CHAPTER xliii.

An Act to continue and confer further powers upon the Town of Warwick Gas Light Company to change the name of the Company and for other purposes. A.D. 1915.

[2nd July 1915.]

WHEREAS by an Act of Parliament passed in the third year of the reign of His late Majesty King George the Fourth intituled "An Act for incorporating the Warwick Gas Light Company" (in this Act referred to as "the recited Act") the Town of Warwick Gas Light Company (in this Act referred to as "the Company") were incorporated for the purpose of manufacturing gas and of supplying the town of Warwick and the suburbs and vicinity thereof and parts adjacent within five miles of the said town and for other purposes: 3 Geo. 4. c. xxix.

And whereas by the recited Act the Company were authorised to raise in share capital the sum of twelve thousand pounds and if the said sum should be found insufficient a further sum of three thousand pounds:

And whereas the Company have raised issued and expended the whole of their authorised share capital but have not borrowed any sums on mortgage of their undertaking:

And whereas between the years one thousand eight hundred and fifty-four and one thousand nine hundred and fourteen sums exceeding in the whole twenty-eight thousand pounds were from time to time taken from undivided profits and expended in enlarging extending and improving the Company's structural works plant and undertaking:

And whereas the Company have also provided out of undivided profits and are now using the sum of three thousand six hundred and thirty pounds as working capital:

[*Price* 2*s.* 6*d.*]

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And whereas the Company have caused a structural valuation to be made of the lands and of the works of manufacture storage and distribution erected thereon and of the mains meters stoves lamp posts and services as fixed belonging to the Company which valuation amounts to a sum exceeding forty-four thousand pounds:

And whereas it is reasonable that stock representing the sums so expended on the undertaking and in the working thereof as aforesaid should be created and should be distributed rateably amongst the present proprietors of the Company in the manner and under the conditions in this Act prescribed and set forth:

And whereas the Company are not at present subject to any restriction as to the dividends to be paid to the proprietors of the Company:

And whereas the average dividends paid by the Company during the last ten years have amounted approximately to fourteen pounds per centum per annum on the existing capital of the Company:

And whereas it is expedient that the capital of the Company authorised by the recited Act be converted into stock in the manner and subject to the provisions hereinafter contained and that the dividends payable thereon should be subject to the restrictions in this Act contained:

And whereas since the passing of the recited Act the population of and the demand for gas in the Company's existing limits of supply has increased and is increasing and other parishes and places adjacent thereto are wholly without a supply of gas and it is expedient that the works of the Company should be enlarged and improved and their mains and limits of supply extended and defined and that additional capital should be provided for those purposes:

And whereas the Company are not at present subject to any restriction or control as to the price to be charged to consumers for gas supplied or the quality of gas and it is expedient that in regard to these and other matters the Company should be subject to the powers and regulations of the several statutes incorporated in and by this Act and that the recited Act be repealed:

And whereas the name of the Company has become obsolete and it is expedient that such name be changed:

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And whereas the Barford Gas Light Coal and Coke Company Limited (in liquidation) who are supplying gas within part of the parish of Barford included within the existing limits of supply of the Company have agreed to sell their gasworks and plant to the Company and it is expedient that the Company be empowered to purchase such gasworks and plant accordingly:

And whereas it is expedient that such further powers should be conferred upon the Company and such further provisions enacted as are contained in this Act:

And whereas the objects aforesaid cannot be attained 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):—

Preliminary.

Short title.

1. This Act may be cited as the Warwick Gas Act 1915.

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):—

(1) The Companies Clauses Consolidation Act 1845 (except the provisions relating to the conversion of borrowed money into capital) and the provisions of that Act so incorporated shall so far as the same are applicable apply to any ordinary stock and preference stock created by virtue of or under the powers of this Act;

(2) Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) Part III. (relating to debenture stock) and Part IV. (relating to change of name) of the Companies Clauses Act 1863 as amended by subsequent Acts;

(3) The Gasworks Clauses Act 1847 Provided that section 13 of that Act shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided that every "such contract entered into by the Company shall

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" be alike in terms and amount under like circum-
" stances to all consumers" were added at the end of that section;

(4) The Gasworks Clauses Act 1871 except section 1 of Part I. and section I. of Part II. of Schedule A. thereto Provided that the Act shall be read as if—

(A) In section 12 the words "quality of the" and the words "with respect to its illuminating
" power be such as to produce at the testing place
" provided in conformity with this Act a light
" equal in intensity to that produced by the
" prescribed number of sperm candles of six in
" the pound and such gas shall" were omitted;

(B) In sections 28 29 30 and 33 the words "calorific power" were inserted in lieu of the words "illuminating power";

(C) In section 36 the words "of less illuminating power" were omitted; and

(D) In section 35 the words "thirtieth day of June" were inserted in lieu of the words "twenty-fifth day of March" and as if the words "thirty-first day of March" were inserted in lieu of the words "thirty-first day of December"; and

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

Interpretation.

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

The expression "the Company" means the Warwick Gas Company continued incorporated by this Act;

The expression "the undertaking" means and includes the gasworks and works connected therewith by this Act continued vested in and authorised to be made or maintained by the Company and any improvement and enlargement or extension thereof which they may construct under the powers of this Act and the lands buildings estate right title property privileges effects and undertaking of the Company and every part thereof respectively;

The expression "limits of supply" means the limits within which the Company are by this Act authorised to supply gas;

The expression "calorific power" means the total heat value expressed in British thermal units;

The expression "British thermal units" means British thermal units gross per cubic foot of gas;

The expression "the recited Act" means the Act passed in the third year of the reign of His late Majesty King George the Fourth intituled "An Act for incorporating the Warwick Gas Light Company."

Repeal of recited Act.

4. The recited Act is hereby repealed.

INCORPORATION.

Change of name.

5. Subject to the provisions of Part IV. (relating to change of name) of the Companies Clauses Act 1863 the name of the Company shall from and after the passing of this Act be "The Warwick Gas Company."

Company to continue incorporated.

6. Notwithstanding the repeal of the recited Act the Company shall for the purposes of this Act and as from the passing of this Act remain incorporated by the name of "The Warwick Gas Company" and by that name shall continue to be and shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act and of their undertaking.

