



## CHAPTER clx.

An Act to confer further powers upon the Shropshire  
Worcestershire and Staffordshire Electric Power Company  
and for other purposes. A.D. 1905.  
[4th August 1905.]

**W**HEREAS by the Shropshire and Worcestershire Electric Power Act 1903 (herein-after called "the Act of 1903") the Shropshire and Worcestershire Electric Power Company (herein-after called "the Company") were incorporated and authorised (amongst other things) to acquire lands and buildings to erect certain electrical generating stations and other works and to supply electricity within parts of the counties of Salop and Worcester and to raise capital for the purpose:

And whereas section 30 of the Act of 1903 authorises the Company to construct stations for generating electricity on the lands described in the First Schedule annexed to that Act and by section 35 of the same Act the Company are authorised to purchase by agreement for the general purposes of their undertaking other lands than those described in the said schedule and it is expedient that the Company be empowered to construct stations for generating electricity on any of the lands acquired by agreement and not be limited to the lands described in the said schedule:

And whereas Provisional Orders under the Electric Lighting Acts 1882 and 1888 have been granted to local authorities and other undertakers for the lighting of several districts and places within the Company's area for the supply of electricity and the Company are desirous of having power to acquire by agreement such undertakings authorised by Provisional Orders so granted as the undertakers may be willing to transfer to them and to

A.D. 1905. supply electric energy under such Provisional Orders in and to the districts and places to which the undertakings so transferred relate and it is expedient that the necessary powers should be conferred on the Company and such undertakers respectively and that the said Act of 1903 should be extended in manner provided by this Act:

And whereas it is expedient that parts of the county of Stafford should be included in the area of supply of the Company:

And whereas it is expedient that the name of the Company should be changed:

And whereas it is expedient that the Company be authorised to pay interest out of capital during construction of works as by this Act authorised:

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

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

Short title.

**1.** This Act may be cited as the Shropshire Worcestershire and Staffordshire Electric Power Act 1905.

Amendment of section 2 of Act of 1903.

**2.** So much of section 2 of the Act of 1903 which provides that sections 2 and 3 of the Electric Lighting Act 1888 shall not apply to the Company or their undertaking is hereby repealed and from and after the passing of this Act the said sections shall not apply to the undertaking under the Act of 1903 or this Act or in relation to the Company.

Amendment of s. 64 of Act of 1903.

**3.** Section 64 of the Act of 1903 is amended by the substitution of the words "four years" in lieu of the words "three years" and the words "six years" in lieu of the words "five years" in that section mentioned.

Further amendment of Act of 1903.

**4.** The Company may on any lands acquired by agreement under the authority of section 35 of the Act of 1903 construct stations for generating electricity Provided that the Company shall not be exonerated from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands purchased held or taken on lease by agreement under the said section 35 and

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nothing in this section shall authorise the Company to construct a station for generating electricity outside the area of supply as defined by the Act of 1903 Provided that no such station shall be erected in the city of Worcester or the boroughs of Shrewsbury or Oswestry without the consent of the corporations of that city or those boroughs respectively nor in the urban districts of Oldbury or Wellington (Salop) without the consent of the councils of those districts respectively.

5.—(1) The Company may by agreement (but not otherwise) acquire from any local authority or other undertakers to whom a Provisional Order under the Electric Lighting Acts 1882 and 1888 shall have been or may be granted relating to a district or place within the Company's area of supply the undertaking authorised by such Provisional Order and the powers rights authorities and privileges of the undertakers under any such Provisional Order and any such undertakers to whom a Provisional Order has prior to the date of the passing of this Act been granted (whether such Order has been confirmed before or shall be confirmed after such date) may with the approval of the Board of Trade by deed to be approved by the Board of Trade transfer their undertaking powers rights authorities and privileges to the Company subject to such exceptions and modifications (if any) and upon such terms as may be specified in the deed and in the event of the Company so acquiring such undertaking powers rights authorities and privileges they shall subject to such exceptions and modifications as aforesaid be deemed to be the undertakers for all the purposes of the Provisional Order so acquired by them and the provisions of such Provisional Order shall apply to the supply of electricity by the Company within the area of supply as defined by such Order Provided that—

Transfer of  
undertakings  
of local  
authorities  
and others  
to Company.

