CHAPTER xvi.

An Act to authorise the Lea Bridge District Gas Company to raise additional capital to confer further powers upon that Company in connexion with their undertaking and for other purposes. A.D. 1917.

[10th July 1917.]

WHEREAS by the Lea Bridge District Gas Act 1878 (in this Act called "the Act of 1878") the Lea Bridge District Gaslight and Coke Company Limited was dissolved and the proprietors therein were reincorporated by the name of the Lea Bridge District Gas Company (in this Act called "the Company") and the Company was authorised to supply gas in the county of Essex within the parish of Walthamstow and part of the parish of Leyton and has erected works and is supplying gas within those limits:

And whereas by the Act of 1878 the capital of the Company was fixed at one hundred thousand pounds of which thirty-five thousand pounds was original capital entitled to a standard rate of dividend of ten per centum per annum and sixty-five thousand pounds additional capital entitled to a standard rate of dividend of seven per centum per annum and the Company was empowered to borrow on mortgage eight thousand seven hundred and fifty pounds in respect of the original capital of thirty-five thousand pounds and sixteen thousand two hundred and fifty pounds in respect of the said additional capital of sixty-five thousand pounds by that Act authorised:

And whereas the whole of the said original capital and forty-three thousand and thirty pounds of the said additional capital was raised and fully paid up and the Company created and issued debenture stock to the amount of twenty-five thousand pounds:

[*Price* 1*s.* 6*d.*]

A.D. 1917.

And whereas by the Lea Bridge District Gas Act 1899 (in this Act called "the Act of 1899") the said original and additional capital authorised by the Act of 1878 were consolidated and converted into one stock of the nominal value of one hundred and thirty thousand two hundred and forty-two pounds bearing an uniform standard rate of dividend (subject to the provisions of the Act of 1899) of five per centum per annum and the Company was authorised to raise additional capital not exceeding in the whole one hundred and fifty thousand pounds and to borrow on mortgage any sum or sums not exceeding one-fourth part of such additional capital:

And whereas the following is a statement of the capital stock and loan capital which the Company has issued and borrowed or is authorised to issue and borrow under the powers in that behalf conferred upon the Company by the Act of 1878 and the Act of 1899:—

Capital Stock.

Description of Stock.	Standard Dividend.	Total paid up.	Premiums received.	Remaining to be issued	Total authorised.
		£	£	£	£
Consolidated Ordinary Stock	5 per cent.	235,242	18,725	8,710	280,242
5 per cent. Preference Stock	—	15,000	2,565		

Loan Capital.

Description of Loan.	Rate of Interest per cent.	Total borrowed.	Remaining to be borrowed.	Total authorised.
		£	£	£
Perpetual Debenture Stock - -	4	44,876	17,624	62,500

And whereas it is expedient to empower the Company to subscribe to certain funds for the benefit of servants of the Company and other purposes:

And whereas the demand for gas within the Company's limits of supply is increasing and in order to meet such increased demand it is expedient to authorise the Company to erect and maintain additional works and to raise additional capital;

And whereas it is expedient that such other provisions be made with respect to the 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:—

Short and collective titles.

1. This Act may be cited as the Lea Bridge District Gas Act 1917 and the Lea Bridge District Gas Acts 1878 to 1912 and this Act may be cited together as the Lea Bridge District Gas Acts 1878 to 1917.

Incorporation of general Acts.

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

The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement):

The Gasworks Clauses Acts 1847 and 1871 Provided that section 13 of the said Act of 1847 shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also "that every such contract entered into by the Company "shall be alike in terms and amount under like circum-"stances to all consumers" were added at the end of that section:

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

The transfer or transmission of shares;

The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

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

A.D. 1917.

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 the said provisions shall so far as the same are respectively applicable apply to any ordinary and preference stock to be issued under the powers of this Act:

And Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts.

Interpretation.

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

"The limits of supply" means the limits for the time being for the supply of gas by the Company; and

"The directors" means the directors of the Company.

LANDS AND WORKS.

Construction and maintenance of gasworks &c.

