

**CHAPTER xviii.**

An Act to empower the Slough Gas and Coke Company A.D. 1913.
to convert its capital into stock and for other purposes.
[4th July 1913.]

WHEREAS by the Slough Gas Act 1866 the Slough Gas and Coke Company Limited were dissolved and re-incorporated by the name of the Slough Gas and Coke Company (in this Act called "the Company") and were authorised to supply gas within the limits defined by that Act:

And whereas by the Slough Gas Order 1884 confirmed by the Gas Orders Confirmation (No. 2) Act 1884 the limits of supply of the Company were extended:

And whereas by the Slough Gas Order 1898 confirmed by the Gas Orders Confirmation (No. 2) Act 1898 the Company were authorised to construct further gasworks on the land therein described:

And whereas by the Slough Gas Order 1901 confirmed by the Gas and Water Orders Confirmation Act 1901 the Company were authorised to raise further capital:

And whereas the share capital of the Company consists of—

5,000*l.* created under the Slough Gas Act 1866 consisting of five hundred ordinary shares of ten pounds each entitled to a dividend at the rate of ten per centum per annum;

19,570*l.* raised under the Slough Gas Act 1866 by the creation and issue of one thousand nine hundred and fifty-seven shares of ten pounds each entitled to a dividend at the rate of seven per centum per annum;

17,780*l.* raised under the Slough Gas Order 1901 by the creation and issue of one thousand seven hundred and

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seventy-eight shares of ten pounds each entitled to a dividend at the rate of seven per centum per annum ;

430*l.* raised under the Slough Gas Act 1866 by the creation and issue of forty-three preference shares of ten pounds each entitled to a dividend at the rate of six per centum per annum ;

1,632*l.* 3*s.* 6*d.* being the balance of the capital authorised by the Slough Gas Order 1901 and remaining to be issued by the Company :

And whereas premiums were paid upon the additional capital created under the Slough Gas Order 1901 to the amount of five thousand five hundred and eighty-seven pounds sixteen shillings and sixpence :

And whereas the Company were authorised by the Slough Gas Act 1866 to borrow on mortgage the total sum of six thousand two hundred and fifty pounds and by the Slough Gas Order 1901 a further sum of six thousand two hundred and fifty pounds and the Company have borrowed by the creation and issue of mortgage debentures which are now outstanding the sum of eight thousand three hundred pounds entitled to interest at the rate of four per centum per annum leaving unexercised powers of borrowing to the amount of three thousand seven hundred and ninety-two pounds in respect of the capital already issued and to the further amount of four thousand two hundred pounds when the whole of the authorised capital of fifty thousand pounds shall have been issued and paid up :

And whereas it is expedient that the capital of the Company should be converted into stock bearing a dividend of five per centum per annum as in this Act provided :

And whereas it is expedient that the limits of supply of the Company should be further extended as in this Act provided :

And whereas the demand for gas within the Company's present limits of supply has increased and is increasing and it is expedient that the Company should be authorised to raise additional capital and that the further powers hereinafter contained should be conferred on 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):—

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1. This Act may be cited as the Slough Gas Act 1913. Short title.

2. The Slough Gas Act 1866 the Slough Gas Order 1884 the Slough Gas Order 1898 and the Slough Gas Order 1901 (in this Act referred to respectively as "the Act of 1866" "the Order of 1884" "the Order of 1898" and "the Order of 1901" and collectively as "the Act and Orders 1866 to 1901") and this Act may be cited together as the Slough Gas Acts and Orders 1866 to 1913. In the Order of 1898 the expression "the prescribed rates" shall include the rate of dividend authorised by this Act to be paid by the Company on the new capital or such rate as shall be reduced or increased in accordance with the provisions of this Act. Construction of Act.

3.—(1) So far as the same relate to the powers conferred by this Act the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):— Incorporation of Acts.

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

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

The consolidation of the shares into stock;

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

The making of dividends;

The giving of notices; and

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

A.D. 1913. and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 the Companies Clauses Act 1869 as amended by subsequent Acts are hereby incorporated with this Act and form part of this Act.

