



CHAPTER lxxxviii.

An Act to confer further powers on the Shropshire
Worcestershire and Staffordshire Electric Power
Company and for other purposes.

A.D. 1928.

[3rd August 1928.]

WHEREAS the Shropshire Worcestershire and Staffordshire Electric Power Company (hereinafter referred to as "the Company") were incorporated by the Shropshire and Worcestershire Electric Power Act 1903 under the name of the Shropshire and Worcestershire Electric Power Company and were by that Act empowered to supply electricity to authorised undertakers and to persons requiring a supply for power within an area of supply comprising the counties of Salop and Worcester :

And whereas by subsequent Acts the name of the Company was changed to the Shropshire Worcestershire and Staffordshire Electric Power Company and the area of supply was extended so as to include part of the county of Stafford and further powers were conferred upon the Company :

And whereas by the Shropshire Worcestershire and Staffordshire Electric Power Act 1906 the area of supply of the Company was further extended and by the Shropshire Worcestershire and Staffordshire Electric Power Act 1923 additional powers of supplying and distributing electrical energy were conferred upon the Company :

And whereas the Company are authorised undertakers under the following Orders granted or made in terms of

[Ch. lxxxviii.] *Shropshire* [18 & 19 GEO. 5.]
Worcestershire and Staffordshire Electric Power Act, 1928.

A.D. 1928. the Electricity (Supply) Acts 1882 to 1926 or some or
— one of the said Acts :—

The Dudley Corporation Electric Lighting Order
1897 ;

The Smethwick Electric Lighting Orders 1898 and
1913 ;

The Redditch Electric Lighting Order 1897 ;

The Oldbury Electric Lighting Order 1898 ;

The North-East Worcestershire Electricity Special
Order 1923 ;

The West Midlands Electricity District Order 1925 ;

The Avon Valley Electricity Special Order 1926 ;

The Ludlow Electricity Special Order 1927 :

And whereas by the Shropshire Worcestershire and
Staffordshire Electric Power Acts 1906 1914 1916 1918
1919 1923 and 1926 further capital and other powers as
therein mentioned were conferred upon the Company :

And whereas under and by virtue of the said Acts
the authorised capital of the Company is one million
seven hundred and fifty thousand pounds which may be
raised by the issue of ordinary shares or stock or to the
extent in the said Acts mentioned by preference shares
or stock and the Company are authorised to raise moneys
by borrowing on mortgage of their undertaking or by
the creation and issue of debenture stock any sum or
sums of money not exceeding in the whole one million
seven hundred and fifty thousand pounds :

And whereas the Company have raised capital to the
amount of one million four hundred and fifty thousand
pounds by the creation and issue of six hundred and fifty
thousand preference shares of one pound each three
hundred thousand " A " ordinary shares of one pound
each and five hundred thousand " B " ordinary shares
of one pound each :

And whereas the issued loan capital of the Company
consists of six hundred and fifty thousand pounds five
and a half per centum debenture stock and seven hundred
and seventy thousand pounds loan secured by mortgage
of their undertaking :

And whereas it is expedient for the removal of
doubts that the rights of the holders of respective classes
of shares should be defined and declared and that such

provisions with reference thereto should be made as A.D. 1928.
hereinafter in this Act contained :

And whereas it is expedient that the area of supply of the Company should be further extended and that powers of general distribution in part of the extended area of supply should be conferred upon the Company :

And whereas for the purpose of facilitating the provision by the Company of supplies of electrical energy it is expedient that the powers of the Company as to the acquisition of wayleaves for electric lines be enlarged and extended in manner provided by this Act :

And whereas the demand for electricity within the districts supplied by the Company is large and rapidly increasing and it is expedient that the Company in order to meet such increased demand in the existing area and the anticipated demand in the extended area should be authorised to raise additional capital and that such other provisions as are in this Act contained in relation to the capital of the Company should be made :

And whereas it is expedient that the further powers in this Act contained should be conferred upon the Company :

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

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

1. This Act may be cited as the Shropshire Worcester- Short and
shire and Staffordshire Electric Power Act 1928 and the collective
Shropshire Worcestershire and Staffordshire Electric titles.
Power Acts 1903 to 1926 and this Act may be cited
together as the Shropshire Worcestershire and Stafford-
shire Electric Power Acts 1903 to 1928.

2. The Companies Clauses Consolidation Act 1845 Incorpora-
except sections 38 and 40 thereof and Part I (relating to tion of Acts.
cancellation and surrender of shares) Part II (relating to
additional capital) except the provisions thereof relating
to the rate of dividend on preference capital and Part III
(relating to debenture stock) except sections 22 32 and 34

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Worcestershire and Staffordshire Electric Power Act, 1928.

A.D. 1928. thereof of the Companies Clauses Act 1863 as amended by subsequent Acts (so far as the same are applicable for the purposes of and are not inconsistent with or varied by the provisions of this Act) are subject to the provisions of this Act hereby incorporated with and form part of this Act.

Interpreta-
tion.

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

“ the Company ” means the Shropshire Worcester-
shire and Staffordshire Electric Power Company ;

“ the Act of 1903 ” means the Shropshire and
Worcestershire Electric Power Act 1903 ;

“ the Act of 1905 ” “ the Act of 1906 ” “ the Act
of 1914 ” “ the Act of 1916 ” “ the Act of
1918 ” “ the Act of 1919 ” “ the Act of 1923 ”
and “ the Act of 1926 ” respectively mean
the Shropshire Worcestershire and Staffordshire
Electric Power Acts of those respective years ;

“ the Acts of 1903 to 1926 ” means the Act of 1903
the Act of 1905 the Act of 1906 the Act of 1914
the Act of 1916 the Act of 1918 the Act of 1919
the Act of 1923 and the Act of 1926 ;

“ the existing area of supply ” means the area of
supply of the Company under the Acts of 1903
to 1926 ;

“ the added area of supply ” means the area added
by this Act to the existing area of supply ;

“ the area of supply ” means the area for the time
being of the Company for the supply of electrical
energy or power ;

“ the directors ” means the directors of the Company ;
and

“ the undertaking ” means the undertaking of the
Company for the time being authorised.

Extension
of area of
supply.

