff House Gate.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 8).* 9

Westerton Road but excluding the portion of the said road carried by the bridge over the railway of the Great North of Scotland Railway Company and ten yards of the said road on each side of the said bridge.

A.D. 1905.
Cults and District.

Oldfold Road.

5 (b) TRAMWAY:—

The tramway of the Aberdeen Suburban Tramways Company.

THIRD SCHEDULE.

10 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

The North Deeside Turnpike Road from a point opposite Middleton House on the east to the western boundary of the area of supply.

15 The unnamed road immediately to the west of Bielside Station Road leading southwards from the North Deeside Turnpike for a distance of 100 yards from the said turnpike.

The unnamed road at right angles to the immediately preceding unnamed road from its junction therewith for a distance of 50 yards to the west and 30 yards to the east of the junction.

20 The Dalhibity or Baillieswells Road from its junction with the North Deeside Turnpike northwards for a distance of 350 yards.

The Bielside Station Road from its junction with the North Deeside Turnpike to a point 50 yards south thereof.

The unnamed road leading from the North Deeside Turnpike past Cults Established Church to a point 50 yards north of the junction.

25 The unnamed road leading from the North Deeside Turnpike to Eddislea for a distance of 50 yards from the junction of the road under description with the said turnpike.

30 The unnamed road leading from the North Deeside Turnpike under the railway bridge at West Cults Station along the north side of the Allan Park eastwards to the junction with the road leading direct from the North Deeside Turnpike to the said Park but excluding the portion of the said unnamed road underneath the said bridge and 10 yards of the said road on each side of the said bridge.

The unnamed road on the west side of Peterculter School grounds.

35 The unnamed road on the east side of said school grounds from its junction with the North Deeside Turnpike to a point opposite the house known as "Allandale."

Cults Avenue from its junction with the North Deeside Turnpike for a distance northwards of 100 yards.

(64.)

B

A.D. 1905.

Cults and District.

Kirk Brae.

Manor Place.

The unnamed road at right angles to the unnamed road leading southwards from Cults Square from its junction therewith to a point opposite Birchwood. 5

The Mill Den Road for a distance of thirty yards southwards from its junction with the North Deeside Turnpike.

Primrose Hill Road.

The unnamed road leading northwards from the North Deeside Turnpike to the Convalescent Hospital then eastwards to a point opposite Cliff House Gate. 10

Westerton Road but excluding the portion of the said road carried by the bridge over the railway of the Great North of Scotland Railway Company and ten yards of the said road on each side of the said bridge.

FOURTH SCHEDULE.

15

MAXIMUM PRICES.

In this schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour. 20

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence. 25

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 30

Electric Lighting Provisional Orders
(No. 8.) Bill [H.L.]

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

B Y T H E L O R D P R I V Y S E A L (*M. Salisbury*).

Clause 2, page 1, line 20, after (" as ") insert (" as amended
 " and ")

A I R D I E B U R G H E L E C T R I C L I G H T I N G O R D E R .

Preamble, page 3, after line 12, insert :

And whereas by section 43 of the Clyde Valley Electrical Power Act 1901 (hereinafter called "the Clyde Valley Act") It is amongst other things enacted that energy shall not be supplied under that Act by the Clyde Valley Electrical Power Company (hereinafter called "the Clyde Valley Company") in any area being at the commencement of that Act the area of supply of any authorised distributors under that Act except with the consent of those distributors and that if at any time after the commencement of that Act any Company become authorised distributors in any area within the area of supply under that Act the Clyde Valley Company shall be subject to any provisions which may be made by the Provisional Order under which the distributors become authorised as to the powers of the Clyde Valley Company to supply within the area of supply of the distributors and such provisions may be made in any Provisional Order under the Electric Lighting Acts.

And whereas at the commencement of the Clyde Valley Act the Council were authorised distributors within the meaning of that Act as respects the area of supply under the Order of 1898 and that area is within the area of supply under the Clyde Valley Act.

(64 a.)

And whereas by section 76 of the Clyde Valley Act it is enacted that if the Scottish House to House Electricity Supply Company Limited (hereinafter called "the company") became the the Undertakers under the Order of 1898 they should in respect of the area of supply defined in that Order and during such time as they continued to be such Undertakers be deemed to have been authorised distributors within the meaning of that Act at the commencement of that Act provided that in that event the council should also be deemed and continue to be deemed to be such distributors.

Preamble, page 3, line 15, leave out ("Scottish House to House Electricity Company Limited (herein")
line 16, leave out ("after referred to as
"the Company") and insert ("company")
after line 24, insert ("and whereas it is
"expedient that provision should be made as to the power of
"the Clyde Valley Company to supply within the area of supply
"under the Order of 1898")

Clause 3, page 3, line 30, after ("3") insert ("(1)")
page 4, after line 4, insert :

(2.) As from the date of any such transfer as aforesaid the Company to whom the transfer is made and not the Scottish House to House Electricity Company Limited shall so long as they are Undertakers under the Order of 1898 be deemed to have been at the commencement of the Clyde Valley Act authorised distributors within the meaning of that Act as respects the area of supply under the Order of 1898 provided that the Council shall also be deemed and continue to be deemed to be such distributors.

Clause 4, page 4, line 10, leave out ("Undertakers") and insert ("distributors")

COATBRIDGE ELECTRIC LIGHTING ORDER.

Preamble, page 4, after line 26, insert :

And whereas by section 43 of the Clyde Valley Electrical Power Act 1901 (hereinafter called "the Clyde Valley Act") it is amongst other things enacted that energy shall not be supplied under that Act by the Clyde Valley Electrical Power Company (hereinafter called the "Clyde Valley Company") in any area being at the commencement of that Act the area of supply of any authorised distributors within the meaning of that Act except with the consent of those distributors and that if at any time after

(3)

the commencement of that Act any Company become authorised distributors in any area within the area of supply under that Act the Clyde Valley Company shall be subject to any provisions which may be made by the Provisional Order under which the distributors become authorised as to the powers of the Clyde Valley Company to supply within the area of supply of the distributors and such provisions may be made in any Provisional Order under the Electric Lighting Acts.

And whereas the Company were at the commencement of the Clyde Valley Act authorised distributors within the meaning of that Act and the area of supply under the Order of 1890 is within the area of supply under that Act.

Preamble, page 4, after line 30, insert :

And whereas it is expedient that provision should be made as to the power of the Clyde Valley Company to supply within the area of supply under the Order of 1890 in the event of any such transfer as aforesaid.

Clause 3, page 4, line 36, after (" 3 ") insert (" (1) ")
page 5, after line 10, insert :

(2) As from the date of any such transfer the company to whom the transfer is made and not the Scottish House to House Electricity Company Limited shall so long as they are Undertakers under the Order of 1890 be deemed to have been at the commencement of the Clyde Valley Act authorised distributors within the meaning of that Act as respects the area of supply under the Order of 1890.

Clause 4, page 5, line 16, leave out (" Undertakers ") and insert (" distributors ")

CULTS AND DISTRICT ELECTRIC LIGHTING ORDER.

Clause 9, page 6, line 38, leave out (" for ") and insert (" of ")

Electric Lighting Provisional
Orders (No. 8.) Bill [H.L.]

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD PRIVY SEAL (*M. Salisbury*).

7th June 1905.

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[*Price 4d.*]]

(64*a.*)

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 9).* [H.L.] 1

A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Brentford Croydon (Rural) Durham Districts Eastbourne (Willingdon Extension) Gravesend (Extension to Northfleet) Kingsbury Old Windsor and Wimborne and District. A.D. 1905.

WHEREAS under the authority of the Electric Lighting Acts 1882 and 1888 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act : 45 & 46 Vict.
c. 56.
51 & 52 Vict.
c. 12.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Acts is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

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

Be it therefore 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 :—

1. This Act may be cited as the Electric Lighting Orders Confirmation (No. 9) Act 1905. Short title.

2. The several Orders as set out in the schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Orders in
schedule
confirmed.

(65.)

A

A.D. 1905.
Protection
for Windsor
Castle.

3. The Undertakers under the Old Windsor Electric Lighting Order 1905 confirmed by this Act or under the New Windsor Corporation Electric Lighting Order 1895 shall not erect enlarge or take a supply of energy from any generating station situate within a distance of one mile from any part of Windsor Castle except with the approval of the Commissioners of Works and subject to such conditions as the Commissioners may impose. 5

Provided that—

- (a) Nothing in this section shall prevent the Undertakers under the New Windsor Corporation Electric Lighting Order 1895 from taking a supply of energy from any generating station erected for the purposes of their Undertaking under that Order as such station existed on the first day of May 1905 : 10
- (b) This section shall not apply to any sub-station for the transformation or distribution of energy. 15

SCHEDULE.

A.D. 1905.

LIST OF ORDERS.

1. BRENTFORD.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Brentford Electric Supply Company Limited.
5
 2. CROYDON (RURAL).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the County of London Electric Supply Company Limited.
 3. DURHAM DISTRICTS.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the County of Durham Electrical Power Distribution Company Limited.
10
 4. EASTBOURNE (WILLINGDON EXTENSION).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Eastbourne.
 5. GRAVESEND (EXTENSION TO NORTHFLEET).—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Gravesend.
15
 6. KINGSBURY.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Kingsbury.
20
 7. OLD WINDSOR.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Windsor Electrical Installation Company Limited.
 8. WIMBORNE AND DISTRICT.—Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Bournemouth and Poole Electricity Supply Company Limited.
25
-

A.D. 1905.

