CHAPTER xlvi.

An Act to authorise the acquisition by the Gas Light and Coke Company of the undertakings of the Barking Gas Company and the Chigwell Loughton and Woodford Gas Company to confer further powers on the Gas Light and Coke Company and for other purposes. A.D. 1911.

[29th June 1911.]

WHEREAS the Gas Light and Coke Company (in this Act referred to as "the Gas Light Company") were originally incorporated by Royal Charter in the year one thousand eight hundred and twelve and received further powers under various Acts of Parliament being ultimately incorporated in perpetuity by the Act 59 George III. c. 20 (Local): 59 Geo. III. c. 20.

And whereas by the Gas Light and Coke Company's Act 1868 all the prior Acts of the Gas Light Company were repealed and the Gas Light Company were continued and the provisions of all such prior Acts were consolidated and re-enacted: 31 & 32 Vict. c. cvi.

And whereas by virtue of the said Gas Light and Coke Company's Act 1868 and of other Acts the Gas Light Company are empowered to manufacture and supply gas within a large part of the county of London and parts of the counties of Middlesex and Essex:

And whereas in addition to the public Acts to which they are subject the Gas Light Company are with respect to the whole of their existing undertaking subject to the private Acts set out in the First Part of the First Schedule to this Act and to the Orders in Council set out in the Second Part of the said schedule so far as such private Acts and Orders in Council are not repealed or amended:

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30 Vict. c. xviii. 2 Edw. 7. c. xx.

And whereas the Barking Gas Company (in this Act referred to as "the Barking Company") were incorporated by the Barking Gas Act 1867 and are by virtue of that Act and of the Barking Gas Act 1902 empowered to make and supply gas within an area consisting of such parts of the county of Essex as are specified in the First Part of the Second Schedule to this Act and pursuant to those Acts the Barking Company are now supplying gas within the said area:

36 & 37 Vict. c. xxi.

And whereas the Chigwell Loughton and Woodford Gas Company (in this Act referred to as "the Chigwell Company") were incorporated by the Chigwell Loughton and Woodford Gas Act 1873 and are by virtue of that Act and of subsequent Acts empowered to make and supply gas within an area consisting of such parts of the said county of Essex as are specified in the Second Part of the said Second Schedule and pursuant to those Acts the Chigwell Company are now supplying gas within the said area:

And whereas the issued capital of the Barking Company now consists of the following:—

Thirty-six thousand pounds in fully paid six per centum preference shares of ten pounds each;

Twenty thousand pounds in fully paid original shares of ten pounds each entitled to a maximum dividend of ten per centum per annum;

Forty-eight thousand pounds in fully paid ordinary shares of ten pounds each entitled to a maximum dividend of seven per centum per annum:

And whereas there are no arrears of dividend on the said seven per centum maximum ordinary shares of the Barking Company and the Barking Company have for some time past made periodical payments out of their profits to the holders of the said ten per centum maximum original shares on account of arrears of dividend accrued on such last-mentioned shares but there was on the twenty-third day of May one thousand nine hundred and eleven outstanding in respect of such arrears the sum of eight pounds nineteen shillings and tenpence on each of such shares:

And whereas the Barking Company have created and issued four per centum perpetual debenture stock to the nominal amount of thirty-six thousand two hundred and sixty pounds:

And whereas the issued capital of the Chigwell Company consists of one hundred and eight thousand five hundred pounds

consolidated ordinary stock entitled to a standard dividend of five per centum per annum subject to increase or decrease in accordance with the decrease or increase below or above their standard price of four shillings and sixpence per thousand cubic feet in the price for the time being charged by the Chigwell Company for gas supplied by them: A.D. 1911.

And whereas the Chigwell Company have created and issued four per centum debenture stock to the nominal amount of seventeen thousand one hundred pounds:

And whereas the areas within which the Barking Company and the Chigwell Company are respectively supplying gas as aforesaid adjoin the area within which the Gas Light Company are supplying gas and the Barking Company and the Chigwell Company have agreed to sell their respective undertakings to the Gas Light Company and the Gas Light Company have agreed to purchase the said undertakings upon the terms hereinafter set forth:

And whereas it would be to the advantage of the consumers of gas within the areas supplied by the said companies and it is expedient that the sale and purchase of the said undertakings should be sanctioned as by this Act provided:

And whereas the price now charged by the Barking Company for gas supplied by them is two shillings and elevenpence per thousand cubic feet:

And whereas the price now charged by the Chigwell Company for gas supplied by them is three shillings and twopence per thousand cubic feet:

And whereas the price now charged by the Gas Light Company for gas supplied by them in that part of their existing area of supply which is north of the River Thames is two shillings and sevenpence per thousand cubic feet:

And whereas it is expedient that the provisions contained in this Act with respect to the price to be charged by the Gas Light Company for gas supplied by them in the Barking district and the Chigwell district respectively should be made:

And whereas by section 13 of the Gas Light and Coke Company's (Capital Consolidation) Act 1898 the right was conferred upon the holders for the time being of the A five per centum preference stocks 1st 2nd and 3rd issues of the Gas Light Company of exchanging or converting such stock for or into ordinary stock of the Gas Light Company in the proportions 61 & 62 Vict. c. clxxii.

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set forth in the said section such right of exchange or conversion being in substitution for the right which before the passing of the said Act such holders had of exchanging or converting their said preference stocks for or into A ordinary stock of the Gas Light Company as existing before the passing of the said Act:

And whereas the amount of such preference stocks which have not been so exchanged or converted as aforesaid is now only one hundred and thirty pounds and it is expedient that the Gas Light Company should be empowered to cancel such outstanding preference stocks upon and subject to the terms and conditions hereinafter set forth:

And whereas it is expedient that such further provisions should be made with respect to the Gas Light Company and their undertaking as are in this Act contained:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. This Act may be cited as the Gas Light and Coke Company's Act 1911.

Application of certain provisions of Companies Clauses Acts.

2. The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

The distribution of the capital of the company into shares;

The transfer or transmission of shares;

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

The making of dividends;

The giving of notices; and

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

and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts shall so far as the same are respectively applicable apply to any ordinary stock or debenture stock of the Gas Light Company to be issued under the provisions of this Act Provided that the said provisions of the Companies Clauses Consolidation Act 1845 and the said

Part III. of the Companies Clauses Act 1863 shall so apply to the extent only to which those enactments are applicable to the existing ordinary stock and debenture stock of the Gas Light Company.

Interpretation.