(A) In the event of the Company acquiring from any local authority or other undertakers any Provisional Order within the area of supply they shall be allowed to charge for electric energy given under such Order such rates as any such Order prescribes but for power the rates charged by the Company shall not exceed those prescribed by the Act of 1903 :

(B) In the case of any Provisional Order granted prior to the year one thousand nine hundred to any local authority the provisions of the schedule to the

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Electric Lighting (Clauses) Act 1899 shall from and after such transfer be deemed to have been incorporated with such Provisional Order and shall control and supersede such of the provisions of that Order as are at variance or inconsistent therewith :

- (c) None of the provisions of any Provisional Order so acquired by the Company or of the Electric Lighting Acts 1882 and 1883 shall extend to authorise the purchase by any local authority of any generating station or other works of the Company used or required for the purposes of supplying any other portion of the Company's area of supply :
- (d) In the event of any Provisional Order and the undertaking thereby authorised being acquired by the Company under this section the provisions of the Electric Lighting Act 1883 shall subject to any provisions contained in any such Order apply to that undertaking and where the undertakers are a local authority the undertaking shall be deemed to be within the provisions of section 2 of the Electric Lighting Act 1883 Provided that the periods at which the local authority may under the provisions of the said section re-purchase the undertaking or so much thereof as is within their jurisdiction shall be reckoned from the date of the acquisition thereof by the Company.

(2) Any capital moneys received by any local authority in respect of any transfer under this section shall be applied by such authority in manner provided by subsection two of section seven of the schedule to the Electric Lighting (Clauses) Act 1899.

Provided that the Company shall not without the previous consent in writing of the Corporation of Oswestry acquire under the powers of this section the undertaking of the Oswestry Electric Lighting and Power Company Limited.

Extension of  
limits of  
supply.

**6.** The limits of supply of the Company are hereby extended so as to include therein the boroughs of Lichfield and Tamworth the urban districts of Brownhills and Cannock and the rural district of Cannock (except the parish of Bushbury) the rural districts of Lichfield Tamworth and Walsall (except the parishes of Great Barr and Bentley) all of which are in

the county of Stafford and the provisions of the Act of 1903 and of the Acts incorporated therewith so far as the same are respectively in force at the passing of this Act shall subject to the provisions of this Act extend and apply to such extended limits and to the supply of energy therein. A.D. 1905.

7.—(1) Except as is by subsection (2) of this section provided the Company shall not without the consent under seal of the corporation of Lichfield and of any undertaker authorised by Provisional Order confirmed by Parliament during the present session to supply energy within the city of Lichfield erect a generating station lay their cables or supply energy in bulk or otherwise within or to be used within the boundaries of the city of Lichfield. As to supply  
within city  
of Lichfield.

(2) The Company may in such manner as may be reasonably approved by the corporation of Lichfield afford a supply of energy in bulk to any undertaker authorised by Provisional Order confirmed by Parliament to supply energy within the city of Lichfield but for the purpose of affording any such supply the Company shall not erect any works or lay any cables within the boundaries of the city of Lichfield except with the consent in writing of the Lichfield Corporation.

8. For the protection of the mayor aldermen and burgesses of the borough of Tamworth the following provisions shall notwithstanding anything contained in this Act or the Act of 1903 apply and have effect (that is to say):— For pro-  
tection of  
Tamworth  
Corporation.

The Company shall not without the consent under seal of the said mayor aldermen and burgesses erect a generating station or supply energy in bulk or otherwise within or to be used within the said borough.

9. The following provisions for the protection of the county council of the county of Stafford (in this section called "the county council") and the inhabitants of the said county shall (notwithstanding anything in this Act contained) unless otherwise agreed in writing between the county council and the Company apply and have effect:— For pro-  
tection of  
Staffordshire  
County  
Council.