General purposes of Company.

7. The Company shall continue to be and shall be established for the purpose of manufacturing and supplying gas for lighting heating motive power and other purposes within the limits of supply and generally may carry on the business usually carried on by a gas company.

Gasworks &c. vested in Company.

8. Subject to the provisions of this Act and notwithstanding the repeal of the recited Act the Company shall on the passing of this Act be and remain seised and possessed of and entitled to all lands works gasworks erections buildings plant engines gasholders retorts purifiers machinery mains pipes services meters apparatus gas stoves and fires gas fittings lamp-columns and brackets syphons apparatus stock moneys securities books papers deeds writings maps effects claims and demands and all

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other property of every description whether real or personal and all rights easements and privileges of or to which the Company or any person or persons in trust for them were or was at the time of the passing of this Act seised or possessed of or in any way entitled at law or in equity with the appurtenances and may accordingly maintain use exercise and enjoy the same as if the recited Act were not repealed.

General saving of rights.

9. Notwithstanding the repeal of the recited Act all purchases sales conveyances assurances demises grants leases mortgages bonds covenants agreements contracts and securities and other acts and things before the passing of this Act made done entered into or executed by virtue of the recited Act or with reference to the purposes thereof or otherwise shall be as good valid and effectual to all intents and purposes whatsoever for against or with reference to or in favour of the Company as if this Act had not been passed and may be proceeded on or with and enforced accordingly.

Actions &c. not to abate.

10. Notwithstanding the repeal of the recited Act no action suit prosecution or other proceeding which was pending by or against the Company in relation to the affairs of the Company or to which the Company in relation to such affairs were parties immediately before the passing of this Act shall abate or be discontinued or prejudicially affected by this Act but such action suit prosecution or other proceeding may be maintained prosecuted or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as if this Act had not been passed.

Recovery of gas rents &c.

11. Notwithstanding the repeal of the recited Act all accounts for gas supplied and other rents rates remunerations charges and sums of money which immediately before the passing of this Act were or are due and payable or accruing and becoming due and payable to the Company shall be payable to and may be collected and recovered by the Company in like manner as accounts for gas supplied and other rents rates remunerations charges and sums of money are by this Act authorised to be recovered.

As to payment of debts owing before passing of Act.

12. Notwithstanding the repeal of the recited Act all persons who immediately before the passing of this Act owed any money to the Company or to any person on their behalf shall pay the same with all interest (if any) due or to accrue

due thereon to the Company and all debts and moneys which immediately before the passing of this Act were due or owing by or recoverable from the Company or for the payment of which the Company were or but for this Act would have been liable together with all interest (if any) due or to become due thereon shall be paid by or be recoverable from the Company. A.D. 1915.

Certificates &c. to remain in force.

13. Notwithstanding the repeal of the recited Act all certificates (until cancelled under the powers of this Act) sales transfers and dispositions made or executed before the passing of this Act of any share or shares in the capital of the Company shall remain in full force and continue and be available in the same manner as if the same had been made or executed under the powers of this Act.

Books &c. to be received in evidence.

14. Notwithstanding the repeal of the recited Act all registers books orders copies notes minutes entries plans writings and other documents by the recited Act directed or authorised to be kept or in part kept which if this Act had not been passed would have been receivable in evidence shall be admitted in evidence in all courts and upon all questions of law and equity and elsewhere or otherwise accordingly.

Officers to continue until removed.

15. Notwithstanding the repeal of the recited Act the engineer secretary manager clerk and other officers and servants appointed or acting by virtue or under the authority of that Act and who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments together with the salaries and emoluments attached thereto until they shall resign the same or be removed therefrom by the Company and all such persons shall have the like power and authority for the purposes of this Act and be subject and liable to the like conditions obligations pains and penalties and to the like powers of removal and to the like rules restrictions and regulations in all respects whatsoever as if they had been appointed under this Act.

Resolutions &c. to continue in force.

16. Notwithstanding the repeal of the recited Act all resolutions rules notices regulations byelaws and orders made under the authority of the recited Act shall continue in force until the same be repealed altered or varied under this Act and such resolutions rules notices regulations byelaws and orders respectively and all penalties and forfeitures thereby respectively imposed may be enforced recovered and applied by the Company

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in the same manner in all respects as if the same had been made and imposed respectively under this Act.

Present register of members to be continued.

17. The books kept by the Company for entering the names and designations of the proprietors thereof with the numbers of their shares shall and may continue to be kept for the same purpose by the Company and shall until some other register of shareholders or stockholders shall be provided by the Company be taken and considered as the register of shareholders required to be kept by the Companies Clauses Consolidation Act 1845.

CAPITAL.

Conversion of ordinary shares of Company.

18.—(1) As from the passing of this Act all the existing shares of the Company shall be converted into stock to be called "ordinary stock" to the amount of fifty thousand pounds bearing a rate of interest of five pounds per centum per annum and (subject to the provisions of the section of this Act of which the marginal note is "As to fractional parts of one pound of stock") such ordinary stock shall be divided among the holders of shares in the existing capital of the Company in the proportion of one hundred and sixty-six pounds thirteen shillings and fourpence of ordinary stock for every existing share of fifty pounds in the original capital of the Company.

(2) As from the passing of this Act there shall be by virtue of this Act created such nominal amounts of five pounds per centum ordinary stock as shall be necessary for the purpose of carrying into effect the conversion of such shares.

(3) The amount of ordinary stock to which the respective holders of existing shares become by virtue of this Act entitled in substitution for such existing shares shall be vested in such holders as from the said date and shall be forthwith registered in their respective names in the books of the Company.

As to fractional parts of one pound of stock.

19.—(1) In every case where under the foregoing provisions of this Act a holder of shares in the Company would be entitled to be registered as the holder of any amount of ordinary stock including a fractional part of one pound the Company in lieu of registering such holder and issuing to him a certificate as holder of an amount of ordinary stock including such fractional part of one pound shall at the same time as they register such holder in their books pay to him such a sum in cash as shall be equal to the value of such fractional part on the date of

conversion and the Company shall register such holder and issue to him a certificate of the amount of ordinary stock to which he shall be entitled as aforesaid excluding such fractional part and the receipt of any such holder for any sum in cash so to be paid as aforesaid shall be a sufficient discharge to the Company in respect of such fractional part.