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

The expression "the Gas Light Company" means the Gas Light and Coke Company:

The expression "the Barking Company" means the Barking Gas Company:

The expression "the Chigwell Company" means the Chigwell Loughton and Woodford Gas Company:

The expression "the gas light district" means the limits of supply of the Gas Light Company as existing immediately before the date of transfer:

The expression "the Barking district" means the several areas specified in the First Part of the Second Schedule to this Act:

The expression "the Chigwell district" means the several areas specified in the Second Part of the said Second Schedule:

The expression "officer"—

(i) Where used in relation to the Barking Company means any person who on the sixteenth day of December one thousand nine hundred and ten was or who since that date but before the passing of this Act has with the consent of the Gas Light Company been appointed manager secretary and engineer assistant secretary and accountant or assistant engineer of the Barking Company; and

(ii) Where used in relation to the Chigwell Company means the person who on the seventeenth day of November one thousand nine hundred and ten was or who since that date but before the passing of this Act has with the consent of the Gas Light Company been appointed the secretary and manager of the Chigwell Company:

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The expressions "the Barking undertaking" and "the Chigwell undertaking" respectively include subject to the provisions of this Act all rights of making distributing and supplying gas and all other the rights powers authorities and privileges whatsoever of the Barking Company or the Chigwell Company (as the case may be) and all property whatsoever and wheresoever and whether real or personal including cash balances reserve and renewal funds investments and all other interests and rights in to and out of the property whether real or personal and obligations and things in action of or belonging to those companies respectively immediately before the date of transfer and all books accounts deeds writings and documents relating thereto except any agreements entered into or to be entered into between the Barking Company or the Chigwell Company (as the case may be) and the Gas Light Company relating to the transfer to the Gas Light Company of the Barking undertaking and the Chigwell undertaking respectively and any letters and documents relative to the enforcing of any such agreements by the Barking Company or the Chigwell Company (as the case may be) but subject to all contracts debts liabilities and obligations of the said companies respectively which shall be subsisting on the said date:

The expression "the controlling authority" means—

(*a*) In relation to any testing place within the Barking district the several local authorities of the districts wholly or partly comprised in that district;

(*b*) In relation to any testing place within the Chigwell district the several local authorities of the districts wholly or partly comprised in that district:

The expression "the prescribed testing place" means in relation to the Barking district the testing place within the gasworks of the Barking Company at Barking provided pursuant to section 33 of the Barking Gas Act 1902 and in relation to the Chigwell district the testing place erected at the works of the Chigwell Company pursuant to section 47 of the Chigwell Loughton and Woodford Gas Act 1873 or in relation to either of the said districts such other testing place as may from time to time be agreed upon between the Gas Light Company and the controlling authority:

The expression "limits of supply" means in relation to the Gas Light Company the area within which that Company are for the time being authorised to supply gas.

Transfer to Gas Light Company of Barking and Chigwell undertakings and dissolution of Barking and Chigwell Companies.

4.—(1) As on and from the first day of January one thousand nine hundred and twelve (in this Act referred to as "the date of transfer") the Barking undertaking and the Chigwell undertaking shall by virtue of this Act be transferred to and vested in the Gas Light Company upon and subject to the terms and conditions contained in this Act and from and after such transfer and vesting the area within which the Gas Light Company are authorised to supply gas shall be the area consisting of the gas light district the Barking district and the Chigwell district.

(2) As on and from the date of transfer the Barking undertaking and the Chigwell undertaking shall respectively form part of the undertaking of the Gas Light Company and subject to the provisions of the section of this Act of which the marginal note is "Barking and Chigwell Companies to continue incorporated for specified purpose" the Barking Company and the Chigwell Company shall be and the same are hereby dissolved as on and from the date of transfer.

Barking and Chigwell Companies to continue incorporated for specified purpose.

5. Notwithstanding anything contained in this Act the Barking Company and the Chigwell Company shall for the purpose of enforcing the provisions of any agreement which may have been entered into before the date of transfer between the Gas Light Company on the one hand and the Barking Company or the Chigwell Company (as the case may be) on the other hand and for that purpose only respectively continue incorporated until the thirtieth day of June one thousand nine hundred and twelve or such later date as may be necessary for the purposes of any proceedings for enforcing any such agreement which may be pending on the said thirtieth day of June but as on and from the first day of July one thousand nine hundred and twelve or such later date as aforesaid the Barking Company and the Chigwell Company shall be and the same are hereby finally dissolved Provided that nothing in this section shall postpone or interfere with the transfer to and vesting in the Gas Light Company of the Barking undertaking and the Chigwell undertaking as provided by the section of this Act of which the marginal note is "Transfer to Gas Light Company of Barking and Chigwell "undertakings and dissolution of Barking and Chigwell Com- "panies" or postpone or interfere with the operation of any other provisions of this Act.

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Gas Light Company to issue ordinary stock in substitution for original and ordinary shares of Barking Company.

6. Forthwith after the date of transfer the Gas Light Company shall subject to and in accordance with the provisions of this Act issue and pay to those persons who immediately prior to such date held original or ordinary shares of the Barking Company ordinary stock of the Gas Light Company and cash as follows (that is to say):—

To each holder of ten per centum maximum original shares of the Barking Company for every ten of such shares held by him—

(*a*) the sum of two hundred and fifteen pounds ordinary stock of the Gas Light Company to be created as hereinafter provided; and

(*b*) the sum of thirty pounds in cash by way of composition for arrears of dividend on such ten shares;

To each holder of seven per centum maximum ordinary shares of the Barking Company for every ten of such shares held by him the sum of one hundred and fifty pounds ordinary stock of the Gas Light Company to be created as aforesaid;

and so in proportion for or in respect of any less number of any such shares of the Barking Company.

Gas Light Company to issue debenture stock in substitution for preference shares and debenture stock of Barking Company.

7. Forthwith after the date of transfer the Gas Light Company shall subject to and in accordance with the provisions of this Act issue to those persons who immediately prior to such date held preference shares or debenture stock of the Barking Company three per centum consolidated debenture stock of the Gas Light Company as follows (that is to say):—

To each holder of six per centum preference shares of the Barking Company for every ten of such shares held by him the sum of two hundred pounds of such debenture stock of the Gas Light Company to be created as hereinafter provided;

To each holder of four per centum perpetual debenture stock of the Barking Company for each one hundred pounds of such debenture stock held by him the sum of one hundred and thirty-three pounds six shillings and eightpence of such debenture stock of the Gas Light Company to be created as aforesaid;

and so in proportion for any less number of such preference shares or any less amount than one hundred pounds of such debenture stock of the Barking Company.

Gas Light Company to issue ordinary stock in substitution for consolidated ordinary stock of Chigwell Company.

8. Forthwith after the date of transfer the Gas Light Company shall subject to and in accordance with the provisions of this Act issue to each holder of consolidated ordinary stock of the Chigwell Company for each one hundred pounds of such consolidated ordinary stock held by him the sum of one hundred and fifty-five pounds seven shillings ordinary stock of the Gas Light Company to be created as hereinafter provided and so in proportion for any less amount than one hundred pounds of such consolidated ordinary stock of the Chigwell Company held by such holder.

Gas Light Company to issue debenture stock in substitution for debenture stock of Chigwell Company.

9. Forthwith after the date of transfer the Gas Light Company shall subject to and in accordance with the provisions of this Act issue to each holder of four per centum debenture stock of the Chigwell Company the sum of one hundred and thirty-three pounds six shillings and eightpence three per centum consolidated debenture stock of the Gas Light Company to be created as hereinafter provided for each one hundred pounds of such four per centum debenture stock held by him and so in proportion for any less amount than one hundred pounds of such debenture stock of the Chigwell Company held by such holder.