4.—(1) Subject to the provisions of this Act the Company may upon the lands described in the schedule to this Act erect maintain alter improve and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing and for supplying gas within the limits of supply.

(2) The Company may also upon the said lands—

(A) Work up and convert the residual products arising directly or indirectly from the manufacture of gas by them:

(B) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith manufacture other products of the same kind as the Company are manufacturing from their own residual products Provided that the quantity of any residual product so purchased by the Company in any year shall not exceed one-third of the quantity of the like residual product which shall in that year arise directly or indirectly from the manufacture of gas by them:

(c) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert the residual products so arising from their own manufacture of gas or purchased as aforesaid:

But the Company shall not manufacture chemicals exclusively from raw materials purchased from sources other than gas undertakings or in the manufacture of which the use of residual products produced by the Company or purchased from other gas undertakings is merely subsidiary.

(3) Nothing contained in this section shall be deemed to relieve the Company from any of the provisions of an indenture dated the seventeenth day of December one thousand nine hundred and eight and made between Sir Thomas Courtenay Theydon Warner Baronet a member of Parliament (therein described as Thomas Courtenay Theydon Warner Esquire M.P.) of the one part and the Company of the other part.

For protection of Leyton Urban District Council.

5. Notwithstanding anything contained in this Act or the Acts incorporated herewith the Company shall not use the land coloured green upon the plan hereinafter referred to for the manufacture or storage of gas or for the working up or conversion of residual products arising directly or indirectly from the manufacture of gas.

The plan hereinbefore referred to shall mean the plan signed in triplicate by the Right Honourable the Earl of Donoughmore the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred of which one copy is deposited in the Parliament Office of the House of Lords one copy in the Private Bill Office of the House of Commons and one copy at the Town Hall Leyton.

Dwelling-houses for employees offices &c.

6. The Company may purchase or take on lease houses and cottages for any of their employees and offices and showrooms for the purposes of their undertaking and may erect fit up maintain and let any such building upon any lands for the time being belonging or leased to the Company.

ADDITIONAL CAPITAL AND BORROWING POWERS.

Additional capital.

7. The Company may from time to time raise additional capital to such nominal amount as shall be sufficient to produce including the premiums if any which may be obtained on the sale thereof the sum of two hundred thousand pounds by the

A.D. 1917.

creation and issue of further amounts of consolidated ordinary stock or of preference stock or wholly or partly by one or more of those modes respectively.

Additional capital to be part of general capital.

8. The additional capital created by the Company under this Act shall form part of the general capital of the Company and save as is otherwise by this Act provided the holders thereof respectively in proportion to the amount of their stock shall be entitled and subject to the like rights of voting and any other rights qualifications privileges provisions and liabilities as other holders of stock of the Company of the same class or description.

Removal of limit on dividend on preference stock.

9. The provisions of section 31 of the Act of 1899 in so far as they limit the rate of dividend on preference stock of the Company are hereby repealed and any preference stock which may be hereafter created under the powers of that Act or which may be created under the powers of this Act may be stock with a dividend at such rate not exceeding six per centum per annum as the directors of the Company may determine at the time or times of the creation thereof.

New stock to be sold by auction or tender.

10.—(1) All ordinary or preference stock created by the Company after the passing of this Act shall be issued in accordance with the provisions of this section.

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

(A) Notice of the intended sale shall be given in writing to the clerks to the Walthamstow and the Leyton Urban District Councils respectively and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

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

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

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

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

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

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

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

(6) Sections 19 to 22 inclusive of the Act of 1899 are hereby repealed.

Power to borrow.

11. The Company may from time to time subject to the provisions of this Act borrow on mortgage of their undertaking

A.D. 1917.

in respect of the additional capital which the Company is by this Act authorised to create and issue any sum or sums not exceeding in the whole one-third part of the amount which the Company has at the time actually raised by the issue of stock in such additional capital but no sum shall be borrowed in respect of any capital so raised until the Company has proved to the justice before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with the premiums (if any) realised on the sale thereof have been fully paid up.

Borrowing in respect of authorised capital.