(2) The Gasworks Clauses Act 1847 (except sections 30 to 34) and the Gasworks Clauses Act 1871 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 incorporated with and form part of this Act And the said Gasworks Clauses Acts as so incorporated with this Act shall apply to the existing gas undertaking of the Company Provided that section 13 of the Gasworks Clauses Act 1847 shall be read as if the words "or any premises" were inserted after the words "private building" and as if the words "Provided also that every such contract entered into by the Company shall be alike in terms and amount under like circumstances to all consumers" were added at the end of that section and also that section 35 of such Act shall be read and construed as if the words from "in case the whole" down to the words "have been paid" all inclusive were omitted therefrom and as though the expression "the prescribed rate" included the standard rate of dividend or such rate as reduced or increased in accordance with the provisions of this Act together with any sum which under the provisions of this Act may be carried to the special purposes fund.

(3) The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the promoters of the undertaking).

(4) The provisions of the Companies Clauses Consolidation Act 1845 with respect to the conversion of borrowed money into capital shall cease to apply to the Company.

Interpreta-
tion.

4. In this Act the several words terms and expressions to which by any Act in whole or in part incorporated with this Act meanings are assigned shall have the same respective meanings and in the construction of this Act or of any such Act for the purposes of this Act the expression "the undertaking" shall mean the undertaking of the Company as extended by this Act.

The expression "the limits of supply" means the existing limits of supply of the Company as extended by this Act. A.D. 1913.

5.—(1) From and after the passing of this Act the limits of supply of the Company shall include in addition to their existing limits that part of the parish of Burnham which does not form part of the limits of supply of the Maidenhead Gas Company as defined by the Maidenhead Gas Act 1876 except so much of the said parish of Burnham as lies within half a mile in a northerly direction from the centre of the public road leading from Eton Wick to Dorney and so much of the parishes of Langley Marish and Horton all in the county of Buckingham which lie between the boundary of the limits of supply of the Company as defined by the Order of 1884 and the line coloured blue on a map signed in triplicate by Henry Edward Jones and Richard Martin copies of which said map are in the possession of the Company the Uxbridge Gas Company and the clerk to the Eton Rural District Council in the county of Buckingham respectively. Extension of limits of supply.

(2) Copies of the said map deposited as aforesaid certified by the secretary to the Company to be true copies shall be received in all courts of justice and proceedings as *prima facie* evidence of the contents of such map.

(3) The Company shall have and may exercise within the limits of supply as extended by this Act all and the like powers privileges and authorities for and in relation to the supply of gas and shall be subject to all and the like duties liabilities and obligations as amended by this Act in respect thereof as they now have and may exercise and are subject to within the limits of supply of the Company as defined by the Act and Orders 1866 to 1901.

6. For the protection of the Great Western Railway Company (hereinafter referred to as "the Great Western Company") the following provisions shall apply:— For protection of Great Western Railway Company.

(1) In laying down altering improving enlarging extending maintaining or renewing or in executing or effecting the repairs or renewals of any mains pipes or other works in the exercise of the powers contained in this Act upon across under or adjoining or in any way affecting the railways lands and property now or hereafter belonging to or used or occupied by the Great Western Company or the bridges approaches

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viaducts stations or other works or any level crossings over the railways of the Great Western Company the same shall be done under the superintendence and to the reasonable satisfaction of the principal engineer of the Great Western Company and only according to such plans and in such manner as shall be submitted to and as shall be previously reasonably approved by him in writing :