(2) The Company may either cancel all or any of the ordinary stock in respect of which such payment has been made or issue the same to any willing purchaser of amounts of such stock of ten pounds or of an integral number of pounds exceeding ten and any loss or expense which may be incurred in connection with such issue shall be borne by the Company.

Stock to be held on same trusts &c. as shares for which it is substituted.

20. All ordinary stock so created and vested under or by virtue of this Act shall be deemed to be fully paid up and shall be held in the same rights upon the same trusts and subject to the same powers provisions charges and liabilities as those in upon or to which the existing shares for which the ordinary stock is substituted were held or were subject to immediately before the passing of this Act 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 existing shares and trustees executors or administrators and all other holders in any representative or fiduciary capacity and persons under disability may and shall accept ordinary stock in substitution for the existing shares held by them in the capital of the Company and may subject to the provisions of this Act retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have held retained disposed of or otherwise dealt with such existing shares.

Certificates of shares to be called in and others issued.

21. The Company shall call in the certificates of the shares for which ordinary stock shall be substituted by virtue of this Act and shall issue in exchange for those certificates to the respective proprietors thereof free of charge certificates of ordinary stock of the respective amounts to which those proprietors are by this Act entitled but no shareholder shall be entitled to a new certificate until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction thereof and shall have given such guarantee or

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indemnity in respect thereof as the directors may require Provided always that until the issue of such new certificates the existing certificates shall (according to the amounts of ordinary stock to be substituted by virtue of this Act for the existing shares which they respectively represent) have and confer the same rights and advantages as if they were certificates for those respective amounts of ordinary stock created by virtue of this Act but if any holder of any of the existing shares of the Company neglect or omit to send or deliver to the Company his existing certificate or certificates for the period of one year after notice in writing sent by post to the address of such holder appearing in the proprietors' address book of the Company the Company may suspend the payment of any dividend declared or made payable upon or in respect of the ordinary stock so held by him until such existing certificate or certificates is or are sent or delivered to the Company or is or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and until such guarantee or indemnity is given in respect of such lost or destroyed certificate as the directors may require.

Transfers of shares although by present name to be valid.

22. All transfers or other dispositions of any shares in the capital of the Company as existing up to the conversion thereof into ordinary stock by virtue of this Act shall after such conversion and notwithstanding this Act be valid and have due effect given to them respectively as transfers or dispositions of the respective amounts of ordinary stock which the shares thereby expressed to be transferred or disposed of represent or which are or may be substituted for the same under the provisions of this Act although the instrument transferring or disposing thereof shall describe the same by the name or denomination which the shares transferred or disposed of had before such conversion and the bequest of or any covenant or provision of any deed or agreement relating to any specific nominal amount of any such existing shares converted by this Act into stock of larger nominal amount shall be held to apply to a nominal amount of ordinary stock equal to that into which such existing shares shall have been converted under the provisions of this Act.

Power to raise additional capital.

23. The Company may from time to time raise (in addition to the ordinary stock created by virtue of this Act) 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 thirty thousand pounds by the creation and issue of further amounts of ordinary stock entitled to a dividend of five pounds per centum per annum or of preference stock entitled to a dividend not exceeding five pounds per centum per annum. A.D. 1915.

New stock to be sold by auction or tender.

24.—(1) All stock created as additional capital under the powers of this Act shall be issued in accordance with the provisions of this section.

(2) All such 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 town clerk of Warwick and to the clerk of each district council whose district or any portion of whose district is within the limits of supply and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

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

(C) No lot offered for sale shall comprise 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.

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(3) Any stock which has been so offered for sale and is not sold may be disposed of by the directors at a price not less than the reserve price put upon the same for the purpose of sale by auction or tender or 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 may 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 each class of stock sold the total amount obtained as premium (if any) and the highest and lowest prices obtained for each class of stock.

Privileges &c. of holders of additional capital.

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

Stock to be transferable in multiples of one pound.

26.—(1) Any ordinary or preference stock of the Company may be issued and be transferable in amounts of one pound or multiples of one pound provided that the holding of any holder of either class of such stock shall not be less than ten pounds of stock of that class.

(2) Notice of this enactment shall be stated in all certificates of such stock.

DIVIDENDS.

Limit of dividends on capital.

27. The Company shall not in any year pay out of their profits any larger dividends on their capital than the following rates (namely) :—

On the ordinary stock the rate of five pounds in respect of every one hundred pounds of such stock or part thereof actually paid up or deemed to be paid up thereon;

On so much of the additional capital authorised by this Act as shall be issued as preference stock such rate (not exceeding the rate of five pounds in respect of every one hundred pounds of preference stock or part thereof actually paid up) as shall be specified in the resolution creating such stock;

unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend.

Interim dividend.

28. The directors may in any year declare and pay an interim half-yearly dividend on any class or classes of stock in the capital of the Company out of the profits of the Company without the sanction or direction of a general meeting but no such half-yearly dividend shall exceed one half of the amount of the maximum yearly dividend payable on such stock.

Closing of transfer books previous to declaring interim dividend.

29. The directors may close the register of transfers for a period not exceeding fourteen days previous to the declaration of any interim dividend and they may fix a day for closing the same of which seven days' notice shall be given by advertisement in some newspaper published or circulating within the limits of supply and any transfer made during the time when the transfer books are so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the declaration of any such dividend.

BORROWING POWERS AND FINANCIAL PROVISIONS.

Power to borrow.

30.—(1) The Company may at any time and from time to time borrow on mortgage of the undertaking in respect of the ordinary stock into which the shares in the existing capital of the Company are by this Act converted any sum or sums not exceeding the sum of sixteen thousand six hundred and sixty-six pounds.

(2) The Company may (in addition to the moneys which they are authorised to borrow as aforesaid) from time to time

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subject to the provisions of this Act borrow on mortgage of the undertaking in respect of the additional capital by this Act authorised to be raised any sum or sums not exceeding in the whole one-third part of the amount of such capital (including premiums) which at the time of borrowing has been raised under the powers of this Act but no sum shall be borrowed in respect of any capital so raised until the Company have proved to a justice of the peace before he gives his certificate under section 40 of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up.