Creation of ordinary stock and debenture stock of Gas Light Company for purposes of transfer.

10.—(1) On the date of transfer there shall be by virtue of this Act and without any other requisite created such a nominal amount of ordinary stock of the Gas Light Company and such a nominal amount of three per centum consolidated debenture stock of the Gas Light Company as shall be requisite to give effect to the provisions of this Act with respect to the transfer of the Barking undertaking and the Chigwell undertaking.

(2) The amounts of ordinary stock and of consolidated debenture stock of the Gas Light Company to which the holders of ten per centum maximum original shares or seven per centum maximum ordinary shares or of six per centum preference shares or four per centum perpetual debenture stock of the Barking Company and of consolidated ordinary stock or four per centum debenture stock of the Chigwell Company respectively become by virtue of this Act entitled shall be vested in such holders as on and from the date of transfer and such holders shall subject to the provisions of the section of this Act of which the marginal note is "As to fractional parts of five pounds" be forthwith registered in the books of the Gas Light Company as the holders

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of such amounts respectively but shall not be entitled to any interest or dividend thereon for any period prior to the date of transfer.

As to fractional parts of five pounds.

11. In every case where under the foregoing provisions of this Act a holder of shares or stock or debenture stock of the Barking Company or the Chigwell Company would be entitled to be registered as the holder of any fractional part of five pounds of ordinary stock or debenture stock of the Gas Light Company or of any amount of such stock or debenture stock including any such fractional part as aforesaid the Gas Light Company in lieu of registering such holder and issuing to him a certificate as holder of such fractional part of five pounds of stock or debenture stock or of an amount of stock or debenture stock including such fractional part shall pay to such holder such a sum in cash as shall be equal to the value of such fractional part at the market price on the date of transfer and shall register such holder and issue to him a certificate as holder of the amount (if any) of stock or debenture stock of the Gas Light Company to which he shall be entitled as aforesaid excluding such fractional part and the receipt of such holder for the sum in cash so to be paid as aforesaid shall be a sufficient discharge to the Gas Light Company in respect of such fractional part The Gas Light Company may either cancel all or any of the stock or debenture stock in respect of which such payment has been made or issue the same to any willing purchaser thereof in amounts of five pounds or multiples thereof but not otherwise and any loss or expense which may be incurred in connection with such issue shall be borne by the Gas Light Company.

Ordinary stock and debenture stock of Gas Light Company created under Act to form part of existing stocks.

12. The ordinary stock and the three per centum consolidated debenture stock of the Gas Light Company created under or by virtue of this Act shall respectively rank pari passu with and shall in all respects and for all purposes be deemed to form part of and be consolidated with the existing ordinary stock and the existing three per centum consolidated debenture stock (as the case may be) of the Gas Light Company.

Ordinary stock and debenture stock of Gas Light Company to be equivalent

13. The ordinary stock or debenture stock of the Gas Light Company of which the holders of shares or stock or debenture stock of the Barking Company or the Chigwell Company are pursuant to the provisions of this Act respectively registered as the holders and the sums of cash to be paid by the Gas Light Company under this Act in respect of the fractional

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parts of five pounds as aforesaid and also the sums to be paid under this Act to the holders of ten per centum maximum original shares of the Barking Company by way of composition for arrears of dividend on such shares shall be held in the same right on the same trusts and subject (so far as is consistent with such provisions) to the same powers provisions charges and liabilities as those in upon or to which the shares or stock or debenture stock of the Barking Company or the Chigwell Company or payments on account of the said arrears of dividend for which such ordinary stock or debenture stock of the Gas Light Company or sums of cash are respectively substituted were held or were subject immediately before the date of transfer and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such shares or stock or debenture stock of the Barking Company or the Chigwell Company or any such arrears of dividend as aforesaid and trustees executors or administrators and all other holders in any representative or fiduciary capacity of any shares or stock or debenture stock of the Barking Company or the Chigwell Company are hereby expressly authorised and required to accept any ordinary stock or debenture stock of the Gas Light Company of which they are pursuant to the provisions of this Act registered as the holders and any sums of cash paid to them under the provisions of this Act and to hold dispose of or otherwise deal with such ordinary stock debenture stock or sums of cash in all respects as they might have held disposed of or otherwise dealt with the shares or stock or debenture stock of the Barking Company or the Chigwell Company for which the same is substituted or as the case may be the payments on account of such arrears of dividend as aforesaid and are hereby indemnified in respect of all acts bonâ fide done by them in pursuance of the provisions of this Act.

for all purposes to shares stock and debenture stock of Barking and Chigwell Companies.

14. The Gas Light Company shall call in the certificates for shares or stock or debenture stock of the Barking Company and of the Chigwell Company for which ordinary stock or debenture stock of the Gas Light Company and sums of cash (if any) are substituted under the provisions of this Act and shall issue free of charge in exchange for those certificates to the respective holders of the shares or stock or debenture stock of the Barking Company or the Chigwell Company represented thereby certificates for ordinary stock or three per centum

Exchange of certificates.

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consolidated debenture stock (as the case may be) of the Gas Light Company of the respective amounts and pay to such holders the sums of cash (if any) to which those holders are by this Act respectively entitled but no holder of shares or stock or debenture stock of the Barking Company or the Chigwell Company shall be entitled to a new certificate or to receive any such sum of cash as aforesaid until he shall have delivered up to the Gas Light Company to be cancelled the existing certificate for which such certificate and sum of cash (if any) are to be substituted or shall have proved to the reasonable satisfaction of the directors of the Gas Light Company the loss or destruction of such certificate and shall have given to the Gas Light Company an indemnity against any and every claim in respect of such lost or destroyed certificate or the shares or stock or debenture stock represented thereby:

Provided that until the issue of such new certificates the holders of the existing certificates for shares or stock or debenture stock of the Barking Company or the Chigwell Company shall (according to the amounts of ordinary stock or debenture stock of the Gas Light Company to be issued under the provisions of this Act in substitution or part substitution for the shares or stock or debenture stock of the Barking Company or the Chigwell Company which they respectively represent) have and possess the same rights and privileges as if such existing certificates were certificates for those respective amounts of ordinary stock or debenture stock of the Gas Light Company but if any such holder neglect or omit to send or deliver to the Gas Light Company his certificate or certificates for shares or stock or debenture stock of the Barking Company or the Chigwell Company for the period of one year after notice in writing sent by post to the address of such holder appearing in the books of the Barking Company or the Chigwell Company (as the case may be) the Gas Light Company may suspend the payment of any dividends or interest declared or becoming payable upon or in respect of the ordinary stock or debenture stock so held by him until such certificate or certificates is or are delivered up to the Gas Light Company or is or are proved to the reasonable satisfaction of the directors of that Company to have been lost or destroyed and until such indemnity as aforesaid shall have been given.