BRENTFORD ELECTRIC LIGHTING.

- Brentford.* *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Brentford Electric Supply Company Limited in respect of the Urban District of Brentford in the County of Middlesex.* 5
- Short title.** 1. This Order may be cited as the Brentford Electric Lighting Order 1905.
- Incorporation of Electric Lighting (Clauses) Act 1899.** 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 10
- Undertakers.** 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Brentford Electric Supply Company Limited being a company registered under the Companies Acts 1862 to 1900 with limited liability whose registered offices are situated at Moorgate Court Moorgate Place in the City of London. 15
- Area of supply.** 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 20
- Power to break up streets &c.** 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that schedule. 25
- Compulsory works.** 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 30
- Maximum prices.** 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 35
- As to supply of electricity where consumer has separate supply.** 8. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply unless he shall have previously agreed to pay to the Undertakers such minimum annual sum as will give to the Undertakers a reasonable return on the capital expenditure and will cover other standing charges incurred by the Undertakers 40

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 9).* 5

to meet the possible maximum demand of such person The sum to be so paid shall be determined in default of agreement by arbitration. A.D. 1905.
Brentford.

9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty
5 pounds.

10. The Undertakers shall not except with the approval of the Commissioners of Works erect any generating station or take a supply of energy from any generating station situate within a distance of nine hundred yards from any part of Kew Palace Grounds or Kew Gardens or the Richmond Old Deer Park provided that this section shall not apply to any sub-station for the transformation and distribution of electrical energy. Protection of Commissioners of Works.

11. Nothing in this Order shall authorise the Undertakers to interfere in any manner with the bed soil banks towpaths or shores of the River Thames or the navigation thereof or affect in any manner the rights powers or privileges of the Conservators of the River Thames. Protection of Conservators of River Thames.

12. Nothing in this Order shall authorise the Undertakers to lay down any main or pipe or to execute any work in on or under or otherwise interfere with King Edward VII. Bridge or the approaches thereto except in accordance with the provisions of section 21 of the Kew Bridge Act 1898. Protection of Kew Bridge.

13. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order. Commencement of Order.

SCHEDULES.

FIRST SCHEDULE.

25 AREA OF SUPPLY.

The urban district of Brentford as constituted at the commencement of this Order.

SECOND SCHEDULE.

30 *List of Streets not repairable by the Local Authority and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

STREETS :—

Alma Place Brent Road Caroline Place Clayponds Lane Ferry Lane Harding's Court Junction Road Paradise Place Plough Yard Providence Place

A.D. 1905. St. George's Court Wellington Place The roadway over and the approaches
Brentford. to the bridges carrying Gunnersbury Lane and Boston Road over the
 Metropolitan District Railway Gunnersbury Lane and Lionel Road over
 the North and South Western Junction Railway The Brentford Road
 Clayponds Lane Ealing Road Windmill Road and Boston Road over the 5
 London and South Western Railway.

TRAMWAYS :—

The tramways of the London United Tramways (1901) Limited.

THIRD SCHEDULE.

*List of Streets throughout which the Undertakers are to lay down suitable 10
 and sufficient Distributing Mains for the purposes of general supply
 within a period of Two Years after the commencement of this Order.*

High Street Brentford.

FOURTH SCHEDULE.

MAXIMUM PRICES.

15

In this schedule—

The expression "unit" shall mean the energy contained in a current
 of one thousand ampères flowing under an electro-motive force of
 one volt during one hour.

SECTION 1.

20

Where the Undertakers charge any consumer by the actual amount of
 energy supplied to him they shall be entitled to charge him at the following
 rates per quarter :—For any amount up to twenty units thirteen shillings and
 fourpence and for each unit over twenty units eightpence.

SECTION 2.

25

Where the Undertakers charge any consumer by the electrical quantity
 contained in the supply given to him they shall be entitled to charge him
 according to the rates set forth in section 1 of this schedule the amount of
 energy supplied to him being taken to be the product of that electrical
 quantity and the declared pressure at the consumer's terminals that is to 30
 say such a constant pressure at those terminals as may be declared by the
 Undertakers under the Board of Trade regulations.

CROYDON RURAL ELECTRIC LIGHTING.

A.D. 1905.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the County of London Electric Supply Company Limited in respect of the Parishes of Addington Beddington Coulsdon Mitcham Morden Sanderstead and Woodmansterne in the Rural District of Croydon in the County of Surrey.

Croydon Rural.

1. This Order may be cited as the Croydon Rural Electric Lighting Order 1905. Short title.
- 10 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. Incorporation of Electric Lighting (Clauses) Act 1899.
- 15 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the County of London Electric Supply Company Limited being a company registered under the Companies Acts 1862 to 1890 with limited liability whose registered offices are situated at Moorgate Court Moorgate Place in the City of London. Undertakers.
- 20 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. Area of supply.
- 25 5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule. Power to break up streets &c.
- 30 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. Compulsory works.
- 35 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. Maximum prices.
- 40 8. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply unless he shall have previously agreed to pay to the Undertakers such As to supply of electricity where consumer has separate supply.

- A.D. 1905. minimum annual sum as will give to the Undertakers a reasonable return on the capital expenditure and will cover other standing charges incurred by the Undertakers to meet the possible maximum demand of such person. The sum to be so paid shall be determined in default of agreement by arbitration. 5
- Croydon Rural.*
- Prohibition of association with any local authority. 9.—(1) The Undertakers shall not purchase or acquire the undertaking of or associate themselves with any local authority supplying or authorised to supply energy under any Provisional Order within the rural district of Croydon except with the consent of and upon such terms and conditions as may be approved by the Board of Trade. 10
- (2) If the Undertakers act in contravention of this section the Board of Trade may if they think fit revoke this Order upon such terms as they may think just.
- (3) The provisions of this section shall be in addition to and not in substitution for any provisions of the schedule to the Electric Lighting (Clauses) Act 1899 incorporated with this Order relating to the acquisition of other undertakings by the Undertakers or to their association with other authorised companies or persons. 15
- Repeal of Mitcham Electric Lighting Order 1901. 10. The Mitcham Electric Lighting Order 1901 is hereby repealed without prejudice to anything done or suffered thereunder. 20
- Purchase by local authority. 11.—(1) The local authority may at the expiration of 23 years from the commencement of this Order or at the end of any succeeding period of seven years on giving 12 months' previous notice in writing require the Undertakers to sell and thereupon the Undertakers shall sell to them the undertaking authorised by this Order upon the terms of the local authority paying to the Undertakers the fair value thereof and in addition thereto a further sum equal to the value of the goodwill of the business of the Undertakers within the area of supply as a going concern. The several amounts to be paid by the local authority to the Undertakers under this section shall be determined in default of agreement by arbitration. 25 30
- (2) The Board of Trade may determine any question which arises as to the purchase which is not to be determined by arbitration and in default of agreement as to the date on which the purchase is to take effect may fix that date.
- (3) From the date on which the purchase takes effect the undertaking shall vest in the local authority freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area of supply under this Order or the principal Act shall absolutely cease and determine and shall vest in the local authority who shall as from that date become the Undertakers for the purposes of this Order. 35 40
- (4) The power of purchase given by this section shall be in addition to and not in derogation of the power of the local authority to purchase under section 2 of the Electric Lighting Act 1888.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 9).* 9

12. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one thousand pounds.

A.D. 1905.

Croydon
Rural.

Deposit.

13. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commence-
ment of
Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

- 10 The parishes of Addington Beddington Coulsdon Mitcham Morden Sanderstead and Woodmansterne in the rural district of Croydon as respectively constituted at the commencement of this Order.

SECOND SCHEDULE.

- 15 *List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

(a) STREETS:—

In the parish of Coulsdon—

- 20 Road from Brighton Road to Whytecliffe Road Purley Purley Park Road Old Riddlesdown Road Valley Road Kenley Church Road Kenley Jackson's Road Firs Road Hays Lane Riddlesdown Park Road Oaks Road Little Roke Road Warren Road Purley Welcomes Road road (unnamed) turning out of Hays Lane near house called Sunnyside to its junction with Hays Lane near house called
- 25 Mitchley Foxley Road Hermitage Road Little Roke Avenue Lower Road Ellen Avenue Victoria Road Edward Road Red Down Road Fanfare Road Fairdene Road road over the South Eastern and Chatham Railway Companies' railway at Kenley Station Coulsdon road over the railways of the London Brighton and South Coast
- 30 Railway Company and the South Eastern and Chatham Railway Companies at Hooley Lane.

In the parish of Sanderstead—

- 35 Sanderstead Hill Hook Hill Road Mayfield Road Heathhurst Road Brambledown Road Cariton Road Essenden Road Beechwood Road Purley Oaks Road Kendal Road Kendal Avenue Penwortham Road Beech Avenue road over the South Eastern and Chatham

(65.)

B

10 *Electric Lighting Provisional Orders (No. 9). [5 Edw. 7.]*

A.D. 1905

*Croydon
Rural.*

and London Brighton and South Coast Railway Companies' railways at Downs Lane road over the Joint South Eastern and Chatham and London Brighton and South Coast Railway Companies' railway at Sanderstead Station Sanderstead.