- (2) All such works shall be done by and at the expense of the Company except as in this section otherwise provided who shall also restore and make good to the reasonable satisfaction of the said engineer the roads over or under any bridge or over any level crossing of the railway of the Great Western Company or over the approaches to any such bridge or level crossing so far as the same may be disturbed or interfered with by or owing to any operations of the Company Provided always that should the Great Western Company elect so to do where any mains or pipes require to be laid under or across any level crossing of their railway they may themselves lay the same at the costs charges and expenses of the Company :
- (3) All such works and operations and all matters incidental thereto shall be constructed executed and done so as to cause as little injury as may be to such railways bridges level crossings approaches viaducts stations works lands or property and so as to cause no interruption to the passage or conduct of traffic over such railways or at to or from any station thereon :
- (4) If any injury or interruption as aforesaid shall arise from or in any way be owing to any of the acts works operations and matters aforesaid (not being due to works carried out by the Great Western Company under or across any level crossing by virtue of the powers given to them by this section) or the leakage or failure of any such mains pipes or works in under or near to any railway bridge level crossing embankment cutting approach viaduct station lands works or property of the Great Western Company the Company shall make compensation to the Great Western Company in respect thereof the amount of

such compensation unless agreed upon to be determined by arbitration in the manner hereinafter provided : A.D. 1913.

- (5) Any additional expense which the Great Western Company may reasonably and properly incur in widening altering or maintaining their railway bridges or works by reason of the existence of any mains or pipes of the Company across or under the same shall be paid by the Company :
- (6) If the Great Western Company at any time or times hereafter require (of which they shall be the sole judges) to construct any additional or other works upon their lands or railways or to alter or repair their railways bridges viaducts or works upon across over or under which any of the works of the Company may have been constructed or laid the Great Western Company may on giving to the Company fourteen days' notice in writing under the hand of their secretary or general manager and in case of emergency (of which their engineer shall be the sole judge) without notice divert support or carry the said works of the Company across over or under their lands railways bridges or works at any other point or otherwise deal with the same in as convenient a manner as circumstances will admit and doing as little damage as may be without being liable to pay compensation in respect of such diversion supporting carrying or dealing with such works :
- (7) Any dispute or difference which may arise between the Great Western Company and the Company with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on the application of the Great Western Company and the Company or either of them and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

7. This Act shall be read and have effect as if section 9 (For protection of Grand Junction Canal) of the Order of 1884 had been re-enacted in this Act with reference to the powers

For protection of Grand Junction Canal Company.

A.D. 1913. — conferred on the Company by this Act and the Acts incorporated therewith and the exercise by the Company of the powers conferred by this Act and those Acts respectively shall be subject in all respects to the provisions of that section.

Conversion
of preference
and ordinary
shares of
Company.

8.—(1) As from the passing of this Act all the existing preference shares of the Company shall be converted and consolidated into one class of preference stock to be called preference stock to the amount of five hundred and sixteen pounds bearing an uniform rate of interest of five pounds per centum per annum and such preference stock shall be divided among the holders of preference shares in the existing capital of the Company as follows (that is to say) :—

To each holder of preference shares for every preference share held by him twelve pounds nominal value of preference stock.

(2) As from the passing of this Act all the existing ordinary shares of the Company shall be converted and consolidated into one class of stock to be called ordinary stock to the amount of sixty-two thousand two hundred and ninety pounds bearing an uniform rate of interest of five pounds per centum per annum and such ordinary stock shall be divided among the holders of ordinary shares in the existing capital of the Company according to the following scale (that is to say) :—

For every ordinary share of ten pounds entitled to a dividend at the rate of ten per centum twenty pounds nominal value of ordinary stock ;

For every ordinary share of ten pounds entitled to a dividend at the rate of seven per centum fourteen pounds nominal value of ordinary stock.

(3) As from the passing of this Act there shall be by virtue of this Act created such nominal amounts of five pounds per centum preference stock and of five pounds per centum ordinary stock as shall be necessary for the purpose of carrying into effect the conversion of such preference and ordinary shares. The amount of preference and ordinary stock to which the respective holders of existing preference and ordinary shares become by virtue of this Act entitled in substitution for such existing shares shall be vested in such holders as from the said date and shall be forthwith registered in their respective names in the books of the Company.