Transfers of shares or stock or

15. All transfers or other dispositions of any shares or stock or debenture stock of the Barking Company or the

Chigwell Company made but not registered prior to the date of transfer shall notwithstanding the provisions of this Act be valid and have due effect given to them respectively as transfers or dispositions of (as the case may be):—

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debenture stock of Barking and Chigwell Companies to operate as transfers of ordinary stock or debenture stock of Gas Light Company.

(*a*) The amounts (being in each case a multiple of five pounds) of ordinary stock or debenture stock of the Gas Light Company which represent the shares or stock or debenture stock of the Barking Company or the Chigwell Company thereby expressed to be transferred or disposed of and which are substituted for the same by this Act; or

(*b*)—(i) Ordinary stock or debenture stock of the Gas Light Company to the amount of the multiple of five pounds next below the amounts of the ordinary stock or debenture stock of that Company which but for the provisions of the section of this Act of which the marginal note is "As to fractional parts of five pounds" would have represented the shares or stock or debenture stock of the Barking Company or the Chigwell Company transferred or disposed of by such transfer or disposition as aforesaid and (ii) a sum in cash equal to the value at the market price on the date of transfer of any fractional part of five pounds of such ordinary stock or debenture stock of the Gas Light Company;

(*c*) together in either case with the sum (if any) payable in cash as aforesaid by way of composition for arrears of dividend in respect of any ten per centum maximum original shares of the Barking Company transferred or disposed of by such transfer or disposition as aforesaid

although the instrument of transfer or disposition shall describe the same as shares or stock or debenture stock of the Barking Company or the Chigwell Company and the Gas Light Company shall accordingly register the stock in the name of the transferee or person taking under the disposition and pay to such transferee or person the sum (if any) payable in cash and any bequest of or any covenant or provision of any deed or instrument which ought in the circumstances to apply to the shares or stock or debenture stock of the Barking Company or the Chigwell Company so transferred or disposed of as aforesaid or to any arrears of dividend on the ten per centum maximum original shares of

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the Barking Company (as the case may be) shall be held to apply to (*a*) an amount of ordinary stock or debenture stock of the Gas Light Company equal to that which is under the provisions of this Act substituted for such shares or stock or debenture stock of the Barking Company or the Chigwell Company and (*b*) any sum in cash payable under the provisions of this Act in respect of any fractional part of five pounds of ordinary stock or debenture stock or by way of composition for arrears of dividend on the said ten per centum maximum original shares.

As to dividend on shares and stock of Barking and Chigwell Companies to 31st December 1911.

16. The Gas Light Company shall on or as soon as reasonably practicable after the first day of March one thousand nine hundred and twelve pay to the persons who immediately before the date of transfer held six per centum preference shares or ten per centum maximum original shares or seven per centum maximum ordinary shares of the Barking Company or consolidated ordinary stock of the Chigwell Company out of the divisible profits of the said companies respectively for the half year ending the thirty-first day of December one thousand nine hundred and eleven the dividends following (that is to say):—

(*a*) On the said preference shares of the Barking Company a dividend for that half year at the rate of six per centum per annum;

(*b*) On the said ten per centum maximum original shares and seven per centum maximum ordinary shares of the Barking Company respectively dividends for that half year at the respective rates at which (regard being had to the available profits of the Barking Company) dividends could have been paid thereon if this Act had not been passed;

(*c*) On each of the said ten per centum maximum original shares of the Barking Company in respect of arrears of dividend on such share such sum (if any) not exceeding three shillings as after payment of the above-mentioned dividends could (having regard to the available profits of the Barking Company) have been paid thereon if this Act had not been passed;

(*d*) On the said consolidated ordinary stock of the Chigwell Company a dividend for that half year at the rate at which (regard being had to the available profits of that company) such dividend could have been paid if this Act had not been passed

subject in each case to deduction of income-tax and separate accounts of the Barking Company and the Chigwell Company shall be made out for the said half year and be audited by the auditors of those companies respectively in the same manner as they would have been audited if this Act had not been passed but on and from the date of transfer the accounts of the Barking Company and the Chigwell Company shall be incorporated in and dealt with as part of the accounts of the Gas Light Company.

Barking and Chigwell Companies' books to be evidence as to holders of shares stock and debenture stock.

17.—(1) The several persons who immediately before the date of transfer appear on the registers of the Barking Company to be holders of shares or debenture stock of that company and on the registers of the Chigwell Company to be holders of consolidated ordinary stock or debenture stock of that company or the respective executors administrators or assigns of such persons shall for the purposes of this Act and subject to the provisions of the section of this Act of which the marginal note is "Transfers of shares or stock or debenture stock of "Barking and Chigwell Companies to operate as transfers of "ordinary stock or debenture stock of Gas Light Company" be deemed to be holders of shares or stock or debenture stock of the said companies respectively and the secretaries of the said companies respectively shall on the date of transfer deliver to the Gas Light Company at the principal office of that Company the said registers and on and after that date the registers of transfers of shares or debenture stock of the Barking Company and of consolidated ordinary stock or debenture stock of the Chigwell Company shall be permanently closed and no transfer of any shares or stock or debenture stock of the said companies respectively made on or after that date shall as between the Gas Light Company and the party claiming thereunder be of any effect.

(2) The issue by the Gas Light Company of certificates of ordinary stock or three per centum consolidated debenture stock (as the case may be) of the Gas Light Company as aforesaid together with the payment of the sum in cash representing the market value on the date of transfer of any fractional part of five pounds of such stock or debenture stock as provided by the section of this Act of which the marginal note is "As to fractional parts of five pounds" and (in the case of the ten per centum maximum original shares of the Barking Company) of the sum in cash payable as aforesaid by way of composition for

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arrears of dividend on such shares to the persons whose names appear by the said registers to be registered holders of shares or stock or debenture stock of the said companies respectively or the respective executors or administrators of such persons or to the persons entitled thereto pursuant to the section of this Act of which the marginal note is "Transfers of shares or stock or "debenture stock of Barking and Chigwell Companies to operate "as transfers of ordinary stock or debenture stock of Gas Light "Company" shall be a sufficient discharge to the Gas Light Company for all purposes.

Repeal of unexercised powers of Barking and Chigwell Companies of raising capital and borrowing.

18. As from the passing of this Act all powers of the Barking Company and the Chigwell Company respectively of raising additional capital or of borrowing on mortgage of their undertakings or of creating or issuing debenture stock which shall then remain unexercised shall be and the same are hereby repealed.

Provisions of Gas Light Company's Acts to apply to limits as extended.

19. Subject to the provisions contained in this Act the private Acts and Orders in Council specified in the First Schedule to this Act relating to or affecting the Gas Light Company and their undertaking at the date of transfer shall (except so far as such Acts and Orders in Council are repealed or amended) apply to the whole undertaking of the Gas Light Company in addition to the public Acts which apply to that undertaking and as from that date that Company may exercise within the gas light district and within the Barking district and the Chigwell district all or any of the powers rights privileges and authorities conferred by the said Acts and Orders in Council in relation to the gas light district or any part thereof.

As to testing of gas in Barking and Chigwell districts.