4.—(1) From and after the passing of this Act the
existing area of supply shall be extended so as to include
the areas which are described in the First Schedule to
this Act and the provisions of the Acts of 1903 to 1926

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 the added area of supply and to the supply of electrical energy or power therein but nothing in this section shall be deemed to extend or apply to the added area of supply or any part thereof any of the provisions of section 35 (General powers of distribution in part of area of supply) of the Act of 1923.

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(2) The Company shall within six months from the date of the passing of this Act deposit with the Electricity Commissioners a map of the added area of supply.

5. Notwithstanding anything contained in section 51 (Limitation of powers) of the Act of 1903 the Company shall not without the consent of the Banbury and District Electric Supply Company Limited supply energy in the area of supply authorised by the Banbury Electric Lighting Order 1900.

For protec-
 tion of Ban-
 bury and
 District Elec-
 tric Supply
 Company
 Limited.

6. Notwithstanding anything contained in section 51 (Limitation of powers) of the Act of 1903 the Company shall not without the consent of the Tewkesbury Electric Light Company Limited supply energy in the area of supply authorised by the Tewkesbury Electric Lighting Order 1905 as amended by the Tewkesbury Electric Lighting (Amendment) Order 1908.

For protec-
 tion of
 Tewkes-
 bury Elec-
 tric Light
 Company
 Limited.

7.—(1) Notwithstanding anything contained in the Acts of 1903 to 1926 and this Act the Company within and in respect of so much of the added area of supply as is described in the Second Schedule to this Act (in this section referred to as “the distribution area”) shall have and may exercise and enjoy all such rights powers and privileges and shall be subject to all such obligations duties and liabilities as they would have had and been subject to if they had obtained a Special Order under the Electricity (Supply) Acts 1882 to 1926 authorising them to supply electricity for all or any purposes within an area of supply consisting of the distribution area Provided that the Company shall be entitled to exercise for the purposes of the supply authorised by this section all such powers of opening and breaking up streets roads railways and tramways within the distribution area as are exerciseable by them under the Acts of 1903 to 1926

General
 powers of
 distribution
 in part of
 area of
 supply.

A.D. 1928: within the area of supply for the purposes of the undertaking.

(2) The maximum prices which may be charged by the Company as mentioned in section 32 of the schedule to the Electric Lighting (Clauses) Act 1899 for electricity supplied by them under the powers of this section are those stated in the Third Schedule to this Act. Provided that except in any case in which the Company elect to charge by the method referred to in subsection (8) of this section the prices charged for electricity supplied for power purposes shall be regulated by the Acts of 1903 to 1926 or any Act amending the same.

(3) Notwithstanding anything in the foregoing provisions of this section the provisions of the Electricity (Supply) Acts 1882 to 1926 shall not except as hereinafter mentioned apply to the Company or the undertaking in respect of the powers conferred by this section or otherwise to any greater or other extent than they so apply under the provisions of the Acts of 1903 to 1926. Provided that subsection (2) of section 2 and section 21 (other than subsection (1) thereof) and sections 22 to 37 41 to 47 and 63 to 68 of the schedule to the Electric Lighting (Clauses) Act 1899 as amended by subsequent Acts shall apply in respect of the powers conferred by this section in addition to the provisions of that schedule which apply to the Company or the undertaking under the provisions of the Acts of 1903 to 1926 :

Provided further that section 20 of the schedule to the Electric Lighting (Clauses) Act 1899 shall in its application to the Company have effect as if after the words "electric signalling communication" wherever they occur there were inserted the words "or electrical control of railways of a railway company."

(4) Nothing in this section shall affect or interfere with the right of any local authority company or person under section 52 (Local authorities and others may apply for Provisional Order) of the Act of 1903 to apply for a Special Order under the Electricity (Supply) Acts 1882 to 1926 for power to supply electricity within any part of the distribution area. Provided that the Company shall be entitled to oppose any such application.

(5) (a) The Company shall—

(i) within a period of two years from the date of the passing of this Act as respects any area

within the distribution area in which there is at the passing of this Act a demand for a supply of electricity and a reasonable prospect of such supply being remunerative; and

- (ii) within a period of two years from the date on which the conditions hereinbefore referred to first exist after the passing of this Act in any area within the distribution area (other than any such area as is referred to in the foregoing paragraph (i));

or in either case within such extended time as may be approved by the Electricity Commissioners submit to those commissioners proposals for the supply of electricity in that area and those proposals to such extent as may be approved by the said commissioners shall be carried into effect by the Company within the time prescribed by the said commissioners when giving their approval.

(b) In the event of default by the Company under the provisions of this subsection the Minister of Transport may if he thinks fit revoke the powers of the Company under this section in respect of any part or parts of the distribution area with respect to which the Company have so made default.

(6) The provisions of sections 2 and 3 of the Electric Lighting Act 1888 shall apply in respect of any part of the distribution undertaking authorised by this section with respect to which proposals for the supply of electricity have been approved by the Electricity Commissioners as aforesaid. Provided that notwithstanding anything contained in the said sections 2 and 3 or either of them the period of forty-two years after the expiration of which a local authority may purchase compulsorily so much of any such part as aforesaid of the said distribution undertaking as is within their jurisdiction shall be calculated from the following respective dates (that is to say):—

- (a) The date of the approval of such proposals by the Electricity Commissioners in the case of any area to which such proposals relate consisting at that date or at any time within five years thereafter of a borough or urban district;
- (b) the expiration of five years from the date of such approval as aforesaid in the case of any area to which such proposals relate consisting of the whole or part of a rural district.

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(7) The Company shall within six months from the date of the passing of this Act deposit with the Electricity Commissioners a map of the distribution area.

(8) As an alternative to the methods of charging mentioned in section 31 of the schedule to the Electric Lighting (Clauses) Act 1899 the Company may charge for energy supplied by them under the powers of this section to any ordinary consumer for private house lighting and other domestic purposes by the method set out in section III of the Third Schedule to this Act.

(9) Nothing in this section shall in relation to the distribution area or any other part of the area of supply prejudice or restrict the powers of the Company under the Acts of 1903 to 1926 as amended by the provisions (other than this section) of this Act.

For protec-
tion of
Dudley
Corporation.