12. Sections 29 and 30 of the Act of 1878 and section 24 of the Act of 1899 shall be deemed to have authorised the Company to borrow on mortgage of their undertaking one-third part of the capital which at the time of borrowing has been raised under the powers of those Acts.

Appointment of receiver.

13. Section 25 of the Act of 1899 (Appointment of receiver) is hereby repealed but without prejudice to any appointment heretofore made or to any proceedings pending at the passing of this Act And in lieu thereof the mortgagees of the Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver And in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Debenture stock.

14. The Company may create and issue debenture stock subject to the provisions of section 26 of the Act of 1899 Notice of the effect of that enactment shall be endorsed on all mortgages and certificates of debenture stock issued after the passing of this Act.

Priority of mortgages and debenture stock over other debts.

15. All money raised or to be raised by the Company on mortgage or by the issue of debenture stock under the provisions of any former Act relating to the Company or under this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or such property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of

any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company which is entitled to rank in priority to or pari passu with the interest or dividend on their mortgages or debenture stock.

Existing mortgages to have priority.

16. The principal moneys secured by all mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing of this Act shall during the continuance of such mortgages and subject to the provisions of the Acts under which such mortgages were granted have priority over the principal moneys secured by any mortgages granted by virtue of this Act but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Receipt in case of persons not sui juris.

17. If any money is payable to a stockholder or mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Application of money.

18.—(1) All moneys raised under this Act including premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of stock under the provisions of this Act shall not be considered as part of the capital of the Company entitled to dividend.

(2) The Company may apply for or towards all or any of the purposes of this Act and for or towards the general purposes of their undertaking to which capital is properly applicable any sums of money which the Company has already raised or is authorised to raise under and by virtue of the Act of 1878 and the Act of 1899 or which may be in the possession or under the control of the Company and which are not required for the purposes to which they are by those Acts made specially applicable :

Provided that the powers conferred by this subsection shall not be exercised by the Company during the continuance of the present war and for twelve months thereafter unless the consent of the Treasury has been previously obtained.

Repeal of section 34 of Act of 1878.

19. Section 34 (Limiting interest on money borrowed) of the Act of 1878 is hereby repealed.

A.D. 1917.

Redeemable preference and debenture stock.

20. The provisions of the Statutory Companies (Redeemable Stock) Act 1915 shall extend and apply to the Company as if any preference or debenture stock which the Company is authorised to raise under the powers of this Act were such preference or debenture stock as is referred to in section 1 of the said Act of 1915.

Minimum amounts of holdings and transfers of stock.

21.—(1) Any ordinary stock preference stock or debenture stock of the Company may be issued and be held in amounts of two pounds or of any multiple of two pounds and not otherwise and the Company shall not be under any obligation to register a transfer of any such stock which would reduce the holding of the transferor below or make the holding of the transferee less than two pounds of stock of that class.

(2) Notice of this enactment so far as applicable shall be stated in all certificates of ordinary stock preference stock or debenture stock of the Company as the case may be.

(3) Section 13 of the Act of 1899 is hereby repealed.

RESERVE AND SPECIAL PURPOSES FUNDS &C.

Power to create reserve fund.

22. Where in any year the dividend of the Company on the ordinary capital of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and the reserve fund of the Company existing at the passing of this Act may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Company shall be insufficient to enable the Company in such year to pay the dividend at the authorised rate on the ordinary capital of the Company and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund.

Power to create special purposes fund.

23.—(1) The directors may if they think fit in any year appropriate out of the revenue of the Company as part of the expenditure on revenue account any sum not exceeding an

amount equal to one per centum of the paid-up capital of the 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 an accountant appointed for the purpose by the Board of Trade shall approve as being—

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

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

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

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

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

(6) The money or securities standing to the credit of the insurance fund of the Company at the passing of this Act shall be credited to the special purposes fund.

(7) Section 46 of the Act of 1878 is hereby repealed.

Power to directors to make donations subscriptions &c.