In the parish of Addington— 5
Demesne Road Church Road.

In the parish of Mitcham—
Sandy Lane Eastfield Road from Allen's cottages to Manor Road
Manor Road Tamworth Road East Commonsides Galpin's Road
Bond's Road Lewis's Road Batsworth Road Ross Terrace. 10

In the parish of Morden—
Lower Morden Crown Lane.

In the parish of Beddington—
Plough Lane Banstead Road Russell Hill Road Foxley Lane nine new
roads (unnamed) on Box Ridge Estate Purley Knoll Road Central 15
Road Woodcote Valley Road Montague Gardens Maldon Gardens
Tharp Road Beddington Gardens Carew Road Lennard Road
Wandle Road Demesne Road road over the London Brighton and
South Coast Railway Company's railway at Plough Lane Beddington
road over the South Eastern and Chatham Railway Companies' 20
railway (Chipstead Branch) at Smitham Bottom Lane.

(b) RAILWAYS :—

In the parish of Coulsdon—
Level crossing on the South Eastern and Chatham Railway Companies'
railway at Little Roke Road. 25

In the parish of Beddington—
Level crossing on the London Brighton and South Coast Railway
Company's railway at Beddington Lane.

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 30

In the parish of Mitcham—
London Road (from Mitcham Station to Lock's Lane) Western Road 35
(from intersection of London Road to Field Gate Lane) Com-
monsides East (from London Road to railway) both sides of
Lower Green West from intersection of London Road Lower
Green East (both sides from London Road).

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 9).*

11

In the parish of Coulsdon—

A.D. 1905.

Brighton Road North (from boundary of Beddington south-west to intersection of Reedham Lane) High Street Purley Godstone Road (from borough boundary to Riddlesdown Tea Gardens).

Croydon
Rural.

5 In the parish of Beddington—

Banstead Road and Foxley Lane to Leg of Mutton Plantation and thence along Plough Lane a distance of about 200 yards Brighton Road (from Banstead Road running south-west to boundary) Croydon Road (from boundary of Wallington to boundary of Croydon).

10

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

15 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following 20 rates per quarter :—

- (a) Where the energy is supplied by a separate meter for power or heating For any amount up to twenty units five shillings and for each unit over twenty units threepence :
- 25 (b) Where the energy is supplied otherwise than as herein-before provided For any amount up to twenty units eleven shillings and eightpence and for each unit over twenty units sevenpence.

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him 30 according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

A.D. 1905.

DURHAM DISTRICTS ELECTRIC LIGHTING.*Durham
Districts.*

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the County of Durham Electrical Power Distribution Company Limited in respect of certain Parishes or Townships in the Rural Districts of Durham and Chester-le-Street all in the County of Durham.

Short title.

1. This Order may be cited as the Durham Districts Electric Lighting Order 1905.

Incorporation
of Electric
Lighting
(Clauses) Act
1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 10

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the County of Durham Electrical Power Distribution Company Limited being a company registered under the Companies Acts 1862 to 1900 and having its registered offices at Donington House Norfolk Street Strand in the City of Westminster. 15

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 20

Power to break
up streets &c.

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways and tramways which are also mentioned in that schedule. 25

Compulsory
works.

6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 30

Maximum
prices.

7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 35

As to supply
of electricity
where con-
sumer has
separate
supply.

8. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply unless he shall have previously agreed to pay to the Undertakers such minimum annual sum as will give to the Undertakers a reasonable return 40

on the capital expenditure and will cover other standing charges incurred by the Undertakers to meet the possible maximum demand of such person. The sum to be so paid shall be determined in default of agreement by arbitration.

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9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds in respect of so much of the area of supply as is comprised in the rural district of Durham and two hundred and fifty pounds in respect of so much of the area of supply as is comprised in the rural district of Chester-le-Street.

Deposit.

10.—(1) If the boundary of the city of Durham is altered by any Provisional Order of the Local Government Board confirmed by Act passed in the present session of Parliament so as to include any part of the area of supply under this Order the mayor aldermen and burgesses of the city of Durham (herein-after called "the corporation") may on giving notice to the Undertakers under the Durham Corporation Electric Lighting Order 1899 requiring those Undertakers to sell to them the undertaking authorised by that Order by a like notice expiring on the same date as the aforesaid notice require the Undertakers under this Order to sell and thereupon the Undertakers shall sell to them so much of the undertaking authorised by this Order as is situate within the city of Durham as altered by the aforesaid Order of the Local Government Board (including all lands buildings works materials and plant of the Undertakers suitable to and used by them for the purposes of the undertaking authorised by this Order within the city of Durham) and the goodwill thereof upon the terms of the corporation paying the fair market value thereof as a going concern.

Purchase of
part of under-
taking by
corporation of
Durham.

(2) Any question arising as to the amount to be paid on any such purchase shall be determined by arbitration and the Board of Trade may determine any other which arises with reference to the purchase and in default of agreement as to the date on which the purchase is to take effect may fix that date.

(3) From the date on which the purchase takes effect the portion of the undertaking purchased shall vest in the corporation freed from all debts mortgages or other similar obligations of the Undertakers or attaching to the undertaking and the powers of the Undertakers in relation to the supply of electricity within the area in respect of which the power to purchase is exercised under this Order or the principal Act shall cease and determine and shall vest in the corporation who shall subject to the provisions of this Order become the Undertakers for the purposes of this Order as respects that area.

(4) The power of purchase given by this section shall be in addition to and not in derogation of any power which the corporation may have to purchase under section 2 of the Electric Lighting Act 1888.

11. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commence-
ment of Order.

A.D. 1905.

*Durham
Districts.***SCHEDULES.****FIRST SCHEDULE.****AREA OF SUPPLY.**

The parishes or townships of Bearpark including its detached part Belmont Broom Cassop-cum-Quarrington Coxhoe Famwellgate Moor Hett 5
Kimbleworth Neville's Cross Pittington St. Oswalds Shadforth Sherburn
Sherburn House Shincliffe Sunderland Bridge and Whitwell House in the
rural district of Durham and the parishes or townships of Barmston Birtley
Bourn Moor Cocken Edmondsley Great Lumley Usworth Harraton Lambton
Lamesley Little Lumley Ouston Pelton Plawsworth South Biddick Urpeth 10
Waldridge Washington and Witton Gilbert in the rural district of Chester-
le-Street as the same are respectively constituted at the commencement of
this Order Provided that in case of difference between the description in
this schedule and the area as delineated on the deposited map the latter shall
prevail. 15

SECOND SCHEDULE.

*List of Streets not repairable by the Local Authority Railways and Tramways
which may be broken up by the Undertakers in pursuance of the special
powers granted by this Order :—*

(a) STREETS :—

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In the rural district of Durham—

In the parish of Bearpark—

Fry Street Thompson Street Dyson Street Edmund Street Dodds
Street Back Dodds Street Catherine Street Back Catherine Street
Swan Street Bouch Street Cross Street (from east end of Fry 25
Street to east end of Swan Street) Cross Street (from west end of
Fry Street to west end of Swan Street) Cross Street (from west
end of Thompson Street to west end of Bouch Street) road
from east end of Fry Street to west end of Colliery workshops
at Bearpark Colliery Firs Terrace at Witton Gilbert Station. 30

In the parish of Belmont—

John Street Love Street Back Love Street William Street Back
William Street back of front street at New Durham back street
between First and Second Cross Rows front street running from
Sherburn Road northward between Second and Third Cross 35
Rows back street between Third and Fourth Cross Rows front
street running from Sherburn Road northward along east

side of Fourth Cross^d Row at Dragon Ville back of Teesdale Terrace back of Bell's Ville front streets on north east and west sides of Ernest Place back streets behind north south east and west sides of Ernest Place footpath extending from north side of Ernest Place to the main road at Marshall Terrace back street behind Providence Place at Gilesgate Moor back of New Row back of Belmont Row back of Cross Row back of Bridge Row back of Chapel Row at Broomside Cross Lane extending from highway in Broomside Lane northward to the main road near the east end of Carrville back of Long Row back of Grange Row at Carrville road extending from main road at east end of Carrville viâ Wood Row and the Grange Ironworks to the villa on the west side of the Grange Ironworks Vane Terrace Belmont Bridge Row road extending from main road near Belmont railway bridge viâ Low Grange to the Grange Ironworks.

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In the parish of Broom—

Front street extending from highway opposite St. Katherine's Mission Church southward in front of East Row to east end of Third Double Row back street behind East Row back street behind First Double Row front street behind First and Second Double Rows back street between Second and Third Double Rows front street on south side of Third Double Row cross street extending from west end of First Double Row to west end of Third Double Row front street on north side of First New Single Row back of First New Single Row back of Second New Single Row front street between Second and Third New Single Rows back of Third New Single Row back of Fourth New Single Row front street on south side of Fourth New Single Row cross street extending from west end of First New Single Row to west end of Fourth New Single Row and back street extending from Love's Hotel eastward behind houses on south side of highway to back street behind East Row at Broompark back of houses on south side of Broom Lane back of Broom Lane Terrace back of houses on east side of Station Road back of Cockhouse Lane Terrace back of Whitehouse Lane Terrace street between Dale Street and Ushaw Terrace street on west side of Ushaw Terrace front of Ladysmith Terrace back of Ladysmith terrace street at south end of Ushaw Terrace and Dale Street street extending from east end of Ladysmith Terrace eastward to highway at north end of Whitehouse Lane Terrace at Ushaw Moor back of Aldin Grange Terrace and road extending from highway opposite top of Aldin Grange Terrace westward to west end of Colliery workshops at Bearpark Colliery.