Arrears to be enforced by appointment of a receiver.

31. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than two thousand pounds in the whole.

Debenture stock.

32. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein contained the interest on all debenture stock and on all mortgages at any time after the passing of this Act created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Priority of mortgages and debenture stock over other debts.

33. All moneys to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge which may 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 or vested in the Company which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock.

Application of moneys.

34. 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.

Restriction as to raising money during war.

35. Notwithstanding anything in this Act 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.

MEETINGS.

Ordinary meetings.

36. The first ordinary meeting of the Company shall be held within twelve months after the passing of this Act and the subsequent ordinary meetings shall be held yearly in the month of May or June in each year at the Company's principal office or at such other place and at such other time as shall be appointed for that purpose by an order of the directors.

Quorum of general meetings.

37. The quorum of general meetings (whether ordinary or extraordinary) of the Company shall be seven stockholders present in person or by proxy holding in the aggregate stock of the nominal value of two thousand pounds.

Scale of voting.

38.—(1) Every holder of ordinary stock and (subject as hereinafter mentioned) of preference stock of the Company shall be entitled to one vote for every complete ten pounds of such stock held by him.

(2) Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any stock to which a preferential dividend shall be assigned.

Joint holders of stock.

39. 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

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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 AND AUDITORS.

Number qualification and disqualification of directors.

40.—(1) The number of directors shall be five but the Company may vary the number provided that the number be not at any time more than seven nor less than three.

(2) The qualification of a director shall be the possession in his own right of stock of the Company to the nominal amount of not less than four hundred pounds.

(3) Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and also in the next annual report of the Company and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

(4) If any director shall be made bankrupt or shall become lunatic or of unsound mind or shall neglect to attend the meetings of directors for six months (unless such neglect to

attend be occasioned by illness or by any other reasonable cause allowed by the directors) then in any of the cases aforesaid the office of such director shall become vacant and thenceforth he shall cease from voting or acting as a director.

(5) The continuing directors may act notwithstanding any vacancy in the number of directors.

Quorum of directors

41. The quorum of a meeting of directors shall be three.

First and subsequent directors.

42. Notwithstanding the repeal of the recited Act the members of the committee of management appointed under that Act and in office at the passing of this Act shall be the first directors of the Company and shall continue in office until the first ordinary meeting held after the passing of this Act At that meeting the stockholders present in person or by proxy may either continue in office the directors appointed by this Act or any of them or may elect a new body of directors or directors to supply the place of those not continued in office the directors appointed by this Act being (if they continue qualified) eligible for election and at the ordinary meeting to be held in every year after the first ordinary meeting the stockholders present in person or by proxy shall (subject to the power hereinbefore contained for varying the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions of the Companies Clauses Consolidation Act 1845 and the several persons elected at any such meeting being neither removed nor disqualified nor having died or resigned shall continue to be directors until others are duly elected in their stead.

Notice to be given of any person desirous to be elected as director of Company or of opposition to re-election.

43. 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.

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As to appointment of managing director.

44.—(1) The directors may appoint any one of their body to be a managing director of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him from office and appoint another in his place.

(2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

(4) The directors may entrust to and confer upon any managing director such of the powers exerciseable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

Auditors.

45. The prescribed number of auditors shall be one but the number may be increased to two by a resolution of the proprietors 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.

WORKS AND LANDS.

Construction and maintenance of gasworks &c.

46.—(1) The Company may in or upon the lands first described in the First Schedule to this Act upon which their existing gasworks are erected and in or upon the lands secondly described in the First Schedule to this Act when acquired by the Company maintain continue alter improve extend and renew the existing gas and other works erected thereon and may upon those lands or any part thereof erect maintain alter improve extend and renew gasworks with all necessary machinery and apparatus and do all such acts as may be proper for making and storing gas and for supplying gas within the limits of supply and may on the said lands work up and convert the residual products arising directly or indirectly from the manufacture of gas by them.

(2) The Company may also—

(A) Purchase the residual products arising from the manufacture of gas by other gas undertakers and therewith upon the said lands manufacture other products of the same kind as the Company are manufacturing from their own residual products;

(B) Purchase from other gas undertakers and elsewhere and use the materials required to work up and convert upon the said lands 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.

Power to purchase undertaking of Barford Gas Light Coal and Coke Company Limited.

47.—(1) The Company may purchase from Ernest Duncan Shepherd or other the duly appointed liquidator of the Barford Gas Light Coal and Coke Company Limited (in this section referred to as "the limited company") the gasworks lands mains pipes and other works of the limited company for such price or consideration and upon such terms and conditions as may be agreed upon between the limited company and the Company.

(2) The Company may apply any moneys in their hands or moneys which by this Act they are authorised to raise in or towards the payment of the price or consideration for the purchase of the gasworks lands mains pipes and other works of the limited company.

(3) Upon completion of such purchase the Company may maintain hold and use for the purposes of the undertaking or may discontinue sell lease exchange remove or dispose of the gasworks lands mains pipes and other works so purchased and the provisions of this Act shall apply to the said mains pipes and works in all respects as if the same had been laid down or constructed under the authority of this Act but nothing in this section shall authorise the Company to use any such lands (other than the lands secondly described in the First Schedule to this Act) for the purpose of making converting or storing gas or the residual products of gas.

Power to purchase lands by agreement.

48. The Company may for the purposes of the undertaking purchase and take (by agreement but not otherwise) and may hold

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in addition to the lands described in the First Schedule to this Act any lands and hereditaments not exceeding in the whole five acres which they may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the First Schedule to this Act.

Power to sell and lease lands.

49. The Company may sell and dispose of or may let on lease for such periods as they think fit any lands acquired by them by agreement and for the time being belonging to them and not at the time required for the purposes of the undertaking and any such sale disposal or lease may be for such consideration and subject to such reservations stipulations and conditions and generally upon such terms and conditions as the Company think fit and notwithstanding anything in the Gasworks Clauses Act 1871 contained the provisions of sections 128 to 132 (both inclusive) of the Lands Clauses Consolidation Act 1845 shall not apply to the lands sold or disposed of by the Company under the powers of this section.