8. For the protection of the mayor aldermen and burgesses of the borough of Dudley (in this section respectively referred to as "the corporation" and "the borough") the following provisions shall except so far as may be otherwise agreed in writing between the Company and the corporation under their respective common seals apply and have effect (that is to say):—

(1) The powers conferred upon the Company by this Act shall so far as the same affect the corporation or the borough only be exercised upon and subject to the terms and conditions contained in the indenture made the ninth day of February one thousand nine hundred and fourteen between the corporation of the one part and the Company of the other part whereby the corporation gave their consent under section 12 (For protection of Dudley and Walsall) of the Act of 1906 to the supply of energy by the Company within the borough:

(2) Nothing contained in this Act or done hereunder shall prejudice or affect the rights and powers of the corporation or the duties and obligations of the Company in relation to the corporation or the borough under the indenture referred to in subsection (1) of this section or under the following indentures each dated the ninth day of February one thousand nine hundred and fourteen and the following agreement dated

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the sixteenth day of September one thousand A.D. 1928.
nine hundred and twenty-six :—

(a) indenture made between the corporation of the one part and the Company of the other part whereby the corporation transferred their electric lighting undertaking to the Company ;

(b) agreement made between the Company of the one part and the corporation of the other part being an agreement for public lighting ;

(c) indenture made between the Birmingham District Power and Traction Company Limited of the one part and the corporation of the other part being an indenture of guarantee ;

(d) indenture made between the British Electric Traction Company Limited of the first part the corporation of the second part and the Company of the third part being an indenture of release.

9. Nothing contained in the sections of this Act of which the marginal notes are respectively " Power to lay connecting mains " " Wayleaves " and " Laying mains in private streets " shall authorise the Company to carry out the powers conferred by the said sections or any of them in or through the area of supply under the Worcester Electric Lighting Order 1890 as extended by the Worcester Electricity (Extension) Special Order 1925 without the previous consent in writing of the mayor aldermen and citizens of the city of Worcester nor authorise the Company under the powers of the said section of which the marginal note is " Wayleaves " to place any electric line across or otherwise affect or interfere with any electric line outside the area of supply under the said Orders belonging to the said mayor aldermen and citizens without their previous consent in writing.

For protec-
tion of
Worcester
Corporation.

10. For the protection of the mayor aldermen and burgesses of the county borough of Smethwick (in this section respectively referred to as " the corporation " and " the borough ") the following provisions shall notwithstanding anything in this Act and except so far as may be otherwise agreed in writing between the

For protec-
tion of
Smethwick
Corporation.

A.D. 1928. corporation and the Company under their respective
— common seals apply and have effect (that is to say) :—

The powers conferred upon the Company by this Act shall so far as the same affect the corporation or the borough only be exercised upon and subject to the terms and conditions contained in an indenture made the twenty-eighth day of November one thousand nine hundred and thirteen between the corporation of the first part the Company of the second part and the Birmingham District Power and Traction Company Limited of the third part whereby the corporation gave their consent under section 11 (For protection of Smethwick) of the Act of 1906 to the supply of energy to the erection of a generating station and to the laying down of mains and electric lines or other works by the Company within the borough.

For protec-
tion of
county
councils of
Gloucester
Oxford and
Warwick
and other
local autho-
rities.

11. For the protection of the county councils of the administrative counties of Gloucester Oxford and Warwick and of the council of every borough or urban or rural district situate wholly or partly within the added area of supply (each of which councils is in this section referred to as "the council") the following provisions unless otherwise agreed in writing between the council and the Company shall have effect with respect to the exercise in or affecting any highway or bridge of any of the powers of this Act and shall apply to the Company in lieu of the provisions of sections 14 15 16 and 17 of the schedule to the Electric Lighting (Clauses) Act 1899 and of sections 6 to 12 (inclusive) of the Gasworks Clauses Act 1847 as incorporated with the Electric Lighting Act 1882 so far as those provisions would apply to the Company with respect to the exercise of those powers within the added area of supply and to the highway in or affecting which the powers are exercised (that is to say) :—

(1) In this section—

The words "bridge" and "highway" respectively mean a bridge or a highway (other than a bridge) vested in or repairable by the council and the word "bridge" includes the approaches to the bridge and the

roadway and footways (if any) over such bridge and approaches A.D. 1928.
Provided that for
the purpose of subsections (2) and (4) of
this section the word "highway" shall
include—

(i) any intended street the formation of
which has been commenced; and

(ii) any street laid out but not dedicated
to public use; and

(iii) any street dedicated to public use
but not repairable by the inhabitants at
large;

and which street the Company intend to
break up for the purpose of laying renewing
or removing electric lines for supplying elec-
tricity to any premises abutting on or being
erected in such street but nothing in this
section shall save so far as is provided by
the said subsections (2) and (4) prejudice
or affect the rights of the owner of any such
street or of any other person having the
control or management of any such street;

The word "apparatus" includes any elec-
tric line or work;

The word "along" includes in on under
over across at the side of and attached to;

The word "surveyor" means the surveyor
to the council;

The word "plan" where relating to a bridge
includes such section or sections as the
surveyor may reasonably require:

- (2) (a) Before the Company commence to lay place
repair renew or remove any apparatus along
or from any highway or bridge they shall
(except in the cases of consumers' service wires
or of emergency when notice shall be given as
soon as possible) give to the council notice of
their intention so to do not less than in the case
of a bridge twenty-eight clear days and in all
other cases fourteen clear days;

(b) The Company shall not (except in the
case of consumers' service wires or of emergency)
exercise their powers of laying placing renewing

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or removing any apparatus along or from any highway or bridge otherwise than according to a plan approved by the council or (failing such approval) determined by arbitration which plan shall be upon such scale and contain such details as the council may reasonably require and shall be delivered to the council by the Company. Provided that unless within the period of twenty-eight clear days from such delivery of a plan relating to a bridge or fourteen clear days from such delivery of a plan relating to a highway the council intimate to the Company any objection to the plan they shall be deemed to have approved thereof. Provided also that if as respects any highway or bridge the Company desire to avail themselves of the provisions as to payments to be made to them by the council contained in subsection (4) of this section they shall at the same time as they deliver to the council such plan give to the council notice of such their desire and if such last-mentioned notice be given all apparatus to be laid or placed along any highway or bridge shall be laid or placed in such position and at such depth or height as the council may reasonably direct within the said period of twenty-eight clear days or fourteen clear days (as the case may be) and the surveyor shall be entitled to superintend the execution of the works for the purpose of ensuring compliance by the Company with such directions :