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In the parish of Cassop-cum-Quarrington—

Front of Golightly's Row back of Green Row back of Bridge Row front of Engine Row back of Engine Row front of Wagonway

45

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Row back of Wagonway Row back of front street (south) front
of East Row at Cassop Colliery front of Green Row back of
Green Row front of Red Row back of Red Row road from south
end of Red Row southward to highway by Primitive Methodist
Chapel back of houses on west side of highway between "Good 5
Intent" Inn and Four Lane Ends at Quarrington Hill back of
New Row back of Old Row road from bridge over beck at south
side of Hoggersgate Farm northward to Colliery offices road
from north end of New Row westward to east side of coke ovens
at Tursdale Colliery. 10

In the parish of Coxhoe—

Back of Cope's Terrace front of Cope's Terrace back of West
Hetton Row front of West Hetton Row back street behind
houses on east side of main road from West Hetton Inn to
"Three Tuns" Inn back of Prospect Terrace road from west end 15
of Prospect Terrace to main road at level crossing Calyhole Row
front of Foundry Row back of Foundry Row back of Long Row
road from main road at Coxhoe Pottery to California Row front
of California Row at Coxhoe street on south side of Front
Double Row street between Front Double Row and Back Double 20
Row street on north side of Back Double Row road at west end
of Front Double Row and Back Double Row road from highway
to back of Simpson's Buildings at Quarrington Hill back street
at Davy Lamp Braddyll Street back street between Braddyll
Street and Green Street back street between Green Street and 25
Burrell Street Burrell Street Lancaster Street Back Lancaster
Street Low New Row High New Row High Cross Street Back
High Cross Street Quarry Street First Middle Cross Street
Second Middle Cross Street Third Middle Cross Street at East
Hetton. 30

In the parish of Framwellgate Moor—

Albert Street Prince's Street Obelisk Lane back of Field House
Terrace at Western Hill street on south side of Brick Row street
on north side of Brick Row back of Halliday's Buildings front of
Halliday's Buildings street on south side of Durham Row street 35
between Durham Row and Smokey Row street between Smokey
Row and Pump Row street between Pump Row and Close Row
street between Close Row and Newcastle Row street on north
side of Newcastle Row street on south side of Dyke Row and
Cottage Row at Framwellgate Moor street between New Rows 40
road from east end of New Rows to main road back of Victoria
Street back of Potter House Row at Pity Me back of Long Row
back of Frankland Row road from east end of Long Row to west
end of Frankland Row at Brasside.

In the parish of Hett—

Footpaths across Village Green at Hett back street at Barmoor. 45

In the parish of Kimblesworth—

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5 Back street between John Street and Charles Street front street
between Charles Street and George Street back street between
George Street and William Street front street on west side of
William Street School Street street between School Street and
Wood Street Wood Street street between Wood Street and Willis
Street street on north side of Willis Street cross street extending
10 from north end of William Street to north end of John Street
cross street extending from east end of Willis Street to the
Mission Church cross street extending from the south end of
William Street to the south end of John Street road extending
from the main road at Fowler's Terrace to the south end of
George Street at Kimblesworth Colliery.

In the parish of Neville's Cross—

15 Nevilledale Terrace Back Nevilledale Terrace Palatine View Back
Palatine View Summerville Street Back Summerville Street
East Back Summerville Street West Holly Street back street
between Holly Street and Mistletoe Street Mistletoe Street back
street between Mistletoe Street and Lawson Street Lawson Street
20 back street between Lawson Street and Laburnum Avenue back
street on north side of Hawthorn Terrace Gray's Terrace Neville
Terrace Back Neville Terrace and Quarry House Lane at Cross
Gate Moor Tower Street Percy Terrace back of West View and
Percy Terrace back of John Street and George Street George
25 Street at Neville's Cross.

In the parish of Pitlington—

Burn Row Long Open Harrison Street Middle Cross Street High
Cross Street street extending from north end of Harrison Street to
north end of High Cross Street back of Co-operative Terrace at
30 Low Pitlington Londonderry Street Chapel Street Store Street
Short Open at High Pitlington Long Row Cross Row North Row
Front Row back of New Row road from Cross Row to Moor Row
road from highway to west end of Front Row and thence to west
end of Moor Row at Littletown.

35 In the parish of St. Oswald's—

Road from main road near Shincliffe Bridge to east end of Garden
Street at Houghall Colliery Garden Street Cross Street road
from north end of Cross Street viâ Infectious Diseases Hospital
to footpath in Great High Wood at Houghall Windmill Hill
40 Lane Mount Oswald Lane on Elvet Moor.

In the parish of Shadforth—

Footpath across the Village Green at Shadforth road from west end
of Shadforth Village to highway at Running Waters road from
Paradise viâ Hill House to Haswell Road road from Paradise to
west end of Front Street at Ludworth Front Street Sunnyside
45 Street street at front of Shadforth Terrace street at back of

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Shadforth Terrace back of Usher Street back of Margaret Street
back of Overman's Row street between First and Second Cross
Rows east of the schools street between Second and Third Cross
Rows street between Third and Fourth Cross Rows street between
Fourth and Fifth Cross Rows street on east side of Fifth Cross 5
Row back of North Row street extending from north end of First
Cross Row to west end of North Row street extending from
middle of First Cross Row to middle of Fifth Cross Row at
Ludworth back street behind houses on south side of highway
back street behind houses on north side of highway at Sherburn 10
Hill.

In the parish of Sherburn—

Footpaths across the Village Green at Sherburn back street behind
houses on north side of highway at Sherburn Colliery Station
Smith Street street between Smith Street and Chapel Street 15
Chapel Street New Street West Street back street between West
Street and Middle Street Middle Street East Street South Street
street on north side of South Street at Sherburn Durham Street
Joicey Street Coronation Street road extending from south end of
Durham Street to south end of Coronation Street back street 20
behind houses on north side of Front Street Lambton Street Cross
Street extending from east end of Lambton Street to east end of
Front Street Cross Street extending from middle of Lambton
Street to middle of Front Street street extending from west end
of Lambton Street to highway at east end of Wesley Terrace back 25
of Wesley Terrace street unnamed extending from highway at
west end of Wesley Terrace northward back street extending from
back of Wesley Terrace northward street unnamed extending
from west end of Lambton Street westward at Sherburn Hill 30
front of Railway Terrace back of Railway Terrace at Sherburn
Hill Colliery.

In the parish of Sherburn House—

Street at front of Pit Row street at back of Pit Row at Sherburn
House Colliery.

In the parish of Shincliffe—

Footpaths across the Village Green Back Wood View Terrace at
Shincliffe Front Row back of Front Row Avenue Row back of
Avenue Row Overman's Row front of Pond Row back of Pond
Row street on west side of First Miners' Row street between
First and Second Miners' Row street between Second and Third 40
Miners' Row street between Third and Fourth Miners' Row
street on east side of Fourth Miners' Row road extending from
main road at south end of Front Row eastward to north end of
Fourth Miners' Row road extending from the main road at south
end of Avenue Row eastward to south end of Fourth Miners' 45
Row at Shincliffe Colliery.

In the parish of Sunderland Bridge—

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5 Back of Johnson's Terrace back of Rogerson's Terrace back of
Forster's Terrace at Croxdale back street behind houses on east
side of main road back street between First and Second Colliery
10 Rows west of main road Front street between Second and Third
Colliery Rows back street between Third and Fourth Colliery
Rows front street on west side of Fourth Colliery Row cross
street extending from main road opposite north end of First
Colliery Row westward to north end of Fourth Colliery Row
15 cross street extending from main road opposite middle of First
Colliery Row westward to middle of Fourth Colliery Row cross
street extending from highway at back of Nicky Nack hotel
westward to south end of Fourth Colliery Row at Croxdale
Colliery road extending from highway at north end of bridge
over River Wear at Sunderland Bridge westward to railway
viaduct.

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In the parish of Whitwell House—

20 Back of Wood Row street on the west side of the square street
on south side of the square back street behind houses on west
side of the Chapel at Whitwell Colliery.

In the rural district of Chester-le-Street—

In the parish of Barmston—

Pattinson Town Railway Cottages.

In the parish of Birtley—

25 Swinburn Place Wilfred Street Radcliffe Street Buffalo Terrace
Napier Terrace Cuthbert Street John Street Model Cottages
St. Bede's Street Prudhoe Street Harras Bank North Harras
Bank South South (back) Warwick Square Pearth Terrace (back)
30 Heslop's Yard Church Street Hill Street School Street New
Street Birtley Terrace road unnamed from its junction with the
main road near to depôts to Church Street along north side of
Waggonway Old Farm Ravensworth Terrace Atkinson's Buildings
New South Terrace High Row South Terrace (back) East Terrace
West Terrace Daisy Cottages Woodbine Terrace Primrose Terrace
35 Grove Cottages Chapel Yard Talbot Cottages Thomas Street
James Street Edward Street North Terrace Mount Pleasant
Hawk Terrace Raven Terrace Jameson Street St. Mary's Terrace
Back Orchard Street Birtley Lane Brook Terrace Fleet Square
Triune Cottages Jones' Street Craig Street Neal Street Mitchell
40 Street King Street Morris Street West Street George Street
Back Station Lane North Back Station Lane South.