20.—(1) The provisions of the Gasworks Clauses Act 1871 with respect to the testing of gas and to penalties shall apply to and with respect to the testing of the gas supplied by the Gas Light Company within the Barking district and the Chigwell district except that the apparatus to be used for such testing and the mode of making the tests shall be the same as shall from time to time be prescribed by the gas referees appointed under the City of London Gas Act 1868 for testing the gas supplied within the metropolis and that any gas examiner appointed by the controlling authority may at the prescribed testing place test the purity of the gas supplied by the Gas Light Company at any time of the day or night and the illuminating power of such gas between the hours of five o'clock and eleven o'clock in the after-

noon and may continue to exercise all such rights of testing the pressure of the gas supplied within the Barking district and the Chigwell district respectively as they could have exercised if this Act had not been passed.

(2) Notwithstanding anything in this Act not more than one controlling authority shall be entitled to recover a forfeiture in respect of—

(*a*) Defective illuminating power; or

(*b*) Excess of impurity; or

(*c*) Insufficiency of pressure;

in the gas supplied by the Gas Light Company on any one day within the Barking district and the Chigwell district respectively and if any controlling authority shall have recovered a forfeiture in respect of any such defect as aforesaid in the gas supplied by the Gas Light Company on any one day within the Barking district or within the Chigwell district the Gas Light Company shall not be liable to any further forfeiture in respect of a like defect in the gas supplied by them on the same day within the same district.

(3) The controlling authority shall give to the Gas Light Company not less than six hours' notice in writing of their intention to make a testing of the gas supplied by the Gas Light Company and shall state in such notice the day on which and the hour at which they intend to make such testing.

(4) No forfeiture shall be incurred by the Gas Light Company in respect of any defect in the gas supplied by them within the Barking district or the Chigwell district in any case with respect to which it is proved to the satisfaction of the Court having cognizance of the case that the defect was occasioned by an unavoidable cause or accident.

(5) The books kept by a gas examiner for recording the results of the testing of the gas supplied by the Gas Light Company within the Barking district and the Chigwell district respectively shall be open at all reasonable times to the inspection of that Company without payment.

(6) The provisions of section 19 (Forfeiture and losses from fraud &c.) and section 20 (Recovery of forfeitures &c. 23 & 24 Vict. c. 125) of the Gas Light and Coke and other Companies Acts Amendment Act 1880 as amended by the London Gas Act 1905 shall notwithstanding anything contained in either of the said Acts extend and apply to forfeitures in

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respect of any defect in the gas supplied by the Gas Light Company in the Barking district or the Chigwell district and to the recovery of such forfeitures.

(7) Nothing in this Act shall entitle any gas examiner appointed by the controlling authority to make any tests of the calorific power of the gas supplied within the Barking district or the Chigwell district.

Pending actions.

21. If at the date of transfer any action arbitration or proceeding or any cause of action or arbitration or proceeding is pending or existing by or against or in favour of the Barking Company or the Chigwell Company (as the case may be) the same shall not abate or be discontinued or be in anywise prejudicially affected by reason of the transfer to the Gas Light Company of the Barking undertaking and the Chigwell undertaking or of anything in this Act but the same may be continued prosecuted and enforced by against or in favour of the Gas Light Company as and when it might have been continued prosecuted and enforced by against or in favour of the Barking Company or the Chigwell Company if this Act had not been passed but not further or otherwise.

Contracts to be binding.

22. All agreements contracts conveyances deeds and other instruments affecting the Barking Company or the Chigwell Company and in force at the date of transfer shall (subject as hereinafter provided) as from such date be as binding and of as full force and effect against or in favour of the Gas Light Company (as the case may be) and may be enforced as fully and effectually as if instead of the Barking Company or the Chigwell Company the Gas Light Company had been a party thereto or bound thereby or entitled to the benefit thereof:

Provided that neither the Barking Company nor the Chigwell Company shall after the passing of this Act make or enter into any agreement contract conveyance deed or other instrument extending beyond the thirtieth day of June one thousand nine hundred and twelve without in each case the consent in writing of the Gas Light Company (which shall not be unreasonably withheld) and that no agreement contract conveyance deed or other instrument made or entered into by the Barking Company after the sixteenth day of December one thousand nine hundred and ten or by the Chigwell Company after the seventeenth day of November one thousand nine hundred and ten and (in the case of either of the said companies)

extending beyond the said thirtieth day of June one thousand nine hundred and twelve shall be binding on or of any force or effect against or in favour of the Gas Light Company if made or entered into without such consent as aforesaid.

Collection of outstanding debts.

23. All rents rates and charges and other sums and debts at the date of transfer due and payable or accruing due and payable to the Barking Company or the Chigwell Company shall be payable to and may be collected recovered and enforced by the Gas Light Company in the same manner and with and by the same benefits and processes as those with and by which the Barking Company or the Chigwell Company might have enforced the same and shall belong to the Gas Light Company for their own benefit.

Books &c. to remain evidence.

24. All books and documents which if this Act had not been passed would have been evidence in respect of any matter for or against the Barking Company or the Chigwell Company shall be admitted in evidence in respect of the same or the like matter for or against the Gas Light Company.

Officers of Barking and Chigwell Companies to be accountable for books &c.

25. All officers and persons who at the date of transfer have in their possession or under their control any books documents papers moneys or effects forming part of the Barking undertaking or the Chigwell undertaking (as the case may be) shall be liable to account for and deliver up the same to the Gas Light Company or to such persons as the Gas Light Company may appoint to receive the same and subject to the same consequences on refusal or neglect as if such officers and persons had been appointed by and become possessed of such books documents papers moneys and effects for the Gas Light Company.

Compensation to directors and auditors of Barking and Chigwell Companies.

26.—(1) The directors of the Barking Company and of the Chigwell Company respectively who hold office at the date of transfer shall retire from office as from that date (except that the directors of the Barking Company and of the Chigwell Company respectively shall continue to act as directors of those companies respectively without remuneration or fees so long as the said companies shall continue incorporated pursuant to the section of this Act of which the marginal note is "Barking and "Chigwell Companies to continue incorporated for specified "purpose") and the Gas Light Company shall within one month after the date of transfer pay to the respective chairmen of the directors of the Barking Company and the Chigwell Company respectively (whose receipts shall be a sufficient

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discharge to the Gas Light Company for such payment) as compensation for loss of office by such directors respectively such sums of money (for division among the directors of the said companies respectively in such proportions and manner as such directors may determine) as shall be equivalent to seven years' purchase of the amounts which on the seventeenth day of November one thousand nine hundred and ten were the amounts divisible annually among the directors of the said companies respectively by way of remuneration as such directors.

(2) Each of the auditors of the Barking Company and of the Chigwell Company respectively holding office at the date of transfer shall retire from office as from that date (except that such auditors shall continue to hold their respective offices for the purpose of auditing the accounts of the said companies respectively in accordance with the provisions of the section of this Act of which the marginal note is "As to dividend on "shares and stock of Barking and Chigwell Companies to "31st December 1911") and shall be paid by the Gas Light Company within one month after the date of transfer a sum equal to three years' remuneration of his office.