9. All preference and ordinary stock issued to holders of existing preference and ordinary shares of the Company shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in upon or to which the existing shares for which the preference and ordinary stock is substituted were held or were subject to immediately before the passing of this Act and shall be dealt with applied and disposed of accordingly and so as to give effect to and not to revoke any deed will or other instrument disposing of or affecting any such existing shares and trustees executors or administrators or other incapacitated parties shall accept preference and ordinary stock as the case may be in substitution for such existing shares held by them and may subject to the provisions of this Act retain dispose of or otherwise deal with the same as they might have retained disposed of or otherwise dealt with such existing shares.

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Preference
and ordinary
stock to be
held on
same trusts
&c. as shares
for which it
is substi-
tuted.

10.—(1) The Company shall call in the certificates of the existing preference and ordinary shares of the Company for which the preference and ordinary stock shall be substituted by virtue of this Act and shall issue in exchange for those certificates to the respective holders thereof free of charge certificates of preference and ordinary stock of the respective amounts to which those holders are by this Act respectively entitled.

Certificates
to be called
in and others
issued.

(2) No holder shall be entitled to a certificate of the preference or ordinary stock so substituted for the existing shares held by him until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate of stock is to be substituted or shall have proved to the reasonable satisfaction of the directors of the Company the loss or destruction thereof and shall have given such guarantee or indemnity as the Company may require.

(3) Until the issue of the certificates of such preference or ordinary stock the existing certificates for which such new certificates are to be substituted shall according to the amounts of preference and ordinary stock to be substituted by virtue of this Act for the existing shares which they respectively represent have and confer the same rights and advantages as if they were certificates for the respective amounts of preference or ordinary stock which are to be so substituted for such existing shares.

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(4) If any holder of any existing shares of the Company neglects or omits to send or deliver to the Company his existing certificate for the period of one year after notice in writing sent by post to the address appearing in the shareholders' address book the Company may suspend the payment of any dividend declared or made payable upon or in respect of the preference and ordinary stock so held by him until such existing certificate is sent or delivered to the Company or is proved to the reasonable satisfaction of the directors of the Company to have been lost or destroyed.

(5) On the issue of any certificate of preference or ordinary stock the certificate or certificates for which it is substituted shall be cancelled.

Transfers of
shares al-
though by
present name
to be valid.

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

Stock to be
transferable
in multiples
of one pound.

12. All preference and ordinary stock of the Company shall be issued and be transferable only in amounts of one pound or multiples of one pound.

Rights of
holders of
stock.

13. Holders of preference and ordinary stock shall be entitled to participate in the dividends and profits of the Company according to the amount of their interests in those stocks and subject to the provisions of this Act such interests shall in proportion to the amount thereof confer on the respective holders of such stock the same privileges and advantages

as would have been conferred by the existing shares of the Company for which the stock is substituted. A.D. 1913.

14. Subject to the provisions of this Act the provisions of the Companies Clauses Acts 1845 to 1889 shall extend and apply to the preference and ordinary stock of the Company as if the same had been consolidated under the provisions of the Companies Clauses Consolidation Act 1845 with respect to the consolidation of shares into stock and sections 18 to 20 of the Companies Clauses Consolidation Act 1845 shall be deemed and construed to include and apply to the preference and ordinary stock and dividends thereon as if such stock and dividends respectively had been expressly named in the said sections.

Application
of provisions
of Com-
panies
Clauses
Acts to pre-
ference and
ordinary
stock.

15. The powers conferred upon the Company by the Order of 1901 of raising further capital by shares or stock shall as regards any balance of the sum which they are so authorised to raise which shall not have been raised previous to the passing of this Act be exercised only by the creation and issue of ordinary or preference stock under the provisions of this Act and the provisions of section 6 of the Order of 1901 shall be read and have effect accordingly.

As to unex-
ercised
powers of
Order of
1901.

16. The Company may in addition to the preference and ordinary stock created by virtue of this Act raise additional capital not exceeding in the whole fifty thousand pounds by the creation and issue of ordinary stock or preference stock or wholly or partially by one or more of those modes respectively Provided that it shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of additional capital than shall be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of fifty thousand pounds.

Additional
capital.