(1) The Company shall not in the construction of the works by this Act authorised without the previous consent in writing of the county council under the hand of their clerk raise lower or divert any main road vested in the county council nor shall the Company

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without such consent as aforesaid interfere with the structure of any county or hundred bridge or approach repairable by or under the control of the county council :

- (2) All mains pipes wires or other works to be laid or constructed in along or across or in any way affecting any such road bridge or approach shall be constructed and laid under the superintendence and to the reasonable satisfaction of the surveyor of the county council (in this section referred to as "the county surveyor") and in such position as he shall by writing under his hand direct and in accordance with plans and sections to be approved by him in writing before the commencement of the work and the Company shall in executing any such work conform to all reasonable requirements of the county surveyor and shall pay to the county council any special expenses incurred by them in relation to such superintendence approval and requirements :
- (3) No electric lines shall be placed above ground along or across any such road bridge or approach without the consent in writing of the county council under the hand of their clerk and which consent may be given or withheld at their absolute discretion :
- (4) All works shall be executed so as not to stop nor more than (in the opinion of the county surveyor) is absolutely necessary for the purpose to impede or interfere with the traffic over or along any such road bridge or approach and the Company shall not without the consent of the county surveyor open or break up at any one time a greater consecutive length of any such road than one hundred yards nor shall such openings or breakings up be carried out without leaving a clear space of a quarter of a mile between consecutive openings or breakings unless with the like consent and all such works shall be proceeded with and completed with all possible despatch :
- (5) The Company shall during the progress of the works take all necessary steps at their own expense for protecting the public using any such road bridge or

approach from injury and shall be liable for and indemnify the county council against all damages and costs that may be incurred consequent upon their neglect or omission to provide such protection and the Company shall also be liable for all damages and costs that may be incurred by the county council consequent upon any defects in any of the mains pipes wires or other works of the Company:

- (6) The Company shall on demand pay to the county council the reasonable costs which the county council may incur in the repair and reinstatement of so much of any such road including the roadway over any such bridge and approach upon or in which any mains pipes wires or other works are laid as may be injured or damaged by reason of the traffic being concentrated thereon during the construction alteration or repair of the said mains pipes wires or other works or any part or parts thereof:
- (7) The county council shall not be liable for any claim for damages in respect of any injury which may be caused to any mains pipes wires or other works belonging to the Company through the reasonable and proper use by the county council of any steam roller scarifier or other similar appliance:
- (8) Nothing in this Act contained nor in the principal Acts shall in any way limit or affect the powers of the county council to divert improve raise drain widen or reconstruct any such road or to remove alter widen raise or rebuild any such bridge or approach in upon across or alongside or near to which such mains pipes wires or other works are laid in the same manner as they might have diverted improved raised drained removed altered widened reconstructed or rebuilt any such road bridge or approach if this Act had not been passed without making any compensation to the Company for any expense or loss to which the Company may be put in consequence of the exercise by the county council of such powers and in the event of any such road bridge or approach in alongside or near to which the mains pipes wires or other works are laid being diverted improved raised drained

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removed altered widened reconstructed or rebuilt as aforesaid the Company shall at their own expense and within such reasonable time as the county surveyor may prescribe alter the position of such mains pipes wires or other works and replace the same to the satisfaction of the county surveyor Provided that before such diversion improvement removal alteration widening reconstruction or rebuilding of any such road bridge or approach shall be commenced the county council shall (except in case of emergency) give one month's notice in writing to the Company of their intention to carry out such works and shall afford all reasonable facilities for temporarily carrying the mains pipes wires or other works along such road or across or under the stream so as not to interrupt the continuous supply of electrical energy All works of the Company so far as laid in or under any road repairable by the county council shall be constructed of such strength as to support the weight of any heavy traffic without injury :