24. The directors may subscribe or make donations to infirmaries or hospitals which are within the limits of supply and to convalescent homes and similar institutions and to any industrial exhibitions and to the benevolent and sick funds of the employees of the Company and may for any of those purposes apply the funds and revenues of the Company.

Power to grant pensions &c.

25. The directors may grant pensions and retiring or superannuation allowances to officers and servants (other than weekly servants) of the Company and for that purpose may apply the funds and revenues of the Company Provided that the total

A.D. 1917.

amount of the payments made by the directors in any year under the provisions of this section shall not exceed an amount equal to one halfpenny per thousand cubic feet of gas supplied by the Company during such year.

Application of excess of profits over authorised rates of dividend.

26.—(1) If the clear profits of the undertaking of the Company in any half year amount to a larger sum than is sufficient to pay the dividend on the preference capital and the dividend at the authorised rate on the ordinary capital of the Company the excess shall be carried to the credit of the divisible profits of the undertaking for the next following half year Provided that the sum standing to the credit of such divisible profits shall not at any time exceed the amount required to pay one year's dividend at the authorised rate.

(2) Section 42 of the Act of 1899 is hereby repealed.

Provisions as to Supply of Gas.

Prepayment meters.

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

(2) The charge for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of a meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of sixpence per one thousand cubic feet supplied in manner aforesaid or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

(4) The said charges shall include the providing letting fixing repairing and maintenance of the meters and fittings or of the meters (as the case may be) and the cost of collection and other costs incurred by the Company in connexion therewith.

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

Pipes &c. between mains and meters.

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

(1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Company's mains and the meter so far as such pipes and fittings are intended to be covered over:

(2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:

(3) The specification shall be published twice in some newspaper circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Company:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connexion with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Company's main but within the outside wall of the building:

(5) When any such pipe or meter as aforesaid has been laid or placed notice thereof shall be given to the Company and the pipe shall not be covered over until after the expiration of twenty-four hours from the service of such notice on the Company Any officer of the Company duly appointed may between nine o'clock in the morning and five o'clock in the afternoon attend and inspect such pipes (with their fittings) and meter and if the officer is not permitted to make the inspection or if the pipes or fittings are not according to the Company's specification or if the meter is not placed as required by this section

A.D. 1917.

the Company may refuse to supply gas to the premises until the provisions of this section have been complied with:

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

Power to lay pipes in private streets.

29. The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in the Lea Bridge District Gas Acts 1878 to 1917:

Provided that nothing in this section contained shall apply to any existing street belonging to and forming the approach to any station or depôt of the Great Eastern Railway Company or of the Tottenham and Forest Gate Railway Company except with the consent of the railway company owning such street first being obtained such consent not to be unreasonably withheld nor shall the Company in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

Amending obligations as to supply of gas.

30. Notwithstanding anything contained in any enactment to the contrary the Company shall not be obliged to give from any main a supply of gas for any purpose other than lighting in any case where the capacity of such main is insufficient for such purpose or if and so long as any such supply would in the opinion of the Company interfere with the sufficiency of the gas required to be supplied by means of such main for lighting purposes.

As to mode of cutting off supplies.

31.—(1) In any case in which the Company are by virtue of any enactment relating to their undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Company without

prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Company) and any person who shall reconnect such service pipe with the meter without the consent of the Company shall be deemed to commit an offence within the meaning of section 18 of the Gasworks Clauses Act 1847:

Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

(2) For the purposes of this section the Company shall (subject to the conditions specified in section 22 of the Gasworks Clauses Act 1871) have and may exercise the like powers of entry as are exerciseable under the said section 22 for the purposes of that section.

Expenses of reconnecting discontinued supply.

32. In any case in which in consequence of any default on the part of the occupier of any premises the Company have cut off the supply of gas to such premises and the occupier so in default shall desire to resume such supply he shall pay to the Company the expenses of reconnecting the supply and the Company shall not be under any obligation to supply gas to such occupier until he shall have paid such expenses.

Supply in cases of separate supply.