In the parish of Bourn Moor—

Road unnamed from Primrose Hill to New Lambton Engine Row
Chapel Row.

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In the parish of Edmondsley—

Tyzack Street Wood Row Wellington Terrace Railway Terrace
Twizel Wood Row Alma Place.

In the parish of Lamesley—

Pasturefield Road Wrekenton Eslington Terrace Liddle Terrace 5
Spout Burn.

In the parish of Great Lumley—

Road unnamed from Lumley 2nd Pit viâ Lumley Thicks to Lumley
6th Pit Lumley Thicks Lumley Terrace.

In the parish of Little Lumley—

Lumley Park Road. 10

In the parish of Ouston—

Ewe Hill Ouston Square Middle Street Tipperary Street North
Street Farm Cottages Cement Place.

In the parish of Pelton—

Hylton Terrace The Green Red Rows Wheldon Terrace Lyon
Terrace Munro's Buildings Ernest Street Constance Street Grange
Street Orchard Street Elwin Terrace Alexander Terrace Loveine
Street Greta Street William Street West Street East Street
Albert Street Queen's Street Pine Street A Street West A Street 20
East B Street West B Street East C Street West C Street East
D Street West D Street East North Street Craven's Buildings
White's Buildings Acorn Street Poplar Street South Terrace
Wear's Buildings Springfield Rose Terrace Hawthorn Terrace
Middle Row Quarry Row Morgan's Cottage Regretta Street 25
Coronation Terrace John Street James Street Edward Street
George Street Haver Cottages South Row Mission Street Stack
Terrace Railway Terrace East View West Terrace West Rows
North-Eastern Cottages.

In the parish of Urpeth—

First Street Second Street Third Street Fourth Street Fifth Street 30
Busty Houses Thornton's Fold road unnamed leading from
Beamish Road to Thornton's Ford Eden Terrace East Eden
Terrace Quality Row Eden Place Eden Square Eden Rows
Roseberry Street Gladstone Street John Street Broomfield Place 35
Dean Street Urpeth Square Boundary Street.

In the parish of Washington—

Jubilee Terrace Woodside Staithes Houses The Staithes River View
Blast Row Middlefield Row Six Houses Walker's Buildings Bell
Street Ritchie Terrace Margaret Street Hugh Street Middleham 40
Street Aysgarth Street Clyde Terrace Ox Close Street Coke
Ovens Whitechapel Albert Place Harold Street Denmark Street
Hill Thorn Terrace St. Peter's Street Railway View Lambert's
Place Victoria Place The Green The Brick Yard Raft Yard

Brandy Row Wood Row Grainery Row Havannah Terrace The Cottages road unnamed from Village Green to Stile Inn road unnamed leading from Fell Road to New York Front Row Stone Row Middle Row.

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5 In the parish of Usworth—

New Rows North View West View Turnbull's Buildings Manor View Haigh Row Middle Row Quarry Row Single Row Albert Terrace Pit Houses Bowe's Crescent Palmer's Villas Light Pipe Row Hutt's Terrace Heather Hill Albyn Cottages Hunter's Terrace Prospect Terrace Wakefield Terrace Red Rows Ward's Houses Daisy Hill Usworth Road Linden Terrace Victoria Terrace Lisle's Yard Turnbull Terrace Makepeace Terrace Fell Place Albion Terrace Fell Cottages Penshaw View Railway Terrace Old Rows The Square Coxon's Row Waterloo Cross Row Pump Row Back Douglas Terrace Usworth coach road from north end of Douglas Terrace to Waterloo Candy Bank Robinson's Buildings Pearth Place The Fold Pear Tree Cottages Stone Cellars Jackson's Buildings The Mount Middle Row Long Row Mount Square Stoney Lane Mount Lane road unnamed from the Mount to Springwell near Springwell Colliery Manager's House The Black Road from Usworth Station Road to Usworth Colliery.

In the parish of Waldridge—

Ellen Street Hilton Street William Street Old Rows High Row Chester Street Oak Street Poplar Street Lime Street Pine Street Olive Street Cedar Street Woodland Terrace Middle Row Black Row Cross Road.

In the parish of Harraton—

Road unnamed from its junction with the highway at North Biddick Lodge via Victoria Place to Washington Board School Victoria Place Hobson Terrace road unnamed from Picktree Lane to Nova Scotia The Square Fatfield Chatershaugh to Fatfield Harraton Terrace Peele Houses road unnamed from Pelton Parish Boundary via Ouston Colliery to Pelaw Grange.

In the parish of Witton Gilbert —

Newton Street Witton Street Quarry Street Durham Street Falkou's Terrace Church Street Kelsey Buildings Darling's Buildings Lumsden's Buildings Elliott Street Hunter Street Blackett Street Victoria Street Cross Rows Oliver's Buildings Pleasant View Poplar Street Croft Street Queen Street King Street Craig Buildings Stephenson's Buildings Branson's Buildings Staffordshire Street A Staffordshire Street B Pitfield Street Coronation Street.

In the parish of Plawsworth—

Woodland Terrace Middle Row Back Row Cross Row.

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(b) RAILWAYS:—

In the rural district of Durham—

Level crossings on the Lanchester Valley branch of the North Eastern Railway at Witton Gilbert Station :

In the footpath from Bearpark Colliery to Bearpark Farm in the footpath from Aldin Grange to Broom. 5

Level crossings on the Dearness Valley branch of the North Eastern Railway :

In the foot and bridle road from Broom Lane to Sleetburn Mill in the footpath from Broom to Primroseside. 10

Level crossing on the Bishop Auckland branch of the North Eastern Railway :

At Brasside.

Level crossings on the Framwellgate Colliery Waggonway :

In the main road between Framwellgate Moor and Pity Me in the highway at Framwellgate Colliery in the road between Newton Hall and the highway near Newton Grange. 15

Level crossings on the Durham goods line of the North Eastern Railway :

In Kepier Lane at the Grange Ironworks. 20

Level crossings on the Durham (Elvet) and Murton branch of the North Eastern Railway:

At Old Durham Colliery in the footpath between Bent House and Shincliffe Mill in the foot and bridle road in Green Lane at Broomside Colliery at Pitlington in the road to Moorsley near Pitlington Station. 25

Level crossings on the Lambton Collieries Railway :

At the west end of Low Pitlington in the road from Broomside to Moorsley in the road from High Pitlington to Littletown at the north end of Front Row Littletown at the west end of the Long Row Littletown in the foot and bridle road between Sherburn Hill Colliery and Cook's Hold Farm at Sherburn Quarry Cottages at Sherburn Colliery Station. 30

Level crossing on the Colliery Waggonway at Ludwerth Colliery.

Level crossing on the Thornley branch of the North Eastern Railway : 35
At Low Crows House.

Level crossings on the North Eastern Railway on the main line between Durham and Ferryhill :

In the footpath by the railway cottages at Tursdale Colliery at Hett Mill in the footpath from Hett to High Butterby. 40

Level crossings on the North Eastern Railway on the line between Leamside and Ferryhill :

In the footpath by the railway cottages at Tursdale Colliery in the footpath from Hett to Crow Trees.

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- Level crossings on the Tursdale Colliery Railway sidings :
 In the footpath by the railway cottages at Tursdale Colliery
 in the road between Tursdale Colliery and Hoggersgate Farm
 in the foot and bridle road between Standalone Farm and
 5 Hoggersgate Farm east of Tursdale Colliery.
- Level crossings on the East Hetton Colliery Railway :
 In the footpath from Coxhoe Mill to East Hetton in the footpath
 from East Hetton to the highway between Davy Lamp and
 Coxhoe East House.
- 10 Level crossing on the North Eastern Railway at Whitwell.
 In the rural district of Chester-le-Street—
 Level crossings on the Bewicke main railway—
 At Greenford near Bewicke Main on the Birtley and Urpeth road
 near Birtley.
- 15 Level crossings on the Team Colliery Railway :
 At Allerdene in the Lamesley and Low Fell Road in Smithy Lane
 at Betty Pit in the Durham and Newcastle main road.
- Level crossing on the Tanfield Branch of the North Eastern Railway :
 In the road between Sunnyside and Tinkler Low Fell.
- 20 Level crossings on the railway of the Lambton Collieries Limited :
 In the Eight Pit Road in Sixth Pit Road at Pea Flats at Sixth
 Pit in the Fence Houses Road at Lumley Pit at Second Pit at
 Harraton Colliery at Fatfield.
- Level crossings on the Washington Colliery branch of the North
 25 Eastern Railway :
 In Biddick Lane in the road between Ester Terrace and Wash-
 ington Board School.
- Level crossings on the railway of the Washington Coal Company :
 In the road between Fatfield and Washington in the occupation
 30 road to Ox Close near New Pit in the road near the old
 Wesleyan Chapel.
- Level crossings on the Pontop and South Shields Branch of the North
 Eastern Railway :
 In Barmston Road in Biddick Lane at Pelton level in Pelton
 35 Lane in the road from Grange Villa to West Pelton.
- Level crossings on the Stanley Railway :
 In No Place Road in road unnamed near Quality Row.
- Level crossings on the Beamish Railway :
 In No Place Road in the road between Beamish and Pelton near
 40 Moss Close in King's Lane in Ouston Lane in the occupation
 road near Ouston Pit.
- Level crossings on the Pontop and Jarrow Railway :
 In the road near Springwell Colliery in Eighton Banks Road
 in the back road Eighton Banks in Greenfield road near
 45 Lumley at Birkhead.