As to officers of Barking and Chigwell Companies.

27.—(1) The Gas Light Company shall subject as is hereinafter provided take over and employ as on and from the date of transfer such of the officers of the Barking Company and of the Chigwell Company respectively who shall be in the employ of such company at that date as the Gas Light Company may require and as shall be willing to enter the service of the Gas Light Company The officers so taken over shall continue to hold their respective offices and employments on the same terms and conditions as they held the same under the Barking Company or the Chigwell Company (as the case may be) at the date of transfer until duly determined by the Gas Light Company or by such officers respectively but subject to the same obligations as are imposed upon the officers of the Gas Light Company to join the superannuation fund and guarantee fund of that company and shall receive from the Gas Light Company not less than the salaries and agreed emoluments which they shall be receiving from the Barking Company or the Chigwell Company (as the case may be) at the date of transfer.

(2) If the Gas Light Company shall elect not to take over any such officer of the Barking Company or of the Chigwell Company or if any such officer of the Barking Company having

a length of continuous service with that company of ten years or upwards shall not be willing to enter the service of the Gas Light Company the Gas Light Company shall pay to such officer by way of compensation for loss of office such an amount as may be agreed between the Gas Light Company and such officer or as failing such agreement may be determined by an arbitrator to be agreed upon or in default of agreement appointed on the application of the Gas Light Company or of such officer by the president of the Institute of Chartered Accountants and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such determination All compensation payable by the Gas Light Company under the provisions of this subsection shall be paid forthwith after the date (not being earlier than the date of transfer) on which the amount thereof shall have been agreed or determined by arbitration as hereinbefore provided.

Barking and Chigwell Companies to carry on undertakings.

28. As from the passing of this Act and until the date of transfer the Barking Company and the Chigwell Company may and shall to the best of their ability and with due diligence maintain and carry on their respective undertakings and (subject to the express provisions of this Act) for that purpose may exercise all rights powers privileges and liberties and shall discharge all duties obligations and liabilities to the same extent and in the same manner as if this Act had not been passed.

Barking and Chigwell Companies not to increase staff salaries or pensions.

29. Neither the Barking Company nor the Chigwell Company shall after the passing of this Act make any addition to their officers or pensioners or fill up any vacancy which may occur among such officers or make any increase in the salary remuneration or emoluments of any of their officers (other than any automatic increase to which any such officer may be entitled by the terms of his engagement or any increase which in the ordinary course would have been accorded to him) or in the amount of any pension payable by them respectively at the passing of this Act without in each case the consent in writing of the Gas Light Company and—

(*a*) Any person appointed without such consent as aforesaid to the staff of the Barking Company or of the Chigwell Company either as an additional member of such staff or to fill up any vacancy therein—

(i) In the case of the Barking Company between the sixteenth day of December one thousand nine hundred and ten and the passing of this Act; or

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(ii) In the case of the Chigwell Company between the seventeenth day of November one thousand nine hundred and ten and the passing of this Act;

shall not for the purposes of the section of this Act of which the marginal note is "As to officers of Barking and Chigwell Companies" be deemed to be an officer of the Barking Company or of the Chigwell Company; and

(*b*) Any person to whom a pension shall have been granted by the Barking Company or the Chigwell Company during the periods hereinbefore mentioned in relation to those companies respectively without the consent of the Gas Light Company shall not for the purposes of the section of this Act of which the marginal note is "Gas Light Company to continue to pay pensions" be deemed to be a pensioner of the Barking Company or of the Chigwell Company;

nor shall any increase of salary remuneration emoluments or pension (other than any such increase as aforesaid) granted during the said respective periods by the Barking Company or the Chigwell Company without such consent as aforesaid be taken into account for any purpose of this Act Provided that the restrictions of this section shall not apply to the making of any addition to or the filling up of any vacancy among the officers of the Barking Company or the Chigwell Company which may in the opinion of the directors of those companies respectively approved by the directors of the Gas Light Company (but which approval shall not be unreasonably withheld) be necessary to enable the Barking Company or the Chigwell Company (as the case may be) effectively to carry on the work of their undertaking or to discharge any of the statutory or other duties and obligations of that company or to deal with any emergency.

Gas Light Company to continue to pay pensions.

30. The Gas Light Company shall continue to pay all pensions granted by the Barking Company or the Chigwell Company as though the Gas Light Company were the Barking Company or the Chigwell Company (as the case may be) and in awarding pensions after the date of transfer to any officer or other employee taken over from the Barking Company or the Chigwell Company the Gas Light Company shall take into account the continuous service of such officer or other employee with the Barking Company or the Chigwell Company (as the case may be) as if it had been service with the Gas Light Company.

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As to reserve funds of Barking and Chigwell Companies.

31. As from the date of transfer the reserve funds of the Barking Company and of the Chigwell Company shall be added to and form part of the reserve fund of the Gas Light Company.

As to renewal funds of Barking and Chigwell Companies.

32. The Gas Light Company may in relation to their undertaking—

(*a*) apply the meters and stoves renewal fund of the Barking Company as transferred to them to the like purposes as those to which that fund is now applicable by the Barking Company in relation to their undertaking; and

(*b*) apply the renewal fund of the Chigwell Company as transferred to them to the like purposes as those to which that fund is now applicable by the Chigwell Company in relation to their undertaking.

As to price of gas in Barking and Chigwell districts.

33.—(1) The price to be charged by the Gas Light Company for gas supplied by them within the Barking district otherwise than to public lamps shall be as follows:—

(*a*) During the period between the taking of the meter indices in the Barking district for the Christmas quarter of the year one thousand nine hundred and eleven and the taking of such indices for the Christmas quarter of the year one thousand nine hundred and thirteen the price of two shillings and ninepence per thousand cubic feet or the price per thousand cubic feet for the time being charged by the Gas Light Company for gas so supplied by them in that part of the gas light district which is north of the River Thames whichever of such prices shall be the higher;

(*b*) At all times after the taking of the meter indices in the Barking district for the Christmas quarter of the year one thousand nine hundred and thirteen the price for the time being charged by the Gas Light Company for gas so supplied by them in the said part of the gas light district.

(2) The price to be charged by the Gas Light Company for gas supplied by them within the Chigwell district otherwise than to public lamps shall be as follows:—

(*a*) During the period between the taking of the meter indices in the Chigwell district for the Christmas quarter of the year one thousand nine hundred and eleven and the taking of such indices for the Christmas

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quarter of the year one thousand nine hundred and thirteen the price of three shillings per thousand cubic feet or the price per thousand cubic feet for the time being charged by the Gas Light Company for gas so supplied by them in the said part of the gas light district whichever of such prices shall be the higher;

(*b*) During the period between such last-mentioned taking of such indices and the taking of such indices for the Christmas quarter of the year one thousand nine hundred and fifteen the price of two shillings and tenpence per thousand cubic feet or the price per thousand cubic feet for the time being charged by the Gas Light Company for gas so supplied by them in the said part of the gas light district whichever of such prices shall be the higher;

(*c*) At all times after the taking of the meter indices in the Chigwell district for the Christmas quarter of the year one thousand nine hundred and fifteen the price for the time being charged by the Gas Light Company for gas so supplied by them in the said part of the gas light district:

Provided that paragraphs (*a*) and (*b*) of this subsection shall not apply with respect to any part of the Chigwell district in which the Gas Light Company were immediately before the date of transfer supplying gas otherwise than to public lamps pursuant to the agreement dated the sixteenth day of June one thousand nine hundred and nine and made between the Gas Light Company of the one part and the Chigwell Company of the other part which agreement is scheduled to and confirmed by the Gas Light and Coke Company's Act 1909.