- (9) The Company shall free of charge supply to the county council in each year a copy of the map and section to be made and corrected as mentioned in section 60 of the schedule to the Electric Lighting (Clauses) Act 1899 and the Company shall forthwith after commencing to supply electric energy under this Act cause a map to be made of the area of supply and shall cause to be marked thereon the line and the depth below the surface of all their then existing mains and other underground works and shall once in every year cause that map to be duly corrected so as to show the then existing underground works and shall free of charge supply to the county council in each year a copy of such map :
- (10) If owing to the abandonment of the undertaking or any part thereof any mains pipes wires or other works laid in pursuance of the powers of this Act under any such road bridge or approach shall for the space of three years be disused and such disuser be proved to the satisfaction of the Board of Trade the said Board may if they think fit by order sanction the



removal of such mains pipes wires or other works and the county council may (subject however to any agreement between them and the Company) forthwith remove the same with all reasonable care and the Company shall pay to the county council the reasonable cost of such removal and of the reinstatement of such road bridge or approach in which the same were laid and if the Company fail to pay such cost within one month after the ascertainment of and application for the same the county council may without any previous notice to the Company (but without prejudice to any other remedy they may have for the recovery of the amount) sell and dispose of the materials of the mains pipes wires and other works so removed either by public auction or private contract and for such sum or sums and to such person or persons as they think fit and may out of the proceeds of such sale pay and reimburse themselves the reasonable cost of such removal and reinstatement of such road bridge or approach and the cost of the sale and the balance (if any) of the proceeds of the sale shall be paid over by the county council to the Company :

- (11) If any road repairable by the county council is broken up by the Company for the purposes of their undertaking or any bridge under their jurisdiction or repairable by them or any culvert drain pipe or other property of the county council is damaged by the Company the Company shall repair such road bridge culvert drain pipe or other property to the reasonable satisfaction of the county surveyor and if the same is not so repaired the county surveyor may cause the necessary repairs to be done and may charge the cost against the Company and the same shall be a debt due from the Company to the county council Provided that the rights or obligations conferred or imposed by this section shall be in addition to and not in substitution for any rights or obligations conferred or imposed by this Act or the Acts incorporated therewith or by the Electric Lighting Acts 1882 and 1888 and any Acts incorporated therewith and in particular such provisions of the Gasworks Clauses Act 1847 with respect to breaking up streets as are

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incorporated in the principal Acts and set out in the appendix to the schedule to the Electric Lighting (Clauses) Act 1899 :

- (12) The Company shall to the reasonable satisfaction of the county surveyor keep the portion of all roads repairable by the county council which shall be broken up by the Company for the purpose of constructing laying or repairing any works by this Act authorised in good repair for twelve months after replacing and making good the same and if at any time during the said period the Company shall in the opinion of the county surveyor neglect to keep any such portion of road in good repair the said surveyor on giving seven days' previous notice in writing to the Company may carry out any repairs and the county council shall be entitled to recover the cost thereof from the Company :
- (13) The Company shall in addition to their liability under section 77 of the schedule to the Electric Lighting (Clauses) Act 1899 as incorporated with this Act be answerable for all accidents damages and injuries happening through or resulting from the act or default of the Company their contractors or servants by reason or in consequence of the works by this Act authorised and in particular by reason of the carriageway or footway of any road or bridge or the approaches thereto which the Company have power to break up or which the Company are under obligation to repair not being properly reinstated or repaired or kept so reinstated and repaired as to prevent subsidence of the surface by them and shall save harmless the county council their officers and servants from all damages and costs in respect of such accidents damages and injuries The liability under this section shall only cease from the date of a certificate in writing given by the county surveyor to the effect that the road or the portion thereof damaged by the Company has been properly reinstated and repaired :
- (14) If any difference shall arise between the county council and the Company touching anything to be done or not to be done under the provisions of this section

such difference shall be settled by an arbitrator to be appointed by the Board of Trade on the application of either of the parties in difference. A.D. 1905.

**10.** For the protection of the Cannock Urban District Council (in this section referred to as "the council") and of the inhabitants of their district the following provisions shall notwithstanding anything contained in this Act or in the Act of 1903 apply and have effect (that is to say):— For protec-  
tion of Can-  
nock Urban  
District  
Council.