- (3) Nothing in this Act shall authorise the Company to interfere with the structure of any bridge without the consent of the council which consent shall not be unreasonably withheld and may be given upon such conditions as the council may reasonably determine :
- (4) Nothing in this Act shall interfere with the right of the council to alter the level of deviate widen reconstruct or improve any highway (each of which works is in this section referred to as a "highway alteration") or to remove alter re-build widen or repair any bridge (each of which works is in this section referred to as a

“ bridge alteration ”) along which highway or bridge any apparatus has or shall have been laid or placed in the same manner as if this Act had not been passed. If for the purposes of or in connection with any such highway or bridge alteration it shall be reasonably necessary to take up or alter the level or position of or divert any apparatus laid or placed along the highway or bridge the Company may and (if reasonably required by the council) shall either take up and relay or replace in the same or some other position or alter the level or position of or divert such apparatus in such manner and to such extent as may be agreed between the council and the Company or failing such agreement determined by arbitration or (where reasonably expedient) lay or place as may be agreed or determined as aforesaid new apparatus in lieu of the existing apparatus and the cost of such taking up replacement alteration or diversion or of the provision and laying or placing of such new apparatus—

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(a) If the existing apparatus was laid or placed under the powers of this Act but not in pursuance of or in compliance with any directions given by the council under subsection (2) (b) of this section shall be borne and paid by the Company; and

(b) If the existing apparatus was laid or placed under the powers of this Act and also in pursuance of or in compliance with such directions as aforesaid or if the council shall have failed to give instructions with respect to such apparatus pursuant to the said subsection (2) (b) shall be borne by the council and be paid by them to the Company :

Provided that in all such cases as are mentioned in paragraph (b) of this subsection the council shall afford to the Company free of charge all reasonable facilities for temporarily carrying or accommodating the existing apparatus so as not to interrupt the continuous supply of electricity through the same and if in lieu of altering the level or position of or

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diverting the existing apparatus the Company shall lay or place in an altered or new position or at an altered level apparatus of greater dimensions than the existing apparatus or (on account of the worn or defective condition of the existing apparatus) substituted apparatus of not greater dimensions than but in lieu of the existing apparatus the amount (hereinafter referred to as "the gross amount") which would but for this proviso be payable by the council under the said paragraph (b) shall be reduced to an amount to be agreed between the council and the Company or (failing such agreement) determined by arbitration such amount being (i) in the case of apparatus of such greater dimensions as aforesaid a sum bearing to the gross amount the proportion which the dimensions of the existing apparatus bear to such greater dimensions or (ii) in the case of substituted apparatus a sum bearing to the gross amount the proportion which the effective life of the existing apparatus bears to that of the substituted apparatus :

Provided also that if on the completion of any highway alteration or bridge alteration it shall be agreed between the council and the Company (or failing such agreement) determined by arbitration that any apparatus originally laid or placed along the highway or bridge in pursuance of or in compliance with any directions given by the council under subsection (2) (b) of this section was so laid or placed at a depth below or height above the surface of the highway or bridge greater than was reasonably sufficient in order to adapt the same to such highway alteration or bridge alteration the Company shall be entitled to raise or lower the level of the apparatus to such extent as may be agreed or determined as aforesaid and the council shall repay to the Company the cost reasonably incurred by them in so doing :

- (5) When any highway alteration or bridge alteration shall have been completed the Company shall have the same rights and powers with respect

to the highway or bridge as they had with respect thereto before such alteration was carried out : A.D. 1928.
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- (6) All works of the Company shall be so executed that so far as reasonably practicable the traffic on any highway or over any bridge shall not be impeded or interfered with and the Company shall not break up at any one time a greater length of the roadway than shall be reasonably specified by the surveyor :
- (7) If at any time when the Company are about to lay any apparatus along any highway or bridge the council shall give notice to the Company requiring the Company so to do the Company shall in accordance with the reasonable directions and to the reasonable satisfaction of the surveyor after the apparatus has been laid restore so much of the highway or bridge as shall be broken up or damaged by the Company to the condition and strength in which it was immediately before such breaking up :
- (8) (a) Notwithstanding anything in this Act the council may by notice given to the Company before the Company shall have commenced laying any apparatus along any highway or bridge elect themselves to restore such portion of the highway or bridge as has been broken up or damaged by the Company and if the council give such notice they shall as soon as the apparatus shall have been laid along the highway or bridge by the Company restore the said portion of the highway or bridge to the condition and strength in which it was immediately before such breaking up and the Company shall repay to the council all expenses reasonably incurred by the council in making such restoration and shall not be under any obligation with regard to the restoration reinstatement or making good of the said portion of the highway or bridge ;
- (b) If the council give to the Company any such notice as is referred to in paragraph (a) of this subsection the Company shall give to the council notice in writing of the completion of the laying of the apparatus for which the high-

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way or bridge was broken up or damaged and the council shall indemnify the Company from and against all claims demands damages costs charges and expenses which may be made against or incurred by the Company in respect of any accident or occurrence happening after the expiration of forty-eight hours (excluding from the computation of that period any part of a Sunday Christmas Day Good Friday or any bank or public holiday) from the receipt by the council of any notice so given by the Company and by reason of or in consequence of the highway or bridge not having been so restored as aforesaid :

- (9) The Company shall make good or bear the cost of making good any subsidence of any highway or of the roadway or footway on any bridge which may arise at any time within three months from the completion of any restoration by the Company or the council of such highway or bridge under subsections (7) or (8) of this section except when the restoration shall have been made by the council and the subsidence shall result from or be contributed to by any negligence on the part of the council or their contractors servants workmen or agents in connection with the restoration (in which excepted case the subsidence shall be made good by the council at their own expense) but the Company shall not be under any liability to make good or bear the cost of making good any such subsidence which may arise after the expiration of such period of three months :
- (10) The Company shall pay to the council the reasonable expenses incurred by them in relation to the reasonable superintendence by the council or the surveyor of the execution by the Company of any of the works referred to in this section :
- (11) Where for the purposes of the Company boxes or other like apparatus shall be placed in the surface of the carriageway of any highway or bridge and the council shall require the same to be surrounded or protected by sett paving or

other adequate form of protection the Company shall at their own cost provide such protection to the reasonable satisfaction of the council and for the purposes of this section any such setting paving shall be deemed to form part of the apparatus in connection with which it is provided or required to be provided :

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- (12) Where the consent of the Minister of Transport has been obtained to the placing of any electric line above ground any standard pole or other structure for carrying the electric line shall be placed in or upon any highway or bridge so as to interfere as little as may be with the statutory powers and duties of the council in reference to such highway or bridge and so as not to be or be likely to become an obstruction to traffic or dangerous to the public :
- (13) Any consent approval notice intimation requirement or direction to be given by the council under this section shall be given in writing under the hand of the clerk to the council or the surveyor :
- (14) Any matter required by this section to be determined by arbitration and any difference which may arise between the council and the Company under this section shall be referred to and determined by an arbitrator or other tribunal to be agreed upon between them or failing agreement to be appointed or nominated on the application of either party by the Minister of Transport and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference to an arbitrator.