17. Subject as hereinafter provided the additional capital raised by the Company under this Act shall be part of the general capital of the Company and save as otherwise provided in respect of such capital by the provisions of this Act the holders of stock in such additional capital shall be entitled to the like rights of voting and any other rights qualifications and privileges in proportion to the amount of their stock from time to time paid up and be subject to the like provisions and liabilities as the holders of stock issued under this Act to holders of the shares in the present capital of the Company are subject.

Privileges
&c. of
holders of
additional
capital.

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Additional
capital to be
sold by
auction or
tender.

18.—(1) All stock forming part of the additional capital shall be issued in accordance with the provisions of this section.

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

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

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

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

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

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

(3) Any stock which has been so offered for sale and is not sold may be offered at the reserve price to the holders of ordinary and preference stock of the Company in accordance with the provisions of sections 18 19 and 20 of the Companies Clauses Act 1863 and to the employees of the Company and to the consumers of gas supplied by the Company in such proportions as the directors of the Company may think fit or

to one or more of these classes of persons only Provided in the case of an offer to holders of stock that if the aggregate amount of stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively. A.D. 1913.

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

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

19. All moneys raised under this Act including any premiums shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise by way of premium from the issue of any stock under the provisions of this Act after deducting therefrom the expenses of and incident to such issue shall not be considered as part of the capital of the Company entitled to dividend. Application of premium arising on issue of stock.

20. As from the passing of this Act the profits of the Company to be divided amongst the holders of the ordinary stock of the Company in any year shall not except as by this Act provided exceed the rate (in this Act referred to as "the standard rate of dividend") of five pounds per centum per annum and the profits of the Company to be divided amongst the holders of the preference stock shall not exceed the rate of five pounds per centum per annum. Limitation of profits.

21. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any stock in the additional capital to which a preferential dividend shall be assigned. Restriction as to votes in respect of preference stock.

22. The Company may subject to the provisions of this Act in addition to any moneys which they are authorised to borrow under the Act and Orders 1866 to 1901 borrow on Power to borrow.

A.D. 1913. mortgage of the undertaking any sum or sums not exceeding in the whole one-third part of the amount of the additional capital which at the time of borrowing has been raised under the powers of this Act but no sum shall be borrowed in respect of any capital so raised until the Company have proved to a justice of the peace before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that the whole of the stock at the time issued together with the premium (if any) realised on the sale thereof have been fully paid up.

Priority of principal moneys secured by existing mortgages.

23. The principal moneys secured by all mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages have priority over the principal moneys secured by any mortgages granted by virtue of this Act.

Debenture stock.

24. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 17 of the Order of 1901.

Priority of mortgages and debenture stock over other debts.

25. All money raised or to be raised by the Company on mortgage or debenture stock under the provisions of the Act and Orders 1866 to 1901 or under this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act Provided always that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company which is entitled to rank in priority to or *pari passu* with the interest on their mortgages or debenture stock.

For appointment of receiver

26. As from the passing of this Act section 19 (For the appointment of a receiver) of the Order of 1901 is hereby repealed but without prejudice to any appointment heretofore made or to the continuance of any proceedings which may have been commenced under any such provision prior to the commencement of this Act and the mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of a

receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall be not less than one-tenth part of the total amount for the time being owing by the Company on mortgage. A.D. 1913.

27. If any money is payable to a holder of stock or mortgagee or debenture stock-holder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt in case of persons not sui juris.

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

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

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

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

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

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

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

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(6) The money or securities (if any) standing to the credit of the insurance fund of the Company at the passing of this Act shall be credited to the special purposes fund and section 13 of the Order of 1898 is hereby repealed.

Quality of
gas.

29.—(1) The prescribed number of candles shall be not less than fourteen.

(2) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be the testing place already provided by the Company at their works or some other testing place to be provided by the Company upon some part of their works in substitution for such testing place.