(1)—(a) The Company shall not erect any works within the district of the Council or any part thereof or supply energy within or to be used within the said district without the consent in writing of the council and such consent may be given upon and subject to such terms and conditions and for such portion or portions of the said district as the council may think fit;

(b) If and when the council shall give such consent as last aforesaid the said district or such portion or portions thereof in respect of which such consent is given shall be considered to be included within the area of supply of the Company and the obligations and restrictions imposed or to be imposed upon the Company by the Act of 1903 and this Act and any Act amending them or either of them shall be binding upon the Company:

(2) The Company shall not without the consent in writing of the council lay any mains or cables within the district of the council but such consent shall not be unreasonably withheld to the laying of mains and cables for the supply of energy outside the district of the council and any dispute as to whether such consent is or is not unreasonably withheld shall be decided by an arbitrator to be appointed on the application of either party by the Board of Trade:

(3) The provisions contained in the section of this Act the marginal note whereof is "For protection of Staffordshire County Council" shall extend and apply to and for the protection of the council as fully as though the same were expressly referred to in the said section and as if the council were substituted for the county council and the surveyor to the council

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for the county surveyor and as if roads or streets and bridges vested in or repairable by the council were respectively substituted for main roads and county or hundred bridges:

- (4) In the event of the council at any time consenting to the Company supplying energy within or to be used within the said district the Company shall be subject to all the obligations and restrictions contained in the Act of 1903 and this Act and the enactments incorporated therewith and in the event aforesaid the Company shall if and when required so to do supply the council and any colliery owners or proprietors or other persons with energy upon as favourable terms and conditions as those granted by the Company to any other authorised undertakers or persons whose circumstances are similar:
- (5) The Company shall if and when required by the council so to do supply the council or any other person company or firm who may at any time hereafter be authorised as undertakers for the supply of electricity under any Provisional Order or statutory authority for the time being in force within the district of the council with electrical energy in bulk or otherwise for lighting heating power and other purposes upon such terms as may be agreed between the Company and the council or such other person company or firm as aforesaid or as failing agreement shall be settled by the Board of Trade.

For protec-  
tion of rural  
district  
councils of  
Cannock  
Lichfield and  
Walsall.

**11.** For the protection of the rural district councils of the rural districts of Cannock Lichfield and Walsall (each of which councils and districts is in this section respectively referred to as "the council" and "the district") the following provisions in addition to and notwithstanding any other provisions in reference thereto contained in this Act and the Act of 1903 shall unless otherwise agreed in writing between the council and the Company obtain and have effect (that is to say):—

- (1) The provisions of section 47 subsections 2 and 3 of the Act of 1903 shall apply to any proposed line or route to which the council object on the ground that it would traverse the principal thoroughfares or busy streets of their district or be otherwise inconvenient:

- (2) The council shall not be liable for any injury to any mains cables wires conduits pipes street boxes or other works or appliances of the Company laid or constructed by them in on or under any road or on any bridge repairable by the council which may be caused by the reasonable acts of the council or their contractors or through the reasonable and proper use thereon of any steam road roller scarifier or other appliance or utensil belonging to them :
- (3) All electric lines to be constructed or laid in any road repairable by the council shall unless otherwise required by the Board of Trade be constructed and laid at the side thereof which the council shall by writing under the hand of their surveyor direct and shall be so laid and maintained as not unnecessarily to interfere with the traffic of such road :
- (4) In the event of the council widening improving or altering any roads streets or bridges under their jurisdiction after the Company's electric lines or other works shall have been laid along the same the Company if so required by the council by notice in writing served upon them previously to the commencement of such widening improvement or alteration shall at their own expense within one month after the receipt of such notice take all necessary steps under and subject to the provisions of sections 14 and 16 of the schedule to the Electric Lighting (Clauses) Act 1899 for altering or removing such electric lines or works to suit the new or altered conditions :
- (5) The reasonable expense of the council incurred in altering the position of any electric lines or works of the Company under the powers of section 17 of the Electric Lighting (Clauses) Act 1899 and also all special expenses of the council reasonably incurred by them upon superintendence by the officers of the council during the laying construction repair or replacement of any mains cables wires conduits pipes street boxes or other works or appliances in on or under any road or on any bridge repairable by the council shall on demand be paid by the Company to the council :

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- (6) If any difference or dispute shall arise between the council and the Company under or out of any of the provisions of this section or in respect to any matter connected therewith such difference or dispute shall except as is otherwise expressly provided in reference thereto be settled by an arbitrator to be appointed by the Board of Trade on the application of the parties.