12. For the protection of the London and North Eastern Railway Company the provisions contained in section 32 (For protection of Great Western Railway Company) of the Act of 1903 shall extend and apply to the powers conferred by this Act and to the Company in relation thereto as though the said section were re-enacted in this Act and as though the name of the London and North Eastern Railway Company were inserted therein in addition to that of the Great Western Railway Company.

For protection of London and North Eastern Railway Company.

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For protec-
tion of
Birming-
ham Canal
Company..

13. The provisions of section 37 (For protection of Birmingham Canal Company) of the Act of 1906 shall extend and apply for the protection and benefit of the Company of Proprietors of the Birmingham Canal Navigations in respect of the powers conferred on the Company by this Act as if that section with any necessary modifications were re-enacted in this Act.

For protec-
tion of
Severn
Commis-
sioners.

14. Nothing in this Act shall authorise the Company to place any electric line over or under the river Severn (hereinafter referred to as "the river") within the jurisdiction of the Severn Commissioners without the consent in writing of those commissioners or over or under any other part of the river in such manner as to obstruct or interfere with the navigation of the river or the traffic using the same or so as to prevent obstruct or interfere with the future improvement of the river for the purposes of navigation.

Cesser of
powers in
part of area
of supply.

15. As from the date when the West Midlands Electricity District Order 1925 came into operation the following part of the administrative county of Salop shall be deemed to have ceased to form part of the area of supply (that is to say):—

So much of the said administrative county as comprises the borough of Oswestry the urban districts of Ellesmere Wem and Whitchurch the rural districts of Ellesmere Oswestry Wem and Whitchurch and the detached portion of the rural district of Atcham situate in the rural district of Oswestry.

As to issued
capital.

16. For removing doubts it is hereby declared—

(a) that the respective numbers and classes of shares in this section referred to have been issued by the Company in manner following (that is to say):—

650,000 6 per cent. cumulative preference shares of one pound each numbered respectively 300,001 to 600,000 inclusive and 1,110,001 to 1,460,000 inclusive;

300,000 "A" ordinary shares of one pound each numbered respectively 810,001 to 1,110,000 inclusive;

500,000 " B " ordinary shares of one pound each numbered respectively 1 to 300,000 inclusive and 600,001 to 800,000 inclusive; A.D. 1928.

- (b) that holders of the said 6 per cent. cumulative preference shares are entitled to a fixed cumulative preferential dividend at the rate of 6 per cent. per annum on the capital for the time being paid up on such shares held by them respectively and to the same right as to voting at any meeting of the Company held during the period (if any) when the dividend on such preference shares is in arrear as holders of ordinary shares of the Company but no other right of voting and that such preference shares in a winding up shall rank both as regards capital and dividend up to the commencement of the winding up whether declared or not in priority to the other shares of the Company but that the holders thereof shall not be entitled to any further right to participate in any profits or surplus assets of the Company;
- (c) that holders of " A " ordinary shares of the Company are entitled out of the profits of the Company to a non-cumulative dividend at the rate of 8 per cent. per annum on the capital for the time being paid up on such shares held by them respectively in priority to any dividend in respect of the " B " ordinary shares of the Company for the time being issued and (subject to payment of a dividend as respects such year on such of the " B " ordinary shares as are for the time being issued at the rate of 8 per cent. per annum on the capital paid up thereon) to share pari passu with holders of the " B " ordinary shares proportionately to the capital paid up on such shares respectively in any surplus profits distributed in respect of such year and to the same rights in respect of voting at meetings of the Company as holders of the " B " ordinary shares of the Company;
- (d) that the " A " and " B " ordinary shares rank pari passu as to capital.

A.D. 1928.

Additional
capital.

17. The Company may subject to the provisions of Part II of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole seven hundred and fifty thousand pounds nominal capital by the issue at their option of new ordinary or preferred ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any shares of less nominal value than one pound nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof Provided always that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

As to issue
of prefer-
ence capital.

18.—(1) The Company may issue as preference shares or stock or preferred ordinary shares or stock any part of the capital of nine hundred thousand pounds referred to in section 21 (Increase of capital authorised by Act of 1903) of the Act of 1906 which has not been issued at the date of the passing of this Act and section 2 (Power to issue preference shares) of the Act of 1914 as amended by section 9 (Amendment of Act of 1914) of the Act of 1916 shall be read and have effect accordingly.

(2) The Company may also issue as preferred ordinary shares or stock any part of the additional capital of eight hundred and fifty thousand pounds authorised by section 4 (Power to raise additional capital) of the Act of 1919 which has not been issued at the date of the passing of this Act.

Incidents of
new capital.

19.—(1) Except as otherwise provided by this Act or the resolution creating the same the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the capital which the Company were authorised to raise by the Acts of 1903 to 1926 of the same class or description and the new shares or stock were shares or stock in that capital.

(2) Any shares or stock created by the Company under this Act or under the Acts of 1903 to 1926 as modified by this Act and not being of the same class or description as any shares or stock in the capital of the Company existing at the passing of this Act may be created and issued with such priorities as to capital and with such fixed fluctuating contingent preferential perpetual terminable deferred or other dividend or interest of such rate or amount (limited or unlimited) and the holders thereof respectively shall be entitled and subject to such rights of voting (if any) and such other powers rights privileges and liabilities whether as to capital or dividend as the Company may determine. Provided that any preference assigned to any shares or stock so issued shall not affect any guarantee or any preference or priority in the payment of dividend or interest on any shares or stock that may have been created and issued by the Company under any of the Acts of 1903 to 1926 or that may be otherwise lawfully subsisting.

A.D. 1928.

20. The capital in new shares or stock created under the powers of this Act shall form part of the capital of the Company.

New shares or stock to form part of capital of Company.