(3) The quality of the gas supplied by the Company shall with respect to its illuminating power be such as to produce at the testing place when burned at the rate of five cubic feet per hour a light equal in intensity to the light produced by fourteen sperm candles of six to the pound each consuming one hundred and twenty grains of sperm per hour and shall be in all respects in accordance with the provisions of the Gasworks Clauses Act 1871.

(4) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan Argand No. 2 the photometer shall be the bar photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light. Provided that the Board of Trade may on the application of the Company or the local authority approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing.

(5) The Company shall within six months from the passing of this Act provide all the apparatus required by this Act for the testing of gas and shall at all times keep the same in proper order and repair.

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

(7) Section 11 (Pressure of gas) of the Order of 1884 section 10 (Quality of gas) and section 11 (Testing of gas) of the Order of 1898 are hereby repealed.

(8) Any gas examiner appointed under the Gasworks Clauses Act 1871 may for the purposes of this Act subject to the terms of his appointment at the testing place or at any public lamp as and when he thinks fit test the pressure at which the gas is supplied. The Company shall afford to the examiner all reasonable facilities for making the test. A.D. 1913.

30. No penalty shall be incurred by the Company for neglect or refusal to give a supply of gas in accordance with the provisions of this Act to any company body or person who uses or is in the habit of using machinery or apparatus for making and utilising suction gas if and so long as the giving of a supply to such company body or person would interfere with the supply of gas by the Company for public and private lighting and to consumers not using such machinery or apparatus as aforesaid. Provided that in the event of any difference or dispute arising as to whether any such supply of gas would be so interfered with as aforesaid such difference or dispute shall be referred to arbitration in manner provided by the Arbitration Act 1889. As to supply to users of suction gas plant.

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

32. As from the passing of this Act section 31 (Quorum of general meetings) of the Act of 1866 is hereby repealed and the quorum for all general meetings (ordinary or extraordinary) of the Company shall be five stockholders holding six hundred pounds of ordinary stock. Quorum of general meeting.

33. From and after the passing of this Act so much of section 32 (Scale of voting) of the Act of 1866 as prescribes the voting power of ordinary shareholders shall be and is hereby repealed and every holder of ordinary stock shall be entitled to one vote in respect of his holding up to fifty pounds and to an Scale of voting.

A.D. 1913. additional vote for every fifty pounds of such stock held by him beyond the first fifty pounds up to three hundred pounds of such stock and an additional vote for every one hundred pounds of such stock held by him beyond the first three hundred pounds of such stock up to one thousand pounds of such stock.

Qualification
of directors
&c.

34.—(1) As from the passing of this Act the qualification of a director of the Company shall be the possession in his own right of not less than two hundred pounds of ordinary stock and section 34 of the Act of 1866 shall be read and have effect as though that amount had been stated therein.

(2) No person shall be disqualified from becoming or continuing a director of the Company by reason of his or any partner of his being or becoming interested in any contract with the Company either on his own behalf or as a member of any other company or of any corporation local authority or partnership but no such person shall as a director vote in respect of any question as to any such contract.

(3) If any director shall be made bankrupt or shall go to reside abroad or shall become lunatic or of unsound mind or shall neglect to attend a meeting of directors for six months (unless such neglect be occasioned by illness or other reasonable cause allowed by the directors) then in any of the cases aforesaid the office of such director shall become vacant and thenceforth he shall cease from voting or acting as a director.

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

Repeal of
section 12 of
Order of
1898 Divi-
dends depen-
dent on price
charged.

35.—(1) On and as from the passing of this Act section 12 of the Order of 1898 (Fixing price of gas with sliding scale as to dividend) shall be repealed.

(2) From and after the said date the standard prices to be charged by the Company for gas supplied by them to persons who shall burn the same by ordinary meter within the district within which they are authorised to supply (other than the parishes of Datchet and Burnham and so much of the parish of Farnham Royal as lies to the north of the main line of the Great Western Railway and so much of the parish of Stoke Poges as lies to the north of the Slough Urban District) shall be four shillings and fivepence per thousand cubic feet and within the parishes of Datchet and Burnham and so much of the parishes of Farnham Royal and Stoke Poges as are last above

mentioned four shillings and eightpence per thousand cubic feet: A.D. 1913.