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

50. 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 this Act.

Power to lay pipes &c. for ancillary purposes.

51. The Company may lay down and repair take up alter or relay or renew mains pipes and culverts within the limits of supply for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with their gas undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

For protection of Warwickshire County Council.

52. The following provisions for the protection of the county council of the administrative county of Warwick (in this section referred to as "the county council") shall unless otherwise agreed between the Company and the county council apply and have

effect with respect to the exercise of any powers of the Company in or affecting any main road or county bridge vested in the county council (that is to say):—

(1) All new mains pipes and works (not being replacements of existing mains pipes and works) to be laid in or along any such road or in or upon or across any such bridge shall be laid in such position in or at the side thereof as the county council in writing under the hand of their surveyor may reasonably direct:

(2) The notice required by section 8 of the Gasworks Clauses Act 1847 with respect to the breaking up of streets shall as regards any such road or bridge be not less than seven days instead of three days:

(3) All works shall be so executed by the Company as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any such road or over any such bridge or the approaches thereto and the Company shall not break up at any one time a greater consecutive length than one hundred yards of any such road:

(4) If any difference arises at any time between the county council and the Company touching this section or anything to be done or not to be done thereunder such difference shall be referred to two justices sitting as a court of summary jurisdiction who shall hear and determine the matter in dispute in all respects as if the same were a difference between the Company and the county council under the Gasworks Clauses Act 1847.

For protection of London and North Western Railway Company.

53. The following provisions for the protection of the London and North Western Railway Company (hereinafter referred to as "the railway company") shall unless otherwise agreed between the Company and the railway company be in force and have effect:—

(1) In laying down or executing or in effecting the repairs and renewals of any mains pipes or other works in the exercise of the powers of the section of this Act of which the marginal note is "Power to lay pipes &c. for ancillary purposes" upon across over under or in

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any way affecting the railways lands or property now or hereafter belonging to or used or occupied by the railway company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the railway company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the railway company and only according to such plans to be submitted to and in such manner as shall be previously reasonably approved by him Provided that if the said engineer does not express his approval or disapproval of the said plans within twenty-one days after the same shall have been submitted to him he shall be deemed to have approved thereof and if the said engineer shall refuse or neglect to superintend any operation after receiving three days' notice in writing from the Company the Company may execute the work without his superintendence:

(2) All such works shall be done by and at the expense of the Company who also shall restore and make good the roads over any such bridges level crossings and approaches which the railway company are or may be liable to maintain and which may be disturbed or interfered with by or owing to any operations of the Company and all such works matters and things shall be constructed executed and done so as not to cause any injury to such railways bridges level crossings approaches viaducts stations works lands or property or interruption to the passage or conduct of traffic over such railways or at any station thereon And if any such injury or interruption shall arise from or be in any way owing to any of the acts operations matters and things aforesaid or the bursting leakage or failure of any such mains pipes or works the Company shall make compensation in respect thereof to the railway company the amount of such compensation unless agreed upon to be determined by arbitration in manner hereinafter provided:

(3) Any dispute or difference which may arise between the railway company and the Company with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in

pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the railway company and the Company or either of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to such arbitration.

For protection of Great Western Railway Company.

54. For the protection of the Great Western Railway Company (hereinafter referred to as "the Great Western Company") the following provisions shall unless otherwise agreed in writing between the Great Western Company and the Company apply and have effect (that is to say):—

(1) In laying down and executing or in effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across or in any way affecting the railways lands and property now or hereafter belonging to or used or occupied by the Great Western Company or the bridges approaches viaducts stations or other works or any level crossings over the railways of the Great Western Company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the Great Western Company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him in writing Provided that if the said engineer does not express his approval or disapproval of the said plans within fourteen days after the same shall have been submitted to him he shall be deemed to have approved thereof and if the said engineer shall refuse or neglect to superintend any operation after receiving seven days' notice in writing from the Company the Company may execute the work without his superintendence:

(2) All such works shall be done by and at the expense of the Company except as in this section otherwise provided who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over any bridge or over any level crossing of the railway of the Great Western Company or over the approaches to any such bridge or level crossing so far as the same may be disturbed or interfered

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with by or owing to any operations of the Company Provided always that should the Great Western Company elect so to do where any mains or pipes require to be laid under or across any level crossing of their railway they may themselves lay the same at the cost charges and expense of the Company:

(3) If the Great Western Company at any time or times hereafter require of which they shall be the sole judges to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges viaducts or works upon across over or under which any of the works of the Company may have been constructed or laid the Great Western Company may on giving to the Company fourteen days' notice in writing under the hand of their secretary or general manager and in case of emergency of which their engineer shall be the sole judge without notice divert support or carry the said works of the Company across over or under their lands railways bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit so as not to interrupt the continuous supply of gas or to diminish the pressure of such supply without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works Provided always that such diversions supporting carrying or dealing with such works shall be carried out in all respects at the expense of the Great Western Company and to the reasonable satisfaction of the engineer for the time being of the Company who shall for this purpose be permitted at all times to enter upon the lands railways bridges roads or works of the Great Western Company to examine the state and condition of such diversions supporting carrying or dealing with such works:

(4) Any dispute or difference which may arise between the Great Western Company and the Company with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be

appointed by the Board of Trade on the application of the Great Western Company and the Company or either of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such arbitration. A.D. 1915.

SUPPLY PRICE AND TESTING OF GAS.

Limits for supply of gas.

55.—(1) The limits within which the Company may supply gas under this Act shall be—

(A) The municipal borough of Warwick:

(B) In the rural district of Warwick the following parishes (that is to say) Ashow Barford Beausall Hamlet Bishops Tachbrook and Tachbrook Mallory Budbrooke Guys Cliffe Haseley Hatton Honily Leek-Wooton Norton Lindsey Old Milverton Rowington Sherborne Shrewley Wasperton and Wroxall:

(C) In the rural district of Stratford-on-Avon the following parishes (that is to say) Charlecote Claverdon Fulbrook Newbold Pacey Wellesbourne Hastings Wellesbourne Montford and Wolverton and so much of the parish of Hampton Lucy as lies to the east of an imaginary line drawn from the extreme northerly boundary of the parish of Alveston to the extreme southerly boundary of the parish of Fulbrook.