For protec-  
tion of Tam-  
worth Rural  
District  
Council.

**12.** For the protection of the Tamworth Rural District Council (herein-after called "the council") the following provisions shall in addition to any other provisions in this Act apply and have effect unless otherwise agreed between the Company and the council:—

- (1) Where any works of the Company are proposed to be executed over any manhole or entrance into any sewer of the council or so close to such manhole or entrance as to make the use dangerous or inconvenient the Company shall at their own expense if reasonably required by the council alter the position of such manhole or entrance in such manner as may be reasonably approved by the council or the council may after the refusal by the Company upon due notice to do so at the expense of the Company make such alteration in the position of such manhole or entry:
- (2) The Council shall not be responsible to the Company for any damage the Company may sustain by reason of their having to repair or relay the mains pipes wires or other apparatus or any portion thereof from time to time in consequence of the road subsiding after the construction or relaying of any sewer gas water or other pipes and apparatus has been completed and the ground above the same filled in Provided such work shall have been executed with all care and in a proper and workmanlike manner:
- (3) The provisions contained in the section of this Act the marginal note whereof is "For protection of Staffordshire County Council" shall extend and apply to and for the protection of the council as fully as though the same were expressly referred to in the said section and as if the council were substituted for the

county council and the surveyor to the council for the county surveyor and as if roads or streets and bridges vested in or repairable by the council were respectively substituted for main roads and county or hundred bridges : A.D. 1905.

(4) If and whenever the council shall have occasion owing to any subsidence in or under any road street or bridge within the rural district in under or through which any main pipe wire or other work may be carried or laid by the Company to alter restore or raise such road street or bridge any alteration of such main pipe wire or other work that may in the opinion of the engineer of the council be necessary in connexion therewith may and shall be made by the Council at the expense of the Company :

(5) If any difference shall arise between the Company and the council as to anything to be done or not to be done under this section the same shall be referred to an arbitrator to be appointed by the Board of Trade upon the application of either party.

**13.** Section 32 (For protection of Great Western Railway Company) of the Act of 1903 shall apply to the area of supply of the Company as extended by this Act. For protection of Great Western Railway Company.

**14.** The name of the Company is hereby altered and hereinafter the Company shall be called and known as "The Shropshire Worcestershire and Staffordshire Electric Power Company" and for this purpose Part IV. of the Companies Clauses Act 1863 is incorporated with this Act. Change of name of Company.

**15.** Subject to the provisions of this Act and of the Act of 1903 the Company may manufacture acquire maintain use sell let on hire and otherwise dispose of electric and other mains storage and other batteries dynamos accumulators cables conductors services wires tubes pipes insulators meters reservoirs distributing cut-out and other boxes switches transformers lamps fittings motors and other apparatus for transmitting storing measuring regulating and distributing electrical energy for lighting and other purposes public and private or for converting the same into motive power heat or otherwise. Storage and distributing works.

**16.** The Company on the one hand and the Midland Electric Corporation for Power Distribution Limited or the Agreements with other companies.

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Kidderminster and District Electric Lighting and Traction Company Limited or the Birmingham and Midland Tramways Limited on the other hand may enter into and carry into effect agreements for the supply of electrical energy by one to the other in bulk for the purposes of the undertakings of either of such companies Provided that such supplies shall be used in accordance with and subject to the powers conferred by Parliament upon the company using the supply.

For protec-  
tion of  
Bridgnorth  
Corporation.

**17.** For the protection and benefit of the mayor aldermen and burgesses of the borough of Bridgnorth in the county of Salop (herein-after called "the Bridgnorth Corporation") the following provision shall apply and have effect (that is to say):—

The Company shall not either in pursuance of this Act or of the Act of 1903 without the consent of the Bridgnorth Corporation lay cables (other than through cables) or supply energy in bulk or otherwise within or to be used within the said borough of Bridgnorth nor without the like consent construct any station for generating electricity on any lands within the said borough of Bridgnorth nor within the adjoining parish of Oldbury in the said county of Salop.