21. Nothing in this Act shall be deemed to empower the Company in any year to declare or pay out of their profits any dividend in respect of the capital of the Company authorised by the Acts of 1903 to 1926 and this Act in excess of the dividend authorised by section 58 (Relation of price to dividend) of the Act of 1903 as amended by section 46 (Amendment of section 58 of Act of 1903) of the Act of 1906.

As to dividends.

22.—(1) The Company may (subject and without prejudice to the terms upon which any prior issue of shares shall have been made) at any time after the passing of this Act in general meeting held for the purpose of authorising the issue under the powers of the Acts of 1903 to 1926 or this Act of any further shares in the capital of the Company determine that such shares shall upon the issue thereof form a special class or classes of shares instead of forming part of any then existing class or classes of shares or forming any new class of shares authorised by section 13 of the Companies Clauses Act 1863.

As to special classes of shares and securities.

A.D. 1928.

(2) The terms and conditions to which the shares in any special class are subject shall be clearly stated or endorsed on the certificates of such shares.

(3) In this section the word "shares" includes stock and the word "shareholders" includes stockholders.

Power to borrow.

23.—(1) The directors may without any further or other authority than is given by this section and at such times in such manner and on such terms and conditions as they may think fit but as regards debenture stock subject to the provisions of section 23 (Debenture stock) of the Act of 1903 raise for the purposes of the Acts of 1903 to 1926 and this Act and the general purposes of the undertaking either at their option by borrowing on mortgage of the undertaking or by the creation and issue of debenture stock of the same or different classes and with the same or different rights of priority or other rights or partly by either of such means any sum or sums of money not exceeding in the whole three hundred and seventy-five thousand pounds.

(2) Notice of the effect of this enactment shall be endorsed on any mortgage or debenture stock certificate issued after the passing of this Act.

Borrowing in respect of authorised but unissued capital.

24.—(1) Notwithstanding anything in the Acts of 1903 to 1926 the directors may grant or issue in different classes and subject to different conditions and with different rights of priority or other rights any mortgages or debenture stock authorised by those Acts or any of them and which may be granted or issued after the passing of this Act and section 23 (Debenture stock) of the Act of 1903 shall be read and have effect accordingly.

(2) Notice of the effect of this enactment shall be endorsed on any mortgage or debenture stock certificate issued after the passing of this Act.

Priority of existing mortgages and debenture stock.

25. All mortgages or debenture stock granted or issued by the Company in pursuance of the powers of the Acts of 1903 to 1926 and outstanding at the date of the passing of this Act shall during the continuance of such mortgages or debenture stock and subject to the provisions of the Acts under which such mortgages or debenture stock were respectively granted or issued have priority over any mortgages or debenture stock granted or issued by virtue of this Act.

26. It is hereby declared that the extent of the borrowing powers from time to time exerciseable by the directors is the amount (if any) by which the nominal amount of their whole borrowing powers for the time being exceeds the aggregate amount borrowed thereunder and for the time being outstanding. A.D. 1928.
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Defining borrowing powers.

27. Notwithstanding anything in this Act the provisions of section 40 (Securities issued by Company not to include Dudley and Smethwick undertakings) of the Act of 1918 shall extend and apply mutatis mutandis to and in relation to any mortgage debenture debenture stock or other security granted or issued by the Company. Application of section 40 of Act of 1918.

28. The provisions of section 45 (Issue of redeemable preference shares and debenture stock) of the Act of 1923 shall extend and apply to the capital which the Company are authorised by this Act to raise by the issue of preference shares or debenture stock. Issue of redeemable preference shares and debenture stock.

29. Section 12 (Appointment of receiver) of the Act of 1919 is hereby repealed but subject and without prejudice to any appointment of a receiver or proceeding taken under or by virtue of the provisions thereof and in force or pending at the date of the passing of this Act. Appointment of receiver.

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 and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

30.—(1) All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes of the Acts of 1903 to 1926 and this Act and the general purposes of the undertaking being in every case purposes to which capital is properly applicable. Application of moneys.

(2) The Company may apply to the purposes of this Act any moneys which they have raised or may hereafter raise under the Acts of 1903 to 1926 and which may not be required for the purposes for which the same were authorised to be raised.

A.D. 1928.

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 Receipt in
 case of
 persons not
 sui juris.

31. 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 sufficient discharge to the Company.

Power to
 retain sell
 &c. lands.

32. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Company may retain hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired at any time or provided by them and may sell exchange or dispose of any rents reserved therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange.

Use of works
 and appara-
 tus.

33. The Company may use for the purposes of any undertaking belonging to them and authorised by Act of Parliament or Provisional Special or other Order made under the Electricity (Supply) Acts 1882 to 1926 or any of them any mains wires works or apparatus laid down or provided by the Company for the purpose of any other undertaking so authorised and belonging to them.

Power to
 lay connect-
 ing mains.

34.—(1) For the purpose of conveying a supply of electricity from any part of the area of supply to any other part thereof or from or to any area in respect of which the Company are for the time being authorised undertakers or of giving or taking a supply of electricity to or from any local authority company body or person to whom the Company are or may be authorised to supply or from whom the Company are or may be authorised to take a supply of electricity and of placing and maintaining electric lines and works for any such purpose the Company—

(a) with respect to streets in any area in which they are or may be authorised to supply electricity shall have the powers and be subject

to the provisions of the Acts and Orders relating to their powers of supply in that area; and A.D. 1928.

- (b) with respect to streets not within any area in which they are or may be authorised to supply electricity shall have the powers and be subject to the provisions of the Electricity (Supply) Acts 1882 to 1926 and the Electric Lighting (Clauses) Act 1899 and any Act amending or extending those Acts or any of them and those provisions so far as applicable but subject to the provisions of this section shall for the purposes of this section be incorporated with this Act and shall have effect and the Company shall be deemed to be the undertakers.

(2) Any electric line erected or laid down under the powers of this section elsewhere than in any area in which the Company are or may be authorised to supply electricity shall be erected or laid in such line or route and in such a position as may be agreed between the Company and the local authority and (as respects any main road or any county or main road bridge vested in a county council) the county council or as failing agreement shall be settled by an arbitrator to be appointed by the Electricity Commissioners and where any local authority or county council object to any proposed line or route on the ground that it would traverse the principal thoroughfares or busy streets of the area over which they have jurisdiction and indicate an alternative route or deviation which in the opinion of the arbitrator is both reasonably practicable and does not involve undue increase of expenditure such alternative route or deviation shall be adopted. The reasonable and proper costs charges and expenses incurred by any local authority or county council in relation to any arbitration under this subsection shall in any case in which the arbitrator shall certify that the action of the local authority or county council in the matter has not been unreasonable be paid by the Company.