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Level crossings on the Pelaw Main Railway :	
In the road at Eighton Banks in the back road Eighton Banks in the Vale Pit Road in Birtley Fell Bank near Black House Engine.	
Level crossings on the Urpeth Railway :	5
In the Perkins Villa Road at Ouston at Ewe Hill.	
Level crossing on the railway of the Washington Chemical Company near chemical works.	
Level crossing on the railway at Priestman's Colliery Company :	
At Waldridge.	10
Level crossings on the railway of the Charlaw and Sacriston Collieries Company :	
At Edmondsley in the road from Willington Terrace at Edmondsley at Charlaw.	
Level crossing on the Usworth Colliery Railway :	15
In Black Road.	
Level crossing on the North Eastern Railway :	
At Usworth Station.	
(c) TRAMWAYS :—	
The tramways of the Durham and District Electric Traction Company Limited.	20

THIRD SCHEDULE.

List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order. 25

In the rural district of Durham—

May Street Hawthorn Terrace The Avenue Neville's Cross Bank
 (from the Avenue to Neville's Cross Inn) Princess Street (from
 Obelisk Lane to Albert Street) Albert Street (from the city 30
 boundary to Field House Lane).

In the rural district of Chester-le-Street—

Station Road (from a point 50 yards from the west side of Usworth
 Railway Station to the Co-operative Stores at New Washington)
 Spout Lane (from the Co-operative Stores to the "Cross Keys" 35
 Hotel) Washington Village Lane (from Spout Lane to the
 Wesleyan Chapel) Station Road (from Spout Lane to the Co-
 operative Stores near Washington Station on the North Eastern
 Railway) Main Road Birtley (from the "Three Tuns" Hotel
 to "William IV." Inn) Station Road Birtley (from the main road 40
 to the Station Hotel).

FOURTH SCHEDULE.

A.D. 1905.

*Durham
Districts.*

MAXIMUM PRICES.

In this schedule—

- 5 The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- 10 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

- 15 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

20 EASTBOURNE CORPORATION ELECTRIC LIGHTING
(WILLINGDON EXTENSION).

- 52 *Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Eastbourne for the extension of their Area of Supply to the Parish of Willingdon in the Rural District of Eastbourne in the County of Sussex and for the Amendment of the Eastbourne Electric Supply Order 1899.* *Eastbourne.*

- 30 1.—(1) This Order may be cited as the Eastbourne Corporation Electric Lighting (Willingdon Extension) Order 1905 and the Eastbourne Electric Supply Order 1899 (herein-after called "the principal Order") and this Order may be cited together as the Eastbourne Electric Lighting Orders 1899 and 1905. Short title construction and effect.

- 35 (2) Subject to the provisions of this Order the principal Order and this Order shall be read and construed together and have effect as one Order.

(65.)

D

- A.D. 1905. (3) The provisions contained in the Schedule to the Electric Lighting
Eastbourne. (Clauses) Act 1899 are not incorporated with this Order.
- Area of supply. 2. Subject to the provisions of this Order there shall be added to the
 area of supply for the purposes of the principal Order the area which is
 described in the First Schedule to this Order and is more particularly 5
 delineated on the map deposited together with this Order at the Board
 of Trade by the Undertakers and signed by an assistant secretary to
 the Board of Trade.
- Compulsory 3. Subject to the provisions of this Order there shall be added to the
 works. list of streets or parts of streets mentioned in the Second Schedule to the
 principal Order (being streets or parts of streets throughout which the 10
 Undertakers are to lay down suitable and sufficient distributing mains for
 the purposes of general supply) the streets or parts of streets mentioned in
 the Second Schedule to this Order.
- Power to break 4. Subject to the provisions of this Order there shall be added to the list 15
 up streets. of streets mentioned in the Third Schedule to the principal Order (being
 streets not repairable by the local authority which the Undertakers are
 specially authorised to break up) the streets which are mentioned in the
 Third Schedule to this Order.
- Local autho- 5. In the principal Order as amended by this Order the expression "local 20
 rity. authority" means with respect to each part of the area of supply the local
 authority for that part.
- Application 6 In the application of the provisions of the principal Order to so much
 of principal 25
 Order to
 added area. shall have effect :—
- (1) Where the exercise of any of the powers of the Undertakers
 in relation to the execution of any works (including the
 construction of boxes) will involve the placing of any works
 in under along or across any street or public bridge which is 30
 repairable by the county council or by a local authority other
 than the Undertakers the Undertakers shall serve a like notice and
 plan upon the county council or local authority under section 10
 of the principal Order as they are required to serve upon the
 Postmaster-General and that section shall apply with the necessary
 modifications to the county council or the local authority as the 35
 case may be as it applies to the Postmaster-General:
 - (2) The Undertakers shall not place any street box above ground
 except with the consent of the local authority in addition to any
 other consent required by the Order :
 - (3) The local authority may from time to time prescribe the hours 40
 during which the Undertakers are to have access to their street
 boxes for the purposes of testing and inspection and the Under-
 takers shall not except in case of emergency remove or displace
 or keep removed or displaced the upper surface or covering

of any street box during the hours not so prescribed by the local authority :

A.D. 1905.
Eastbourne.

- 5 (4) Six months shall be substituted for two years in subsection 1 of section 17 of the principal Order as the time within which distributing mains are to be laid down in certain streets and parts of streets :
- 10 (5) A requisition requiring the Undertakers to lay down distributing mains for the purpose of general supply throughout any street or part of a street in which the local authority have the control and management of the public lamps may be made by the local authority and the Undertakers shall lay such mains accordingly but such requisition shall not be binding upon the Undertakers unless at the time of service or within fourteen days thereafter the local authority give a written undertaking binding them to take for a period of three years at the least a supply of energy for lighting the public lamps in such street or part of a street :
- 15 (6) The Undertakers upon receiving reasonable notice from the local authority requiring them to supply energy to any public lamps within the distance of seventy-five yards from any distributing main in which the Undertakers are for the time being required to maintain or are maintaining a current of energy for the purposes of general supply under the Order or under the regulations of the Board of Trade shall give and continue to give a supply of energy to such lamps in such quantities as the local authority may require to be supplied :
- 20 (7) The price to be charged by the Undertakers and to be paid to them for all energy supplied to the public lamps and the mode in which such charges are to be ascertained shall be settled by agreement between the local authority and the Undertakers and in case of difference by arbitration regard being had to the circumstances of the case and the distributing or other mains (if any) which may have to be laid for the purpose and the prices charged to ordinary consumers in the district :
- 30 (8) The Undertakers shall if so required by the local authority supply to them a copy of the map of the area of supply and of any sections marked and corrected as provided in section 51 of the principal Order and shall from time to time cause every such copy to be duly corrected so as to agree with the original or originals thereof as kept for the time being at the Undertakers' office :
- 40 (9) A true copy of all regulations and conditions made by the Board of Trade under the principal Order or this Order or the Electric Lighting Acts affecting the undertaking and for the time being in force shall on being printed as provided in section 60 of the principal Order be forthwith served upon the local authority :
- 45

A.D. 1905.
 Eastbourne.

- (10) For the placing of any electric lines above ground except as provided in section 6 of the principal Order the consent of the local authority shall be required in addition to the consent of the Board of Trade :
- (11) The Undertakers shall not consent to or concur in the revocation 5
 of the principal Order or this Order under the provisions of section 57 of the principal Order so far as those Orders affect the area of any local authority other than the Undertakers without the approval in writing of the local authority :
- (12) The expression " commencement of this Order " shall mean the day 10
 when the Act confirming this Order is passed.

Revision of
 prices to
 balance
 revenue and
 expenditure.

7.—(1) The Undertakers shall so soon as the annual statement of accounts of the undertaking under the principal Order as amended by this Order has been filled up in the form prescribed by the Board of Trade under the Electric Lighting Act 1882 publish in a newspaper circulating in the area 15
 of supply under the principal Order as amended by this Order a notification that such statement of accounts has been filled up and that copies of it can be obtained at the offices of the Undertakers at a price not exceeding one shilling a copy and such publication shall be in addition to and not in substitution for any publication prescribed by the Board of Trade under the 20
 Electric Lighting Act 1882.

(2) The Undertakers shall on the expiration of the third complete financial year after they have commenced to supply electrical energy under the principal Order as amended by this Order and on the expiration of each third succeeding year reconsider and if necessary revise and thereafter 25
 maintain the scales of prices charged for electrical energy under the principal Order as so amended so that so far as is reasonably practicable no rate will be required for the purpose of defraying the future expenses of the said undertaking during the next three years Provided nevertheless that—

- (A) The prices to be charged shall not exceed the maximum prices which 30
 may be charged under the principal Order as so amended :
- (B) The scales of prices so reconsidered and revised may be from time to time in like manner reconsidered and revised by the Undertakers.