Provided always that the price charged by the Company for gas supplied by them within the parishes of Datchet and Burnham and so much of the parishes of Farnham Royal and Stoke Poges as are last above mentioned shall not exceed by more than threepence per thousand cubic feet the price for the time being ordinarily charged by them for a like supply of gas in any other part of the district within which they are authorised to supply:

Provided that the Company may increase or reduce the price charged by them for gas above or below the standard prices subject to a reduction or increase in the dividend payable by the Company on the ordinary stock as follows:—

In respect of any half year ending the thirtieth day of June or thirty-first day of December during any part of which the prices charged by the Company shall have been one penny or part of a penny above the standard prices respectively the dividend payable by the Company shall in respect of each penny or part of a penny by which the standard prices shall have been increased be reduced below the standard rate of dividend by one shilling and threepence on every one hundred pounds of ordinary stock and so in proportion for any fraction of one hundred pounds but such reduction shall be calculated only upon whichever of the said prices shall have been increased to the greater extent;

And in respect of any half year ending the thirtieth day of June or thirty-first day of December during the whole of which the prices charged by the Company shall have been one penny or more below the standard prices the dividend payable by the Company may in respect of each penny by which the standard prices respectively shall have been reduced be increased above the standard rate of dividend by one shilling and threepence on every one hundred pounds of ordinary stock and so in proportion for any fraction of one hundred pounds but such increase shall be calculated only upon whichever of the said prices shall have been reduced to the less extent:

Provided also that if in any half year the dividend payable shall be a fractional amount less than one-quarter per centum

A.D. 1913. the Company may defer the payment of such fractional amount until the payment of the next or some succeeding dividend and shall in the discretion of the Company either add such fractional amount to and pay the same with such succeeding dividend accordingly or add the same to the reserve fund.

For protection of
Eton Rural
District
Council.

36. Notwithstanding anything to the contrary contained in this Act the following provisions shall apply and have effect for the protection of the Eton Rural District Council (that is to say):—

(1) The Company shall not at any time be entitled to charge within any of the areas following (that is to say):—

(A) The parish of Datchet;

(B) The parish of Burnham and so much of the parish of Farnham Royal as lies to the north of the main line of the Great Western Railway; and

(C) So much of the parish of Stoke Poges as lies to the north of the Slough Urban District;

each of which is hereinafter in this section referred to as "the area" any higher price than that for the time being ordinarily charged by them in those parts of their limits of supply not within any of the said areas unless they can prove to the reasonable satisfaction of the Eton Rural District Council that for the preceding twelve months they have not received in respect of the gas supplied by the mains in the area an amount equal to ten per centum on the capital outlay incurred by the Company in the laying of such mains such amount to be calculated on the price ordinarily charged within those parts of their limits of supply not within any of the said areas:

(2) Any dispute or difference between the Company and the said rural district council touching the true intent and meaning of this section or as to anything to be done or not to be done thereunder shall be referred to a chartered accountant or other fit person to be agreed on between the parties in difference or failing agreement to be appointed by the Board of Trade at the request of either party.

Interim
dividend.

37. The Company may in any year without calling a meeting of share or stock holders for the purpose declare an

interim half-yearly dividend out of the then ascertained profits of the Company Provided that the amount of any interim half-yearly dividend so declared shall not exceed in any one half-year one half of the amount of the authorised rate of dividend. A.D. 1913.

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

39. Any fittings let for hire under the provisions of the Act of 1866 shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or any proceedings in bankruptcy against the persons in whose possession the same may be: Fittings not to be subject to distress.

Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof.

40. Subject as hereinafter provided all engines motors fittings apparatus and appliances which have been or may be let by the Company in pursuance of statutory powers shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Company Provided that such engines motors fittings apparatus and appliances have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof and provided that nothing in this section shall affect the amount of the assessment for rating of any premises upon which any such engines motors fittings apparatus and appliances are or shall be fixed. Engines &c. though fixed to premises to remain property of Company.