(2)—(A) The said limits of supply are coloured pink on the map signed in triplicate by the Right Honourable John Henry Whitley the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and the said maps shall respectively within six months after the passing of this Act be deposited in the Office of the Clerk of the Parliaments House of Lords in the Private Bill Office of the House of Commons and in the principal office of the Company If there be any discrepancy between the description of the limits of supply contained in this section and the maps signed as aforesaid the latter shall prevail.

(B) Copies of the said map deposited at the principal office of the Company certified by the secretary of the Company to be true copies shall be received in all courts of justice and proceedings as primâ facie evidence of the contents of such map.

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Limiting price of gas.

56. The price to be charged by the Company for gas supplied by them to persons who shall burn the same by meter other than a prepayment meter shall not at any time—

(A) Within a radius of two miles from the southern extremity of the lands first described in the First Schedule to this Act exceed four shillings; and

(B) Beyond the said radius exceed by more than one shilling the price for the time being charged by the Company within the said radius;

for every thousand cubic feet of gas and so in proportion for every smaller quantity.

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

57. 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.

Charge for gas supplied by means of prepayment meters.

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

(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 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 or in either of such cases at the rate of ten per centum per annum on the cost of the meter and fittings whichever shall be the higher.

(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 connection therewith.

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

Minimum charge for gas laid on to premises having a supply of electricity or power gas.

59. Where any person has for the purposes of a stand-by only a supply of gas laid on by the Company to any premises for which he has at the same time a separate supply of electricity or gas for power or other purposes (not being domestic purposes) the Company shall be entitled to charge and receive from him in respect of the supply of gas so laid on such minimum sum as shall be fixed by them not exceeding twenty-five shillings for any one quarter of a year notwithstanding that the ordinary charge for the gas actually consumed in such quarter would amount to a lower sum Provided that in fixing the amount of such minimum charge the Company shall have regard to the probable maximum supply of gas which might at any time be required for such premises Provided also that in respect of any premises for which the whole supply of gas afforded by the Company is taken through a meter having a nominal capacity of less than ten lights the amount of the minimum charge shall not exceed five shillings for any one quarter of a year.

Testing place.

60. For the purposes of the Gasworks Clauses Act 1871 as varied by this Act the prescribed testing place shall be a testing place which shall be provided by the Company within three months after the passing of this Act on any of the lands described in the First Schedule to this Act.

Testing for calorific power.

61.—(1) Within six months from the passing of this Act the Company shall provide and maintain at the prescribed testing place apparatus for testing the calorific power of the gas supplied by them at such testing place similar to the apparatus for the time being prescribed by the Metropolitan gas referees for testing the calorific power of the gas.

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(2) The gas supplied by the Company shall be tested in the mode and under the conditions for the time being prescribed by the Metropolitan gas referees and shall be of a calorific power of five hundred British thermal units and that power is in this Act referred to as "the standard calorific power."

Provisions as to testing for calorific power.

62.—(1) Not more than one testing for calorific power shall be made on any one day Provided that if on any occasion of testing the calorific power is found to be below the standard calorific power a second testing shall be made on the same day after an interval of not less than one hour and the average of the two testings shall be deemed to be the calorific power of the gas on that day.

(2) The gas examiner shall forthwith deliver a report of the result of his testing to the Company and that report shall be receivable in evidence.

Penalties for deficient calorific power.

63. If on any testing the calorific power of the gas supplied by the Company is found to be below the standard calorific power they shall be liable to the following penalties in respect of such deficiency (that is to say):—

If the deficiency does not exceed fourteen British thermal units a sum not exceeding forty shillings:

If the deficiency exceeds fourteen British thermal units but does not amount to twenty-eight British thermal units a sum not exceeding five pounds:

For each complete twenty-eight British thermal units of defective power a sum not exceeding ten pounds.

Pressure of gas.

64.—(1) All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water not less than one inch in height at the main or as near as may be to the junction therewith of the service pipe supplying the consumer.

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

Saving as to penalties.

65. No penalty shall be incurred by the Company for insufficiency of pressure defect of calorific power or excess of

impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was produced by any circumstance beyond the control of the Company Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company.

Power to supply gas fittings &c.

66.—(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 (in this section referred to as "fittings") for lighting motive power heating ventilating cooking or any other purposes and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon.

(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 and all fittings let for hire as aforesaid notwithstanding that they be fixed or fastened to any part of the premises in which they may be situate or to the soil under any such premises shall 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.

(3) Nothing in this section shall affect the amount of assessment for rating of any premises upon which any fittings are or shall be fixed.

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

67. 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:

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

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

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

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

(6) Any person to whom the Company refuse 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.

As to mode of cutting off supplies.

68.—(1) In any case in which the Company are by virtue of any enactment relating to their gas 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.

Occupier to pay expenses of reconnecting disconnected supply.

69. In any case in which in consequence of any default on the part of the occupier of any premises the Company shall have cut off the supply of gas to such premises (whether under the existing powers of the Company or under the powers conferred by this Act) 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.

Gas consumers to give notice to Company before removing.

70. 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 date shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company.

Company may refuse to supply

71. If a person requiring a supply of gas from the Company has previously quitted premises at which gas was

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gas in certain cases.

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.

Power to enter premises and remove fittings.

72. The power to enter premises and to remove pipes meters fittings or apparatus conferred on 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.

Period of error in defective meters.

73. 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.

Anti-fluctuators for gas. engines.

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

Company to pay interest on money deposited.

75. If any person is required by the Company to give to them security in respect of any supply of gas or for the payment of the price or rent of a meter and such security is made

by way of deposit the Company shall pay interest at the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands. as security for gas.

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

77. The Company may enter into and fulfil any contract or arrangement with any county urban rural or local authority having powers within any part of the limits of supply for the supply of gas by the Company for public purposes for any period not exceeding under any one such contract or arrangement seven years: Contracts for supplying gas for public purposes.