(3) Nothing in this section contained shall take away or prejudicially affect the rights of the Postmaster-General under section 14 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply in respect of such alternative route or deviation.

A.D. 1928.

Wayleaves.

35.—(1) In any case in which the Company shall serve notice pursuant to section 22 of the Electricity (Supply) Act 1919 upon the owner and occupier of any land over which the Company propose to place any electric line above ground and the owner or occupier within twenty-one days of the service of the notice fails to give his consent or attaches to his consent any terms or conditions or stipulations to which the Company object the Minister of Transport may upon being satisfied that the failure of the owner or occupier to give his consent or the attaching to his consent of such terms conditions or stipulations is delaying or will delay the placing by the Company of an electric line above ground in respect of the greater part of which the Company shall have obtained all necessary consents and subject to the Company observing such terms conditions and stipulations (if any) (including the deposit of a sum or sums of money by the Company) as the Minister may think fit to impose authorise the Company to proceed and thereupon the Company may proceed with the placing of the said line pending consideration by the Minister of the giving or withholding of his consent under section 22 of the Electricity (Supply) Act 1919.

(2) The provisions of this section shall not apply to the placing of any electric line above ground across any land being—

- (a) a street or land covered by buildings or used as a garden or pleasure ground; or
- (b) land vested in or maintained or controlled by any county council or local authority or any company or body owning a railway tramway dock canal navigation or gas or water undertaking under the powers of an Act or Provisional or Special or other Order having the force of an Act.

(3) Subsection (4) of section 22 of the Electricity (Supply) Act 1919 shall extend and apply to the execution of any works under the provisions of this section.

Laying
mains in
private
streets.

36.—(1) The Company may upon the application of the owner or occupier of any premises within the area of supply abutting on or being erected in any street laid out but not dedicated to public use or if so dedicated not repairable by the inhabitants at large supply such premises with electricity and may lay down take up

alter relay or renew in across or along such street such mains wires and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electricity (Supply) Acts 1882 to 1926 and of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Company under the powers of this section. A.D. 1928.

(2) Before the Company break up any street under the powers of this section the Company shall (except in cases of emergency) give twenty-one clear days' notice to the local authority of the borough or district in which the street is situate of their intention so to do and the Company shall in carrying out any works in such street and in reinstating the same conform to all reasonable requirements made by the local authority. Any difference arising between the Company and the local authority under this subsection shall be referred to arbitration.

(3) Nothing in this section contained shall apply to any street belonging to and forming the approach to any station or depôt of a railway company nor shall the Company in carrying out the works authorised by this section unreasonably obstruct or interfere with the convenient access to any such street.

37. A consumer (other than any authorised undertakers) supplied with electricity by the Company under the terms of any agreement shall be deemed to be a person to whom the Company may be and are required to supply electricity within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and the provisions of that section shall apply to the supply afforded by the Company under such agreement unless the provisions of that section are expressly excluded from application in the agreement and if the Company fail to supply electricity to such consumer they shall not be liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Company. Supply of electricity by agreement.

38. Section 55 (Notice of discontinuance of supply) of the Act of 1903 shall apply to any local authority company body or person to whom the Company may Notice of discontinuance of supply.

A.D. 1928. — be giving a supply for power purposes under any Act or Order relating to the Company but without prejudice to the provisions of any agreement for the time being in force between the Company and any such local authority company body or person.

For pre-
vention of
improper
use.

39. If any authorised undertakers company body or person uses or deals with the electricity supplied to them or him by the Company in such manner as to interfere unduly or improperly with the efficient supply of electricity to any other authorised undertakers company body or person by the Company the Company may if they think fit cease to supply electricity to the first-mentioned authorised undertakers company body or person.

Meetings of
Company.

40. The ordinary general meeting of the Company shall be held in each year at such time and place as the directors may from time to time appoint.

Provisions
as to meet-
ings of
holders of
particular
classes of
shares stock
or debenture
stock.

41.—(1) The directors may whenever they think it expedient so to do convene a meeting of the holders of any particular class of either shares or stock in the capital of the Company or of debenture stock issued by the Company and may submit to any such meeting any resolution affecting the rights of the holders of that class of shares or stock or debenture stock and not prejudicially affecting the rights of the holders of any other security of the Company.

(2) Subject as regards debenture stock to the provisions of any trust deed or other instrument securing such stock any meeting of the holders of any particular class of shares or stock or of debenture stock convened under this section shall be convened by notice sent by post to or delivered at the registered address of each share or stock holder Provided that the notice if sent by post shall be in a prepaid envelope or wrapper and posted not less than seven clear days before the date of the meeting and if delivered shall be delivered at such address as aforesaid not less than six clear days before the date of the meeting In proving that any such notice has been sent by post it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed and put into the post and prepaid not later than the time hereby prescribed.

(3) Subject as regards debenture stock to the provisions of any trust deed or other instrument securing such stock if at a meeting of the holders of any particular class of shares or stock or of debenture stock convened under this section any resolution is passed with the approval of three-fourths in value of such holders present in person or by proxy at the meeting such resolution shall be deemed valid and be binding on all holders of shares or stock or debenture stock (as the case may be) of the same class and due effect shall and may be given to such resolution by the Company and the directors accordingly. A.D. 1928.

(4) The provisions of sections 76 and 77 of the Companies Clauses Consolidation Act 1845 (as amended or modified by the Companies Clauses Consolidation Act 1888) with reference to the appointment of proxies by shareholders and voting by proxy shall apply to the appointment of proxies by the holders of shares stock or debenture stock and to voting by those proxies and the provisions of the section of this Act of which the marginal note is "Joint holders" with reference to voting by joint holders of shares and of section 79 of the said Act of 1845 with reference to voting by minors and other persons shall also apply to and in the case of the holders of shares stock or debenture stock as if in those sections the words "a share" or the word "share" included the words "stock" and "debenture stock" and the word "shareholder" included a holder of stock and holder of debenture stock.