For protec-  
tion of gas  
companies.

**18.** For the protection of the Cannock Hednesford and District Gas Company Limited the Tamworth Gas Light and Coke Company and the Lichfield Gas Company (each of which companies is herein respectively referred to as "the company") the following provisions shall apply and have effect (that is to say):—

In exercising any of their powers under this Act or under the Act of 1903 within their limits of supply as extended by this Act the Company shall as regards any works affecting the mains pipes or other apparatus of the company comply in all respects with the provisions of sections 17 and 18 of the schedule to the Electric Lighting (Clauses) Act 1899 which said provisions shall for the purposes of this subsection be deemed to be and are hereby incorporated with this Act.

Power to  
pay interest  
out of  
capital.

**19.** Notwithstanding anything in the Act of 1903 or any Act or Acts incorporated therewith contained it shall be lawful for the Company to pay out of any money by the Act of 1903 authorised to be raised interest at such rate not exceeding three



pounds per centum per annum as the directors of the Company may determine to any holder of any shares in the capital of the Company on the amount from time to time paid up on such shares held by him from the respective times of such payments until the expiration of four years from the date of the passing of this Act or such less period as the said directors may determine but subject always to the conditions herein-after stated (that is to say):--

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- (A) No such interest shall begin to accrue until the Company shall have deposited with the Board of Trade a statutory declaration by two of the directors and the secretary of the Company that one fifth at least of the share capital authorised by the Act of 1903 has been actually issued and accepted and is held by shareholders who or whose executors administrators or assigns are legally liable for the same :
- (B) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear :
- (C) The aggregate amount to be so paid for interest shall not exceed twenty thousand pounds and the amount so paid shall not be deemed share capital in respect of which the borrowing powers of the Company may be exercised but such borrowing powers shall be reduced to the extent of one third of the amount paid for interest as aforesaid :
- (D) The expression " issued and accepted " in subsection (A) of this section shall be deemed to include shares agreed to be taken under contract notwithstanding the provision of section 9 of the Act of 1903 Nothing in this section shall in any way affect the amounts of or dates of payment in respect of the sums to be paid under any contracts entered into by the Company :
- (E) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares which may be issued by or on behalf of the Company prior to the expiration of the period for which the directors of the Company may have determined that such interest shall be paid and in every certificate of such shares :

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(F) The half-yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

Save as herein-before set forth no interest or dividend shall be paid out of any share or loan capital which the Company are by the Act of 1903 or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Qualification  
of directors.

**20.** Notwithstanding anything in the Companies Clauses Consolidation Act 1845 incorporated with the Act of 1903 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 cease from voting or acting as a director of the Company by reason of his accepting any such office or place of trust or profit under the Company or becoming interested in any such contract with the Company Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise either 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.

Appoint-  
ment of  
managing  
director.

**21.--(A)** The directors of the Company may from time to time appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to the period for which he or they is or are to hold such office and may from time to time remove or dismiss him or them from office and appoint another or others in his or their place or places.

(B) A managing director shall not while he continues to hold that office be subject to retirement by rotation and he shall not be taken into account in determining the rotation of retirement of directors but if he cease to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director. A.D. 1905.

(c) 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.

(d) The directors may from time to time entrust to and confer upon any managing director such of the powers exercisable 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 any of such powers Provided that the directors shall be responsible for the acts of any managing director acting under the powers of this subsection.

**22.** The prescribed quorum at a general meeting (when ordinary) shall be twenty shareholders or any less number provided they hold in the aggregate not less than one twentieth of the paid-up capital of the Company. General meetings

**23.** The Company may apply for or towards the purposes of this Act and the Act of 1903 to which capital is properly applicable any sums of money which they have already raised or are authorised to raise under the authority of the Act of 1903 as amended by this Act. Power to apply funds.

**24.** All costs charges expenses and liabilities of and preliminary to and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be borne and paid by the Company. Costs of Act.

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