33. Notwithstanding anything contained in the Gasworks Clauses Act 1871 or any other Act a person shall not be entitled to demand from the Company a supply or the continuance of a supply of gas for premises having a supply of gas from an installation other than that of the Company unless he shall have previously agreed to pay the Company such minimum annual sum as will give to them a reasonable return on the capital expenditure and standing charges incurred by them to meet the possible maximum demand for those premises and the minimum annual sum to be so paid shall be determined in default of agreement by arbitration in manner provided by the Arbitration Act 1889.

Power to supply gas fittings &c.

34.—(1) The Company may purchase sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other gas fittings for lighting motive heating ventilating cooking or any other purposes and may provide all materials and work necessary or proper in that behalf and with

A.D. 1917.

respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or proceedings in bankruptcy against the person in whose possession the same may be Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof.

Engines &c. fixed to premises to remain property of Company.

35. Subject as hereinafter provided all engines fittings apparatus and appliances (in this section referred to as "fittings") let by the Company on hire or under hire-purchase agreements under any statutory powers 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 Company Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof Provided also that nothing in this section shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

Removal of fittings where supply discontinued.

36. The power to enter premises and to remove pipes meters and fittings or apparatus conferred upon the Company by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Company shall not require to take a supply of gas from the Company or to hire from the Company all or any of the pipes meters fittings or apparatus belonging to the Company and let by them on hire to any former occupier of such premises.

Consumers' notice before removing.

37. At least twenty-four hours' notice shall be given to the Company by every gas consumer either personally at the office of the Company or in writing before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company

to supply gas to such premises whichever shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company.

Notice to discontinue supply.

38. A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Company or be given by the consumer personally at the office of the Company.

Refusal of supply to persons in debt for other premises.

39. If a person requiring a supply of gas from the Company has previously quitted premises at which gas was supplied to him by the Company without paying to them all gas charges and meter rent due from him to the Company they may refuse to furnish to him a supply of gas until he pays the same.

Period of error in defective meter.

40. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharge to be made upon the consumer by the Company shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in the like manner as gas charges are recoverable by the Company.

Purchase of gas in bulk.

41. The Company may enter into and carry into effect agreements with any company body or person for the purchase of gas in bulk by the Company for such price and on such terms and conditions and for such period as may be agreed upon and any gas so purchased may be used by the Company for distribution within the limits of supply and otherwise for the purposes of the undertaking but nothing in this section shall be deemed to empower the Company to supply gas purchased thereunder otherwise than in accordance with the provisions of the Lea Bridge District Gas Acts 1878 to 1917 and the Lea Bridge District Gas (Standard of Calorific Power) Order 1917 or other statutory provision to which the Company may be subject with respect to gas supplied by the Company.

Company may contract for purchase of gas.

42. The Company may enter into and carry into effect agreements with any company or person for the supply of gas in a crude or partially purified state by such company or person to

A.D. 1917.

the Company for such remuneration on such terms and conditions and for such period as the Company may think fit.

Power to vary price according to purpose for which gas is supplied.

43. Notwithstanding anything contained in this or any other Act relating to the Company the price to be charged by the Company for a supply of gas may vary according to the purposes for which the gas is supplied as may be agreed upon between the Company and the person taking such supply Provided that the Company shall not under the powers of this section give any preferential price as between any consumers who shall take a supply of gas for the same purpose under like circumstances.

As to Directors—Auditors—Voting Rights &c.

Notice of candidature for office of director or of opposition to re-election of director.

44. From and after the passing of this Act no person not being a retiring director of the Company shall be eligible to be elected at any general meeting a director of the Company unless notice in writing is given to the secretary or left at the principal office of the Company fourteen days at least before the day of election that such person will be proposed for election as a director of the Company and the secretary of the Company shall during such fourteen days and on the day of election fix a copy of every such notice so delivered in some conspicuous place in such office Any such person must have been the holder of the qualifying amount of stock for at least three months prior to his election In the case of a retiring director or directors notice of opposition to his or their re-election shall be given in like manner.

Amendment of section 51 of Act of 1878.