(5) Section 80 of the Companies Clauses Consolidation Act 1845 shall apply to the proof of the approval by the necessary majority of the holders of any particular class of shares or stock or of debenture stock of any resolution proposed at a meeting of the holders of such security as if that section were re-enacted in this Act with the substitution of the words "holders of any particular class of shares or stock or of debenture stock" for the word "company" in the first and second places where that word occurs in the said section.

42. Section 95 of the Companies Clauses Consolidation Act 1845 shall be deemed to authorise the directors to appoint any one or more of their body as a committee for the purposes of passing transfers and sealing certificates of any shares stock or other securities of the Company As to committees of directors.

A.D. 1928. and of executing any other minor powers exerciseable by the directors.

Closing of
transfer
books pre-
vious to
paying
interest.

43.—(1) The directors may close the register of transfers of mortgages debentures or debenture stock for a period not exceeding fourteen days previous to each date at which the interest thereon shall be payable and in the case of any such register they may fix a day for closing the same of which seven days' notice shall be given either by circular to each proprietor or by advertisement in a newspaper published in the county of London.

(2) Any transfer of mortgages debentures or debenture stock made during the time when the register of transfers of such security is so closed shall as between the Company and the person claiming under the same but not otherwise be considered as made subsequently to the payment of any such interest.

As to share-
holders'
register.

44. Notwithstanding anything in the Companies Clauses Consolidation Act 1845 it shall not be necessary after the passing of this Act to authenticate the register of the shareholders or stockholders of the Company by affixing the common seal of the Company to such register.

Joint
holders.

45. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any share or stock in the capital of the Company any one of those persons may vote at any meeting at which holders of shares or stock of the same class are entitled to vote either personally or by proxy in respect of the share or 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 share or stock shall alone be entitled to vote in respect thereof.

Auditors.

46.—(1) The Company shall annually appoint one person or two persons or a firm of accountants who 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 Electricity Commissioners to be the auditor or auditors of the Company.

(2) It shall not be necessary for any auditor to hold any shares or stock in the Company. A.D. 1928.

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

48. The provisions of section 16 of the Electricity (Supply) Act 1919 as modified and set forth in the Fourth Schedule to the Electricity (Supply) Act 1926 shall extend and apply to a generating station acquired under any agreement which may be entered into under the provisions of this Act as if such acquisition were the acquisition of a generating station under or in consequence of the said Act of 1926. Compensation for deprivation of employment.

49. Where under this Act any question or dispute is to be referred to arbitration then unless other provision is made the reference shall be to an arbitrator agreed on between the parties or failing agreement appointed by the Minister of Transport on the application of either party after notice to the other. Arbitration.

50. The following enactments are hereby repealed :— Repeal.

The Act of 1903—

- Section 12 (Power to divide shares);
- Section 13 (Dividend on half shares);
- Section 14 (Dividend on preferred shares to be paid out of profits of year only);
- Section 15 (Half shares to be registered and certificates issued);
- Section 16 (Terms of issue to be stated in certificates);
- Section 17 (Forfeiture of preferred shares);
- Section 18 (Preferred shares not to be cancelled or surrendered);
- Section 19 (Half shares to be half shares in capital);
- Section 49 (Overhead wires).

The Act of 1906—

- Section 21 (Increase of capital authorised by Act of 1903) so far as it relates to sections 12 to 19 inclusive of the Act of 1903.

A.D. 1928. The Act of 1919—

Section 18 (Power to sell &c. lands).

Costs of
Act.

51. 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.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

THE ADDED AREA OF SUPPLY.

In the county of Gloucester—

The borough of Tewkesbury;

The urban district of Stow-on-the-Wold;

The rural districts of Tewkesbury (except the parish of Boddington) Winchcomb (except the parishes of Bishops Cleeve Gotherington Prescott Southam and Brockhampton and Woodmancote) Marston Sicca and Pebworth;

The parishes of Quinton Admington Clopton Mickleton Hidcote Bartrim Ebrington Chipping Campden Moreton-in-Marsh Bourton-on-the-Hill Batsford Lower Lemington and Todenham in the rural district of Campden;

The parishes of Sezincote Longborough Donnington Condicote Upper Swell Lower Swell Broadwell Mangersbury Oddington Adlestrop Naunton Notgrove Eyford Upper Slaughter and Lower Slaughter in the rural district of Stow-on-the-Wold.

In the county of Warwick—

The rural districts of Alcester Brailes and Farnborough;

The parishes of Billesley Old Stratford and Drayton Temple Grafton Binton Bickmarsh Atherstone-on-Stour Whitchurch Luddington Milcote Loxley and Easington in the rural district of Stratford-on-Avon.

[18 & 19 GEO. 5.] *Shropshire* [Ch. lxxxviii.]
Worcestershire and Staffordshire Electric Power Act, 1928.

In the county of Oxford—

A.D. 1928.

The borough of Banbury;

The rural district of Banbury.

THE SECOND SCHEDULE.

THE DISTRIBUTION AREA.

In the county of Oxford—

The rural district of Banbury.

In the county of Warwick—

The rural district of Brailes (except the parishes of Ilmington and Stretton-on-Fosse);

The rural district of Farnborough;

The parishes of Loxley and Easington in the rural district of Stratford-on-Avon.

In the county of Gloucester—

The parishes of Lower Lemington and Todenham in the rural district of Campden.

THE THIRD SCHEDULE.

MAXIMUM PRICES CHARGEABLE IN DISTRIBUTION AREA.

In this schedule—

The expression “unit” shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION I.

Where the Company charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter:—

(a) In respect of the quarters ending thirty-first March and thirty-first December—

For any amount up to fifteen units twelve shillings and sixpence and for each unit over fifteen units tenpence.

[Ch. lxxxviii.] *Shropshire* [18 & 19 GEO. 5.]
Worcestershire and Staffordshire Electric Power Act, 1928.

A.D. 1928.

(b) In respect of the quarters ending thirtieth June and thirtieth September—

For any amount up to ten units eight shillings and fourpence and for each unit over ten units tenpence.

SECTION II.

Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rates set forth in section I of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Company under the regulations of the Electricity Commissioners.

SECTION III.

A service charge per quarter of two shillings and sixpence for each room wired for the supply of electricity and in addition a sum of threepence halfpenny per unit for all units supplied.

For the purposes of this section the word "room" shall or shall be deemed to include a hall landing and attic (provided the same be used as living rooms) but shall not include a passage lumber room scullery pantry cellar bathroom or lavatory.

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