(3)—(*a*) The price to be charged by the Gas Light Company for gas supplied by meter to public lamps in the Barking district and the Chigwell district shall be as follows:—

(i) During the period between the taking of the meter indices for such lamps for the Christmas quarter of the year one thousand nine hundred and eleven and the taking of such indices for the Christmas quarter of the year one thousand nine hundred and thirteen the price of two shillings and sixpence per thousand cubic feet or the price per thousand cubic feet for the time being

charged by the Gas Light Company for gas supplied by them to public lamps in the gas light district whichever of such prices shall be the higher;

(ii) At all times after the taking of such meter indices for the Christmas quarter of the year one thousand nine hundred and thirteen the price for the time being charged by the Gas Light Company for gas supplied by them to public lamps in the gas light district:

(*b*) All contracts and agreements relating to the supply of gas by the Barking Company or the Chigwell Company otherwise than by meter to any public lamps in the Barking district and the Chigwell district respectively and in force at the date of transfer shall during so much of the term thereof as shall be unexpired at that date be binding against or in favour of the Gas Light Company as fully as if that Company had been a party thereto and referred to therein instead of the Barking Company or the Chigwell Company (as the case may be):

Provided that paragraph (*a*) (i) of this subsection shall not apply with respect to any part of the Chigwell district in which the Gas Light Company were immediately before the date of transfer supplying gas by meter to public lamps pursuant to the said agreement dated the sixteenth day of June one thousand nine hundred and nine.

(4) The provisions of this section or anything done by the Gas Light Company thereunder shall not be taken into account in construing section 34 (Reduction of standard price and amendment of enactments relating to sliding scale) of the Gas Light and Coke Company's Act 1909 but that section shall continue to have effect as if the price for the time being charged by the Gas Light Company within the gas light district were for the purposes of the said section the price or the maximum price for the time being charged by the Gas Light Company.

As to agreements with Woodford Urban District Council.

34. Subject as hereinafter provided nothing in this Act contained shall modify or vary the effect of the agreement dated the fourteenth day of June one thousand nine hundred and ten and made between the Gas Light Company of the one part and the Woodford Urban District Council of the other part or the agreement bearing the same date and made between the Chigwell Company of the one part and the said council of the other part Provided that notwithstanding anything in this Act the first mentioned agreement shall continue to apply only with respect

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to that part of the urban district of Woodford which is within the gas light district Provided also that the amount from time to time payable by the said council to the Gas Light Company under paragraph 6 of the secondly mentioned agreement in respect of the supply of gas and the performance of the services referred to in the said agreement shall be based upon the price for the time being charged by the Gas Light Company under sub-section (3) (*a*) of the section of this Act of which the marginal note is "As to price of gas in Barking and Chigwell districts" instead of upon the price for the time being charged by the Chigwell Company to their general consumers as provided by the said paragraph 6 but for the purposes of this section no discount shall be deducted from the price so chargeable by the Gas Light Company.

Conversion of A five per centum preference stocks 1st 2nd and 3rd issues of Gas Light Company into ordinary stock of that Company.

35. On or at any time after the thirtieth day of June one thousand nine hundred and twelve the Gas Light Company may cancel all or any of their existing A five per centum preference stocks 1st 2nd and 3rd issues upon and subject to the terms and conditions hereinafter set forth:—

(1) Not less than six months before cancelling any of such preference stocks the Gas Light Company shall give to the respective holders thereof notice in writing sent by post to the respective addresses of such holders as appearing in the books of the Gas Light Company at the date of the giving of such notice requiring such holders to elect whether they will—

(*a*) exchange or convert such amounts of the said preference stocks as are held by them respectively for or into ordinary stock of the Gas Light Company in the proportion of two hundred and fifty pounds of such ordinary stock for one hundred pounds of such A five per centum preference stocks; or

(*b*) receive at the expiration of six months after the date of such notice a sum in cash equal to the value (calculated at the maximum market price at the date on which such period of six months will expire) of the amount of ordinary stock to which they would respectively have been entitled if they had exercised the option (*a*) hereinbefore set forth:

(2) Each holder of any such amount of such preference stock who shall within the said period of six months have declared in writing to the Gas Light Company

his intention to exercise either of the said options shall at the expiration of such period be entitled according to whether he shall have declared his intention to exercise the said option (*a*) or the said option (*b*) either (i) to be registered as the holder of an amount of ordinary stock of the Gas Light Company ascertained according to the proportion hereinbefore stated and to receive from the Gas Light Company in exchange for his certificate for such preference stock a certificate for the said amount of such ordinary stock or (ii) to receive a sum in cash equal to the cash value (calculated as aforesaid) of the amount of ordinary stock to which he would have been entitled if he had exercised the said option (*a*):

(3) If any holder of any such amount of such preference stock shall not within the said period of six months exercise either of the options hereinbefore mentioned the Gas Light Company shall at or as from the expiration of the said period pay to or hold at the disposal of such holder the sum in cash to which such holder would have been entitled if he had exercised the said option (*b*):

(4) As from the expiration of the period of six months from the date of any such notice by the Gas Light Company as is referred to in this section the amounts of preference stock referred to in such notice shall cease to rank for dividend and the holders of such preference stock or preference stocks shall cease to have or exercise in respect thereof any of the rights or privileges of a holder of preference stock of the Gas Light Company:

(5) Every holder of A five per centum preference stocks 1st 2nd and 3rd issues which the Gas Light Company shall have cancelled under the provisions of this section shall deliver up to the Gas Light Company for cancellation the certificate or certificates for the stock so cancelled as aforesaid held by him and any such certificate not so delivered up shall as from the date of cancellation of the stock represented thereby cease to be of any effect and shall not be deemed to be evidence of proprietorship of such stock:

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(6) All payments to be made in cash by the Gas Light Company under this section may be charged to their net revenue account:

(7) There shall be by virtue of this Act and without any other requisite created such an additional nominal amount (if any) of ordinary stock of the Gas Light Company as shall be necessary for giving effect to the provisions of this section.

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

36.—(1) The Gas Light Company may upon the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street or road laid out or made but not dedicated to public use supply such premises with gas and may lay down take up alter relay repair or renew in across or along such street or road such pipes and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes so far as they are applicable for and not inconsistent with the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof:

Provided that nothing in this section shall authorise the Gas Light Company to exercise within the parishes or places known as the Inner Temple and Middle Temple any of the powers conferred by this section without the previous consent in writing of the treasurer for the time being of the Honourable Society of the Inner Temple or Middle Temple as the case may be and subject to such terms and conditions as the said treasurer and the masters of the bench of the said societies respectively may impose.