(3) Nothing in this section contained shall prevent the Undertakers from entering into contracts for periods which may extend beyond the 35
 periods at which any revision may take place under the provisions of this section on special terms under special circumstances not applicable to ordinary consumers but each such contract shall provide that the price to be charged for energy supplied under such contract shall either—

- (A) be subject to revision at the next triennial revision provided for in 40
 this section ; or
- (B) vary in the same proportion as the prices charged to ordinary consumers :

Provided that the Undertakers shall not without their consent be required to accept any price lower than the minimum price mentioned in 45
 such contract.

[5 EDW. 7.] *Electric Lighting Provisional Orders (No. 9).* 29

(4) There shall not be made against the district rate or any other rate for energy used by the Undertakers for street lighting or any other purpose a charge at a higher price than that charged to consumers using energy for similar purposes and for the like hours of supply.

A.D. 1905.
Eastbourne.

5

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

The parish of Willingdon in the rural district of Eastbourne as constituted at the commencement of this Order.

10

SECOND SCHEDULE.

List of Streets or parts of Streets ihroughout which the Undertakers are to lay down suitable and sufficient Distributing Mains within a period of Six Months after the commencement of this Order.

The main road from Eastbourne from the borough boundary to Old
15 Decoy Drive and Old Decoy Drive from the main road to Park Farm
Victoria Drive from the main road to Hampden Park entrance gate Church
Street from the main road to Hydney House and so much of the main road
as is within 100 yards of its junction with Church Street.

THIRD SCHEDULE.

20 *List of Streets not repairable by the Local Authority which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

The main road from Eastbourne to Polegate Victoria Drive King's Drive
Rosebery Avenue Hussey Road Station Road Freeman Avenue and South
25 Down Road.

A.D. 1905.	GRAVESEND ELECTRIC LIGHTING (EXTENSION TO NORTHFLEET).	
<i>Gravesend.</i>	<i>Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Mayor Aldermen and Burgesses of the Borough of Gravesend in respect of the Urban District of Northfleet in the County of Kent.</i>	5
Short title.	1. This Order may be cited as the Gravesend (Extension to Northfleet) Electric Lighting Order 1905.	
Incorporation of Electric Lighting (Clauses) Act 1899.	2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.	10
Undertakers.	3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Mayor Aldermen and Burgesses of the Borough of Gravesend but those Undertakers are not the local authority for the purposes of that Act so far as respects the area of supply under this Order except that sections 23 and 65 of the said schedule shall apply as if the Undertakers were the local authority.	15
Area of supply.	4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.	20
Power to break up streets &c.	5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the tramways which are also mentioned in that schedule.	25
Compulsory works.	6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.	30
Maximum prices.	7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.	35
Provisions in event of purchase by Northfleet Urban District Council.	8.—(1) The urban district council of Northfleet (herein-after called "the Council") and the Undertakers may at any time after the commencement of this Order make an agreement for the sale by the Undertakers to that	

Council of the undertaking authorised by this Order and any such agreement shall have effect accordingly. A.D. 1905.

Gravesend.

(2) If any such agreement is made the terms of purchase shall be such terms as may be agreed upon between the Council and the Undertakers.

5 (3) The Council may at the expiration of a period of fourteen twenty-one
twenty-eight or thirty-five years from the commencement of this Order upon
giving not less than eighteen months' notice in writing require the Under-
takers to sell and thereupon the Undertakers shall sell to them the undertaking
10 authorised by this Order (including all lands buildings works materials and
plant of the Undertakers suitable to and used by them for the purposes of
the undertaking within the area of supply) and the goodwill thereof upon
the terms of the Council paying to the Undertakers a sum equal to the fair
market value of the lands buildings works materials and plant purchased
15 due regard being had to the nature and then condition of such buildings
works materials and plant and to the state of repair thereof and to the
circumstance that they are in such a position as to be ready for immediate
working and to their suitability to the purposes of the undertaking with the
addition of a sum equal to twenty per centum on that sum if the Council
20 purchase the Undertaking at the expiration of the fourteen years' period
a sum equal to fifteen per centum at the expiration of the twenty-one years'
period a sum equal to ten per centum at the expiration of the twenty-eight
years' period a sum equal to five per centum at the expiration of the thirty-
five years' period The sum to be paid on any such purchase shall be
determined in default of agreement by arbitration.

25 (4) The Board of Trade shall determine any question which arises with
reference to the purchase which is not to be determined by arbitration and
in default of agreement as to the date on which the purchase is to take effect
may fix that date.

30 (5) As from the date on which any such purchase takes effect the
undertaking purchased shall vest in the Council freed from all debts mort-
gages or other similar obligations of the Undertakers or attaching to the
undertaking and the powers and liabilities of the Undertakers in relation to
the supply of electricity within the area of supply under this Order or the
principal Act shall absolutely cease and determine and shall vest in the
35 Council and the Council shall subject to the provisions of this Order become
the Undertakers for the purpose of this Order.

(6) The power of purchase given by this section shall be in addition to
and not in derogation of the powers of the Council to purchase under
section 2 of the Electric Lighting Act 1888.

40 9. Nothing in this Order shall authorise the Undertakers to interfere in
any manner with the bed soil bank or shores of the River Thames or the
navigation thereof or affect in any manner the rights powers or privileges of
the Conservators of the River Thames. Saving for
Thames Con-
servancy.

45 10. The Northfleet Electric Lighting Order 1901 is hereby revoked
without prejudice to anything done or suffered thereunder. Revocation of
Northfleet Elec-
tric Lighting
Order 1901.

A.D. 1905.

Gravesend.
Commence-
ment of Order.

11. This Order shall come into force on the day on which the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

S C H E D U L E S.

FIRST SCHEDULE.

5

AREA OF SUPPLY.

The urban district of Northfleet as constituted at the commencement of this Order.

SECOND SCHEDULE.

List of Streets not repairable by the Local Authority and Tramways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order. 10

(a) STREETS:—

The roadway over the bridge carrying Dover Road over the London Chatham and Dover and the South Eastern Railways the roadways over the bridges carrying Perry Street Road and Springhead Road over the South Eastern Railway and the footway over the bridge carrying the Springhead footpath over the South Eastern Railway and the road leading from Stonebridge Road by the Britannia Cement Works to parish boundary Hive Lane Passage the Shore Road from the Creek to the North end of Dock Row Dock Row Lawn Road and Dorset Place Granby Road Coach Road leading from Granby Road to South end of Dock Row road leading from Granby Road steps to road in front of "Royal Charlotte" public-house road from "Royal Charlotte" public-house to Crete Hall Road substituted footpath for Mount Path Coach Road leading from Crete Hall Road to London Road Beresford Road Burnaby Road Gordon Road and Mill Road Springfield Road and All Saints Road Five Ash Road Seymour Road from the North end of Nelson Road to No. 84 Seymour Road Alfred Place Stanley Road St. Margarets Road and St. Thomas Road Landsdown Place Havelock Road Stanbrooke Road Granville Road The Riverside Footpath. 30

(b) TRAMWAYS:—

The tramways of the Gravesend and Northfleet Electric Tramways Limited so far as they are situate within the area of supply.

THIRD SCHEDULE.

A.D. 1905.

Gravesend.

List of Streets and parts of Streets throughout which the Undertakers are to lay Distributing Mains within a period of Two Years after the commencement of this Order.

- 5 London Road The Hill High Street.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

- 10 The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

- 15 Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

- 20 Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

25 **KINGSBURY ELECTRIC LIGHTING.**

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Urban District Council of Kingsbury in respect of the Urban District of Kingsbury in the County of Middlesex. *Kingsbury.*

- 30 1. This Order may be cited as the Kingsbury Electric Lighting Order 1905. Short title.
65.) E

- A.D. 1905. **2.** The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order. 5
- Kingsbury.*
Incorporation of Electric Lighting (Clauses) Act 1899.
Undertakers. **3.** The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Urban District Council of Kingsbury in the county of Middlesex. 5
- Area of supply. **4.** The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 10
- Power to break up streets &c. **5.** Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule. 15
- Compulsory works. **6.** The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order. 20
- Maximum prices. **7.** The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order. 25
- Powers not to be exercised unless undertaking is transferred to an authorised company. **8.—(1)** The powers given by this Order shall not be exercised unless within six months or such extended period not exceeding in the whole twelve months as the Board of Trade allow after the commencement of this Order the Undertakers transfer the undertaking to the North Metropolitan Electric Power Supply Company (if that company are at the date of any such transfer authorised by Act of Parliament to take a transfer of the undertaking) or to any company authorised by Act of Parliament to take a transfer of the undertaking and approved by the Board of Trade for the purpose. 30
- (2)** Within that period the Undertakers may transfer and subject as aforesaid the company to whom the transfer is to be made may take a transfer of the undertaking with the consent of and for such period and upon such terms and conditions as may be approved by the Board of Trade. 35
- (3)** On any such transfer the rights powers authorities obligations and liabilities of the Undertakers in respect of the undertaking shall be transferred to and may be exercised by and shall attach to the company to whom the transfer is made and that company shall subject to the provisions of this Order become the Undertakers for the purposes of this Order. 40

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 9).*

35

9. This Order shall come into force upon the day when the At confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Kingsbury.