Provided that such supply shall not be given for use beyond the limits of supply except with the consent of any company or person supplying gas under parliamentary authority within the area within which the supply is to be used and nothing in this section shall authorise the Company to lay mains or other pipes beyond the limits of supply.

78. The Company may contract with any local authority company or persons authorised to supply gas under parliamentary powers in any district adjacent to the 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 Company to lay any mains or interfere with any street beyond the limits of supply. Company may enter into contracts for supply of gas.

MISCELLANEOUS.

79. The Company may purchase or take on lease houses cottages and buildings for persons in their employ and offices showrooms and other buildings for the purposes of their undertaking and may erect maintain and let any such buildings upon any lands for the time being belonging or leased to the Company. Dwelling-houses for Company's employees offices showrooms &c.

80. In addition to the powers which the directors of the 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 the Company. Power for directors to determine remuneration of secretary.

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Power to make superannuation and other allowances.

81. It shall be lawful for the directors of the Company to make superannuation and other allowances and to pay pensions to any officers servants or employees of the Company who may be temporarily or permanently disabled by sickness infirmity or age and for that purpose to apply the funds and revenues of the Company.

Power to directors to subscribe to hospitals &c.

82. The directors of the Company may subscribe or make donations to infirmaries and hospitals and to convalescent homes and to other institutions and objects or to any exhibition and to the benevolent and sick funds of the employees of the Company and may for that purpose apply the funds and revenues of the Company.

Power to issue stock under co-partnership rules.

83.—(1) Notwithstanding anything contained in this or any other Act relating to the Company the Company may if and whenever required so to do by the trustees appointed under any co-partnership rules of the Company for the time being in force issue to any person in the employ of the Company such amount of ordinary stock as the trustees may specify without first offering such stock for sale by public auction or tender.

(2) Any ordinary stock issued under the provisions of this section shall be issued at as near as may be the average price at which according to the Company's books sales of stock of the same class or description were effected within the period of six months immediately preceding the date on which such stock is issued or if only one sale were effected within such period at the price on such sale according to the Company's books or if no sales were effected within such period then at the average price of the previous three sales according to the Company's books but in each case there shall be deducted or added such due allowance as shall be necessary having regard to any accrued or accruing dividend at the dates of such sales or of the issue of such stock and the value of such stock shall be certified by the secretary of the Company and his certificate shall be binding.

Persons in employment of Company may nominate others to transfer stock &c. held by such persons

84. Subject to and in accordance with the regulations set forth in the Second Schedule to this Act any person in the employment of the Company and holding in his own right any stock of the Company or having any money left in the hands of the Company on account of any share in the profits of the Company or having any money deposited with the Company (all of which moneys are in this Act referred to as "deposits")

may if he be of the age of sixteen years or upwards nominate any person to transfer the said stock and to receive any such deposits at the death of the person so nominating and in the event of any such person holding such stock or having such deposits dying without having made a nomination which shall be in force at his death the directors of the Company may register such stock and pay or distribute such deposits.

Power to take licences for use of patents.

85. The Company may acquire take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent made or to be made granting any right or privilege of working using exercising or vending any invention in relation to the production manufacture utilisation or distribution of gas or materials used in or resulting from the manufacture of gas or any residual products thereof but not so as to acquire any exclusive right to the working using exercising or putting in practice of any such invention.

Authentication and service of notices by Company.

86. Any notice to be served by the Company on a person supplied with gas shall be sufficiently authenticated by the signature of the secretary of the Company or other officer of the Company for the time being authorised by the directors thereof being affixed thereto in writing or by a stamp or if it be a notice to pay any charge in respect of a supply of gas or gas fittings or appliances by the name either of the secretary or such other officer as aforesaid being affixed thereto in writing or in print or by a stamp and any such notice may be served on such person either personally or by sending the same through the post by a prepaid letter addressed to him by name at his last known or usual place of abode or of business or by delivering the same to some inmate at his last known or usual place of abode or business or to any inmate of the premises supplied or if such premises be unoccupied and the place of abode of the person to be served is after proper inquiry unknown it shall in the case of any notice not being a notice to pay any charge be sufficient to affix such notice or a copy thereof upon some conspicuous part of such premises.

Receipt in case of persons not sui juris.

87. If any money is payable to a shareholder or 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.

Recovery of demands.

88. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment

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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.

Recovery of penalties &c.

89. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof 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.

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

Crown rights.

91. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Saving as to general Acts.

92. 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.

93. 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 SCHEDULES referred to in the foregoing Act. A.D. 1915.

FIRST SCHEDULE.

DESCRIPTION OF GAS LANDS.

First All that piece or parcel of land of irregular shape situate in the parish of Saint Mary in the borough and county of Warwick belonging to the Company and occupied in part by the existing gas-works of the Company containing in the whole by admeasurement 3 acres 1 rood and 8 perches or thereabouts and bounded on or towards the south-west by the Saltisford on or towards the west and north-west partly by the Saltisford Brook partly by a brick wall erected parallel or near to the footpath passing in a north-easterly direction through the enclosure numbered 362 on the $\frac{1}{2500}$ Ordnance map Warwickshire sheet XXXIII. 9 (second edition 1905) and partly by an iron fence on or towards the north by land and railway sidings belonging to the Great Western Railway Company on or towards the east by the Cape Road and on or towards the south and the south-east partly by Albert Street partly by a passage at the rear of the houses in Albert Street aforesaid and partly by certain almshouses and gardens erected fronting Albert Street and the Saltisford aforesaid.

Secondly All that piece or parcel of land situate in the parish of Barford in the county of Warwick occupied in part by the existing gasworks of the Barford Gas Light Coal and Coke Company Limited containing in the whole by admeasurement 1 acre 1 rood and 20 perches or thereabouts and bounded on or towards the east by the highway known as Wellesbourne Road leading from Warwick to Wellesbourne on or towards the south-east by land in the adjoining parish of Wasperton on or towards the south-west by the River Avon and on or towards the north-west and north by land and premises now or late of John Hadley which said piece or parcel of land comprises the whole of the enclosure numbered 37 a small portion of the enclosure numbered 39 and the south-eastern portion of the enclosure numbered 38 (parish of Barford) on the $\frac{1}{2500}$ Ordnance map Warwickshire sheet XXXIX. 9 (second edition 1905).