45. The number of directors of the Company provided for by section 51 of the Act of 1878 may from time to time be increased by one for the purpose of any person retiring from the office of chief engineer general manager or secretary of the Company being appointed and acting as a director of the Company and so long as any such person is a director of the Company the sum payable to the directors in respect of fees shall be increased in proportion to the increase in the number of the directors Provided always that in no event shall there be more than one such person at the same time holding office as director by virtue of the provisions of this section.

Appointment of proxies.

46. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 the attorney of any stockholder duly authorised in writing may appoint a proxy to vote for and on

behalf of the stockholder and for that purpose may execute on behalf of the stockholder the necessary form of proxy Provided that the instrument appointing the attorney shall be transmitted to the secretary of the Company at the same time as the instrument appointing the proxy.

Joint holders.

47. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any stock any one of those persons may vote at any meeting either personally or by proxy in respect of the stock as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the stock shall alone be entitled to vote in respect thereof Several executors or administrators of a deceased member in whose name any stock stands shall for the purposes of this section be deemed joint holders thereof.

Directors may determine remuneration of secretary &c.

48. In addition to the powers which the directors may exercise under the Companies Clauses Acts 1845 to 1889 they may determine the remuneration of the secretary and auditors of the Company.

Auditors.

49.—(1) The prescribed number of auditors shall be one but the number may be increased to two by a resolution of the Company passed at a general meeting and such auditor or auditors shall be a member or members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors or an accountant or accountants approved by the Board of Trade and need not hold stock of the Company but nothing in this section shall prevent any person who at the date of the passing of this Act is an auditor of the Company continuing to act as such auditor.

(2) Section 58 of the Act of 1878 is hereby repealed.

MISCELLANEOUS.

Recovery of demands.

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

A.D. 1917.

Recovery of penalties &c.

51. Save as otherwise by this Act expressly provided all offences against this Act or any other Act relating to the Company and all penalties forfeitures costs and expenses imposed or recoverable under this Act may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Several sums in one summons.

52. Where the payment of more than one sum by any person is due to the Company under this Act or any other Act relating to the Company any summons or warrant issued for the purposes of those Acts or any of them in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Consent of Treasury to raising of money.

53. The Company shall not under the powers of this Act raise or borrow any money (except for the payment of the costs charges and expenses referred to in the section of this Act whereof the marginal note is "Costs of Act") during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Saving for general Acts.

54. Nothing in this Act shall exempt the Company or their undertaking from the provisions of any general Act relating to the supply of gas which may be passed in this or any future session of Parliament.

Costs of Act.

55. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company and may in whole or in part be charged against revenue.

The SCHEDULE referred to in the foregoing Act.

A piece of land situate in the parish and urban district of Leyton in the county of Essex belonging or reputed to belong to and in the occupation of the Company containing by admeasurement one acre three roods and thirteen perches or thereabouts and bounded on the north and north-east partly by a road known as Elm Park Road partly by land belonging or reputed to belong to Mary Jane Wright partly by land belonging or reputed to belong to Sir Thomas Courtenay Theydon Warner Baronet partly by land and premises belonging or reputed to belong to the Phœnix Assurance Company Limited and fronting on the road known as Perth Road and partly by Perth Road and a road known as Clementina Road on the east by other lands belonging or reputed to belong to the said Sir Thomas Courtenay Theydon Warner and on the south-east and south-west by the existing gasworks of the Company.

Printed by EYRE and SPOTTISWOODE, LIMITED,
FOR
Sir FREDERICK ATTERBURY, K.C.B., the King's Printer of Acts of Parliament.

To be purchased through any Bookseller or directly from
H.M. STATIONERY OFFICE at the following addresses:
IMPERIAL HOUSE, KINGSWAY, LONDON, W.C.2, and 28, ABINGDON STREET, LONDON, S.W.1;
37, PETER STREET, MANCHESTER; 1, ST. ANDREW'S CRESCENT, CARDIFF;
23, FORTH STREET, EDINBURGH:
or from E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;
or from the Agencies in the British Colonies and Dependencies,
the United States of America and other Foreign Countries of
T. FISHER UNWIN, LTD., LONDON, W.C.2.