Commence-
ment of Order.

SCHEDULES.

5

FIRST SCHEDULE.

AREA OF SUPPLY.

The whole of the urban district of Kingsbury as constituted at the commencement of this Order.

SECOND SCHEDULE.

10 *List of Streets not repairable by the Local Authority and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.*

(a) STREETS :—

So much of Edgware Road as is situate within the urban district of Kingsbury Townsend Lane and Buck Lane.

(b) RAILWAYS :—

The County of Middlesex Light Railways so far as they are situate within the urban district of Kingsbury.

THIRD SCHEDULE.

20 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

Kingsbury Road from Church Lane to Roe Green (otherwise known as
25 Roe Green Road) Roe Green and Hay Lane from Roe Green to Mount Pleasant.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

30

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

(65.)

E 2

A.D. 1905.

SECTION 1.

Kingsbury.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence. 5

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 10

OLD WINDSOR ELECTRIC LIGHTING.

Old Windsor. Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Windsor Electrical Installation Company Limited in respect of the Parish of Old Windsor in the Rural District of Windsor in the County of Berks. 15

Short title. 1. This Order may be cited as the Old Windsor Electric Lighting Order 1905. 20

Incorporation of Electric Lighting (Clauses) Act 1899. 2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

Undertakers. 3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Windsor Electrical Installation Company Limited a company registered under the Companies Acts 1862 to 1890 whose registered office is at the central station Peascod Street New Windsor. 25

Area of supply. 4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade. 30

Compulsory works. 5. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Second Schedule to this Order. 35

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 9).* 37

6. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Third Schedule to this Order.

A.D. 1905.
—
Old Windsor.
Maximum
prices.

7. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is two hundred and fifty pounds.

Deposit.

8. Nothing in this Order shall authorise the Undertakers to interfere in any manner with the bed soil banks towpaths or shores of the River Thames or the navigation thereof or affect in any manner the rights powers or privileges of the Conservators of the River Thames.

For protection
of Conservators
of River
Thames

9. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

Commence-
ment of Order.

SCHEDULES.

FIRST SCHEDULE.

15

AREA OF SUPPLY.

The parish of Old Windsor in the rural district of Windsor in the county of Berks as constituted at the commencement of this Order.

SECOND SCHEDULE.

20 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

25 Albert Road Straight Road (from Albert Road to Ouseley Lodge) road from Ouseley Lodge through Old Windsor village to its junction with Straight Road.

THIRD SCHEDULE.

MAXIMUM PRICES.

In this schedule—

30

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

A.D. 1905.

SECTION 1

Old Windsor.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

5

SECTION 2.

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations.

10

WIMBORNE AND DISTRICT ELECTRIC LIGHTING.
Wimborne and District.

Provisional Order granted by the Board of Trade under the Electric Lighting Acts 1882 and 1888 to the Bournemouth and Poole Electricity Supply Company Limited in respect of the Urban District of Wimborne the Parishes of Canford Magna and Kinson in the Rural District of Poole and the Parishes of Colehill Hampreston Pamphill and West Parley in the Rural District of Wimborne and Cranborne all in the County of Dorset.

20

Short title.

1. This Order may be cited as the Wimborne and District Electric Lighting Order 1905.

Incorporation of Electric Lighting (Clauses) Act 1899.

2. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) are incorporated with and form part of this Order.

25

Undertakers.

3. The Undertakers for the purposes of this Order and within the meaning of section 2 of the schedule to the Electric Lighting (Clauses) Act 1899 are the Bournemouth and Poole Electricity Supply Company Limited being a company registered under the Companies Acts 1862 to 1893 with limited liability whose registered offices are situated at Moorgate Court Moorgate Place in the City of London.

30

Area of supply.

4. The area of supply for the purposes of this Order and within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 shall be the area which is described in the First Schedule to this Order and is more particularly delineated on the map deposited together with this Order at the Board of Trade by the Undertakers and signed by an assistant secretary to the Board of Trade.

35

[5 Edw. 7.] *Electric Lighting Provisional Orders (No. 9).* 39

5. Subject to the provisions incorporated with this Order the Undertakers are specially authorised by this Order to break up the streets not repairable by the local authority which are mentioned in the Second Schedule to this Order and the railways which are also mentioned in that schedule.
- 5 6. The streets and parts of streets throughout which the Undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this Order as mentioned in section 21 of the schedule to the Electric Lighting (Clauses) Act 1899 are those mentioned in the Third Schedule to this Order.
- 10 7. The maximum prices which may be charged by the Undertakers as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 are those stated in the Fourth Schedule to this Order.
- 15 8. Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 a person shall not be entitled to demand from the Undertakers a supply of electrical energy to premises having a separate supply unless that person shall have previously agreed to pay to the Undertakers such minimum annual sum as will give to the Undertakers a reasonable return on the capital expenditure and will cover other standing charges incurred by the Undertakers to meet the possible maximum demand of that person. The sum to be so paid shall be determined in default of agreement by arbitration.
- 20 9. The sum to be deposited or secured in pursuance of section 5 of the schedule to the Electric Lighting (Clauses) Act 1899 is one hundred and fifty pounds in respect of the urban district of Wimborne one hundred and fifty pounds in respect of so much of the area of supply as is situate in the rural district of Poole and one hundred and fifty pounds in respect of so much of that area as is situate in the rural district of Wimborne and Cranborne.
- 30 10. This Order shall come into force upon the day when the Act confirming this Order is passed and that day for the purposes of the Electric Lighting (Clauses) Act 1899 shall be the commencement of this Order.

A.D. 1905.

Wimborne and District.

Power to break up streets and railways.

Compulsory works.

Maximum prices.

As to supply of electricity where consumer has separate supply.

Deposit.

Commencement of Order.

SCHEDULES.

FIRST SCHEDULE.

AREA OF SUPPLY.

- 35 The urban district of Wimborne the parishes of Canford Magna and Kinson in the rural district of Poole and the parishes of Colehill Hampreston Pamphill and West Parley in the rural district of Wimborne and Cranborne as respectively constituted at the commencement of this Order.

A D. 1905.

SECOND SCHEDULE.

*Wimborne
and District.*

List of Streets not repairable by the Local Authorities and Railways which may be broken up by the Undertakers in pursuance of the special powers granted by this Order.

(a) STREETS:—

5

In the urban district of Wimborne—

Lane unnamed leading to Green Close Dairy road unnamed leading from top of St. John's Hill eastward lane unnamed leading from St. Katherine's Hill to Poole Road road unnamed leading from St. John's Hill eastward to house called "The Retreat" generally known as Retreat Road Giddilake Road between Burt's Hill and house known as "Highlands" road unnamed outside Wimborne Station joining New Borough Road and Old Station Road road by cemetery from Knob Crook to Victoria Road. 10

In the rural district of Poole—

15

In the parish of Canford Magna—

Branch road from Knighton to Knighton Heath branch road from near Railway Bridge Broadstone by Rose Farm to near Corfe Lodge branch road out of Poole Road near "Nag's Head" to Hatch Pond road called Canford Drive from Canford Bridge to Canford Manor and branch to Old Canford Mill branch out of main road at Moortown to Moortown Farm branch from Alderney reservoir through Canford Heath to Canford branch out of Upper Oakley by Newtown Farm to Poole Lane at Arrowsmith road from near "Willett Arms" to Merley House road from Canford House to Little Canford by the Canford Drive branches by side of "Railway Hotel" Broadstone round golf links over Dunyards Common to join Wimborne and Broadstone Roads branch out of main road at Sharland's Hill Broadstone to York Road. 20 25 30

In the parish of Kinson—

Road branching out at Red Hill to Talbot Village branch at back of "Shoulder of Mutton" round to High Howe Lodge branch at Talbot Village School road from East Howe by Peter Pearce's Corner to Comp Corner road from West Howe to East Howe branch out of East Howe Road called Frampton's Road. 35

In the parish of West Parley—

St. Leonard's Bridge.

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(b) RAILWAYS:—

A.D. 1905.

Level crossings on the London and South Western Railway.

*Wimborne
and District.*

In the parish of Canford Magna—

5

The Lake Gate level crossings on the Somerset and Dorset Joint Railway the Oakley level crossing and Hillbourne and Creekmoor crossing on the London and South Western Railway.

In the parish of West Parley—

Newman's Lane level crossing West Moors Station level crossing Revels crossing on the London and South Western Railway.

10

In the parish of Hampreston—

Doman's crossing Hayes Lane crossing Canford Bottom crossing Uddens crossing on the London and South Western Railway.

THIRD SCHEDULE.

15 *List of Streets and parts of Streets throughout which the Undertakers are to lay down suitable and sufficient Distributing Mains for the purposes of general supply within a period of Two Years after the commencement of this Order.*

East Street (from Poole Road to the Square) the Square High Street Cheapside East Brook (from the second bridge to the corner of Poole Road).

FOURTH SCHEDULE.

20

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

25

SECTION I.

Where the Undertakers charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

30

(65.)

F

A.D. 1905.

SECTION 2.

*Wimborne
and District.*

Where the Undertakers charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Undertakers under the Board of Trade regulations. 5