(2) The Gas Light Company shall not without the consent of the Port of London Authority exercise the powers of this section with respect to any such street or road as aforesaid belonging to or under the control or management of the said authority Provided that such consent shall not be unreasonably withheld and that if any difference shall arise between the said authority and the Gas Light Company as to whether such consent is in any case unreasonably withheld such difference shall be determined by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the Board of Trade.

(3) The Gas Light Company shall not without the consent of the Great Northern Railway Company (in this section referred

to as "the railway company") exercise the powers of this section with respect to any such street or road as aforesaid belonging to or under the control or management of the railway company Provided that such consent shall not be unreasonably withheld and that if any difference shall arise between the railway company and the Gas Light Company as to whether such consent is in any case unreasonably withheld such difference shall be determined by an arbitrator to be agreed upon or failing agreement to be appointed on the application of either party by the Board of Trade.

Power to create a special purposes fund.

37.—(1) The directors of the Gas Light Company may if they think fit in any year appropriate out of the revenue of the Gas Light Company as part of the expenditure on revenue account any sum not exceeding an amount equal to one half of one per centum of the paid-up capital of the Gas Light Company including premiums to a fund to be called "the special purposes fund."

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

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

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

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

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

(5) Resort may from time to time be had to the special purposes fund notwithstanding that the sum standing to the

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credit of the fund is for the time being less than the maximum allowed by this section.

(6) The money or securities standing to the credit of the insurance fund of the Gas Light Company at the passing of this Act shall be credited to the special purposes fund and section 21 of the Gas Light and Coke Company Act 1876 and section 18 of the Gas Light and Coke Company's (Capital Consolidation) Act 1898 are hereby repealed.

Gas Light Company may contract with local authority &c. for supply in bulk.

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

Power for directors to determine remuneration of secretary.

39. In addition to the powers which the directors of the Gas Light Company may exercise under the Companies Clauses Acts 1845 to 1889 or otherwise they may from time to time determine the remuneration of the secretary of that Company.

Power to require use of anti-fluctuators for gas engines.

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

Fittings not to be subject to distress and engines &c. though fixed to premises to remain the

41.—(1) Subject as hereinafter provided any engines motors dynamos meters stoves ranges pipes fittings apparatus and appliances (in this section called "fittings") let by the Gas Light Company on hire under the authority of any public or private Act (whether before or after the passing of this Act) shall not be subject to distress or to the landlord's remedy for

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rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be.

property of Gas Light Company.

(2) Subject as hereinafter provided all fittings let by the Gas Light Company on hire as aforesaid shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Gas Light Company:

Provided that nothing in this subsection shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

(3) All fittings supplied by the Gas Light Company under any hire purchase agreement shall until payment of the final instalment of the purchase money for such fittings be deemed for the purposes of this section to be fittings let by the Gas Light Company on hire.

(4) The Gas Light Company shall only be entitled to the privileges and exemptions conferred by this section in respect of such of the said fittings as shall have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed thereon sufficiently indicating the Gas Light Company as the actual owners thereof.

As to remuneration of auditors of Gas Light Company.

42.—(1) As from the passing of this Act the amount payable in each year as the remuneration of the auditors of the Gas Light Company shall be such sum not exceeding six hundred pounds as the directors thereof may from time to time determine.

(2) Section 36 (Remuneration of auditors) of the scheme for the amalgamation of the London Gaslight Company with the Gas Light and Coke Company confirmed by Order in Council dated the twenty-second day of May one thousand eight hundred and eighty-three is hereby repealed.

Repeal of Acts and Order.

43. The Acts and Order named in the Third Schedule to this Act shall as from the date of transfer be and the same are hereby repealed to the extent mentioned in the second column of that schedule except so far as it may be necessary for the said Acts or any of them or any of the provisions thereof respectively to remain unrepealed for the purposes of

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the section of this Act of which the marginal note is "Barking "and Chigwell Companies to continue incorporated for specified "purpose."

Costs of Act.

44. All costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Gas Light Company out of their revenue.

The SCHEDULES referred to in the foregoing Act. A.D. 1911.

THE FIRST SCHEDULE.

Part I.

Private Acts.

"The Gas Light and Coke Company's Act 1868."

"The Gas Light and Coke Company's Act 1870."

"The Gas Light and Coke Company's Act 1871."

"The Gas Light and Coke Company's Act 1872."

"The Gas Light and Coke Company's Act 1873."

"The Gas Light and Coke Company Act 1876."

"The City of London (Various Powers) Act 1877" (sections 15 and 16).

"The Gas Light and Coke and other Companies Acts Amendment Act 1880."

"The Gas Light and Coke Company's (Capital Consolidation) Act 1898."

"The Metropolis Gas (Prepayment Meter) Act 1900."

"The Gas Light and Coke Company's Act 1903."

"The London Gas Act 1905."

"The Gas Light and Coke Company's Act 1909."

Part II.

Orders in Council.

31st March 1870 Order in Council confirming scheme for the amalgamation of the City of London Gaslight and Coke Company with the Gas Light and Coke Company.

6th July 1870 Order in Council confirming scheme for the amalgamation of the Great Central Gas Consumers Company with the Gas Light and Coke Company.

27th November 1872 Order in Council confirming scheme for the amalgamation of the Western Gaslight Company Limited with the Gas Light and Coke Company.

24th March 1876 Order in Council confirming scheme for the amalgamation of the Imperial Gaslight and Coke Company and the

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22nd May 1883 Order in Council confirming scheme for the amalgamation of the London Gaslight Company with the Gas Light and Coke Company.

THE SECOND SCHEDULE.

FIRST PART.

DEFINITION OF BARKING DISTRICT.

The parishes of Barking and Dagenham and the parish of Ilford (except so much of the last-mentioned parish as comprises the area known at the passing of the Barking Gas Act 1867 as the Great Ilford Ward of the parish of Barking).

SECOND PART.

DEFINITION OF CHIGWELL DISTRICT.

The parishes of Chigwell Loughton Chingford Buckhurst Hill and Lambourne and so much of the parish of Woodford as is not already by virtue of the Gas Light and Coke Company's Act 1909 included in the gas light district.

THE THIRD SCHEDULE.

Acts and Order repealed.	Extent of the Repeal.
The Barking Gas Act 1867 - -	The whole Act except sections 34 to 36.
The Barking Gas Act 1902 - -	The whole Act except section 28 and so much of section 33 as relates to the provision of a testing place at the Barking Gasworks.
The Chigwell Loughton and Woodford Gas Act 1873.	The whole Act except sections 40 41 and 47.
The Chigwell Loughton and Woodford Gas Order 1888.	The whole Order.
The Chigwell Loughton and Woodford Gas Act 1902.	The whole Act except sections 6 8 10 11 12 33 and 37.

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