SECOND SCHEDULE.

REGULATIONS AS TO NOMINATIONS BY PERSONS IN THE EMPLOYMENT OF THE COMPANY TO TRANSFER STOCK &C. AND AS TO PAYMENT OF DEPOSITS OF DECEASED DEPOSITORS.

1. In these regulations "the Company" means the Warwick Gas Company "directors" and "secretary" mean the directors and the

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secretary of the Company "stock" means and includes stock of the Company "appointor" means any person entitled to make a nomination under the provisions of the section of the Warwick Gas Act 1915 the marginal note whereof is "Persons in employment of Company may nominate others to transfer stock &c. held by such persons" and "deposits" has the meaning given thereto in the same section.

2. Every such nomination shall be in writing and shall be signed by the appointor in the presence of a witness and shall be sent by post or otherwise to the secretary during the lifetime of the appointor The receipt of every such nomination shall be acknowledged by the secretary.

3. Every such nomination shall be in the form prescribed by the directors which may be obtained from the secretary.

4. Every such nomination shall be registered by the secretary.

5. Any such nomination may be revoked by the appointor by writing under his hand signed in the presence of a witness.

Any such revocation shall be sent by post or otherwise to the secretary during the lifetime of the appointor and shall be registered by the secretary in like manner as in the case of a nomination The receipt of every such revocation shall be acknowledged by the secretary.

6. A nomination may relate to the whole of the stock and deposits standing in the name of an appointor or to part only of such stock and deposits.

7. Except where otherwise stated a nomination shall be deemed to extend to all stock and deposits to which an appointor is entitled at the time of his decease but an appointor may in a nomination expressly exclude any part of such stock or deposits from the operation of such nomination.

8. A nomination may be in favour of one person or of several persons and in the latter case may direct that the stock shall be registered in the name of and that the deposits shall be paid to one or more of the persons named in the nomination or that the persons named in such nomination may be registered as owners of the stock and may take the deposits or any of them respectively in specified shares or may give directions to both effects.

9. No person who witnesses the signature of an appointor to a nomination shall take any benefit under such nomination.

10. Where the value of the stock and deposits belonging to an appointor at the time of his decease does not exceed in the whole the sum of one hundred pounds the directors shall subject to the provisions of these regulations as to duty transfer such stock and pay such deposits to the persons named in the nomination made by the appointor

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and in force at the time of his death according to the directions of such nomination and the receipt of any person so named shall be a good discharge to the directors for the sum so paid notwithstanding such person has not attained the age of twenty-one years if such person has attained the age of sixteen years.

11. If upon the decease of an appointor the value of the stock and deposits belonging to him or to his estate exceed one hundred pounds the nomination shall take effect subject to the provisions of these regulations as to duty as regards any stock or deposits to which the same relates not exceeding one hundred pounds in like manner as if it were a will of the deceased appointor duly executed but shall not take effect in any other manner and a nomination shall not in such case be deemed void because the appointor was a minor at the time such nomination was made.

In any such case as last aforesaid the directors may subject to the provisions of this regulation transfer any stock and pay any deposits to which a nomination relates not exceeding in the aggregate one hundred pounds according to the directions of such nomination notwithstanding the production of probate of the will of a deceased appointor or letters of administration to his estate.

12. Where any person nominated to receive any stock or deposits on the death of an appointor is an infant under the age of sixteen years and it is proved to the satisfaction of the directors that funds are urgently needed for the maintenance education or benefit of such infant the directors may transfer or pay the stock or deposits mentioned in the nomination or any part thereof to any person who may satisfy the directors that he will apply such money for the maintenance education or benefit of such infant and the receipt of such person shall be a good discharge to the directors for the amount so paid.

13. The directors may require proof to their satisfaction of the decease of an appointor.

14. Where the value of the stock and deposits belonging to an appointor at the time of his decease do not altogether exceed one hundred pounds exclusive of interest and probate of the will of such appointor or letters of administration to his estate and effects is not or are not produced within such time as the directors think reasonable if such appointor has made no nomination and so far as any nomination does not extend the directors may subject to the provisions of these regulations as to duty without requiring probate of the will or letters of administration of the estate and effects of the deceased appointor in their discretion register such stock in the name of and pay or distribute the amount so due as aforesaid to or among any of the persons hereinafter described or indicated (that is to say):—

(1) Any person who has paid the funeral expenses of the appointor:

(2) The widow of the appointor:

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(3) The persons entitled to the effects of the appointor according to the statutes of distribution:

(4) Any person undertaking to maintain the children of the appointor:

(5) The solicitor to the Treasury if the appointor being illegitimate dies intestate leaving no widow or issue.

15. If the total property of any deceased appointor exceeds one hundred pounds after deduction of debts and funeral expenses any stock or deposits which may under these regulations be transferred or paid otherwise than to the legal personal representative of the appointor shall notwithstanding such transfer or payment be for the purposes of estate duty treated as passing under the will or intestacy of the deceased appointor.

The directors shall before transferring or paying any stock or deposits standing to the credit of a deceased appointor to anyone but the legal personal representative of such deceased appointor require a declaration by the claimant or one of the claimants or other the person to whom the directors see fit to make such payment or to transfer such stock that the total estate of the deceased appointor including the amount of such moneys or stock does not after deduction of debts and funeral expenses exceed the value of one hundred pounds.

In every such case as aforesaid where the total estate of the deceased appointor including such stock and deposits but after deduction of debts and funeral expenses exceeds one hundred pounds the directors shall before making any transfer or payment as aforesaid to any person other than the legal personal representative of the deceased appointor require production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and of a duly stamped receipt for the succession or legacy duty payable in respect of such stock or deposits or of a certificate stating that no succession or legacy duty is payable.

16. The receipt of any of the persons mentioned in these regulations shall be a good discharge to the directors for the sum paid and any such receipt may be signed by any widow or next-of-kin above the age of sixteen years notwithstanding that she or he has not attained the age of twenty-one years.

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