41. 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 of the Company. Directors may determine remuneration of secretary.

42. The Company may on the application of the owner or occupier or any premises within the Company's limits for the Power to lay pipes in streets not

A.D. 1913. supply of gas abutting on or being erected in any road or street
dedicated to laid out but not dedicated to public use supply those premises
public use. with gas and for that purpose the Gasworks Clauses Act 1847
shall apply as if section 7 of that Act were excepted from incor-
poration in the Act and Orders 1866 to 1901.

Power to lay
pipes for
ancillary
purposes.

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

Power to
purchase
lands by
agreement.

44. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands already held by them any lands and hereditaments not exceeding in the whole five acres which the Company may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands forming the site of the gasworks authorised by the Act of 1866 and the lands described in the schedules to the Order of 1884 and the Order of 1898.

Power to
make super-
annuation
and other
allowances.

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

Date of ordi-
nary meet-
ings.

46. As from the passing of this Act section 30 of the Act of 1866 relating to the fixing of meetings is hereby repealed and the ordinary general meetings of the Company shall be held in the month of April in every year or at such other time as shall be appointed for the purpose by an order of a general meeting.

Power to
take licences
for use of
patents.

47. The Company may subject to the provisions of this Act (but only for the purposes of the undertaking within the limits of supply and not so as to acquire any exclusive right

therein) contract for take and use any leave licence or authority to work use exercise and put in practice any invention under letters patent heretofore made or hereafter to be made granting any right or privilege of working using or vending any invention in relation to the manufacture storage supply utilisation or distribution of gas or the conversion manufacture or utilisation of any product obtainable in or arising from such manufacture or from the materials used therein. A.D. 1913.

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

49. In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:— As to construction and placing of pipes &c. between mains and meters.

- (1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Company's mains and the meter so far as such pipes and fittings are intended to be covered over:
- (2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time:
- (3) The specification shall be published once in each of two newspapers circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Company:
- (4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the

A.D. 1913.

Company's main but within the outside wall of the building :

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

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

Anti-fluctu-
ators for
gas engines.

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

Gas con-
sumers to
give notice
to Company
before re-
moving.

51. At least twenty-four hours' notice shall be given to the Company by every gas consumer either personally at the office of the Company or in writing before he shall quit any premises

supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever shall first occur. Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company.

A.D. 1913.

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

Notice of
discon-
tinuance.

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

Period of
error in de-
fective
meters.

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

Power to
refuse to
supply per-
sons in debt
for other
premises.

55. The Company may on any land for the time being belonging to or leased by them erect fit up and maintain houses cottages and buildings for the officers and servants employed by the Company for the purposes of their undertaking.

Power to
erect &c.
cottages for
officers and
servants.

56. If any difference arise between the Company and any road authority or railway canal or other company whose lands or works the Company have power to cross under the authority of the Act and Orders 1866 to 1901 as to the mode of laying down repairing altering or enlarging their mains pipes or other

Differences
with road
authority &c.

A.D. 1913. — works or to the facilities to be afforded for the same such difference shall unless otherwise provided by this Act be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

Recovery of demands.

57. Proceedings for the recovery of any demand made under the authority of the Act and Orders 1866 to 1901 or this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter Provided that the demand does not exceed the amount recoverable in that court in a personal action.

Authenti-
cation and
service of
notices.

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

Recovery of penalties &c.

59. Save as otherwise by this Act expressly provided all offences against the Act and Orders 1866 to 1901 or this Act and all penalties forfeitures costs and expenses imposed or recoverable under the Act and Orders 1866 to 1901 or this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner Provided that costs or expenses except such as are recoverable along with a penalty shall not be recovered as penalties but may be recovered summarily as civil debts.

Repeal of
section 8 of
Order of
1884.

60. From and after the passing of this Act section 8 of the Order of 1884 shall be repealed.

[3 & 4 GEO. 5.]

Slough Gas Act, 1913.

[Ch. xviii.]

61. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Company.

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