

**CHAPTER lxxxv.**

An Act to confer further powers on the Yorkshire
Electric Power Company. A.D. 1914.
[31st July 1914.]

WHEREAS by the Yorkshire Electric Power Act 1901
(hereinafter called "the Act of 1901") the Yorkshire
Electric Power Company (hereinafter called "the Company")
were incorporated and authorised (amongst other things) to
acquire lands and buildings to erect certain generating stations
and other works and to supply electricity within parts of the
west riding of the county of York and by the Yorkshire
Electric Power Act 1910 further powers were conferred upon
the Company :

1 Edw. 7.
c. exvi.

10 Edw. 7. &
1 Geo. 5.
c. xxi.

And whereas the capital of the Company authorised under
the said Acts is two million pounds :

And whereas the Company have created and issued twenty-
seven thousand one hundred and sixty-four ordinary shares of
ten pounds each and thirty-five thousand eight hundred and
thirty-six cumulative preference shares of five pounds each and
the Company have borrowed on mortgage of their undertaking
eighty-five thousand pounds :

And whereas the Company have expended on capital
account for the purposes of and in connection with their
undertaking upwards of four hundred and ninety-eight thousand
pounds :

And whereas it is expedient that the powers of this Act
should be conferred upon the Company and that the provisions
hereinafter contained should be made :

And whereas the objects aforesaid cannot be attained
without the authority of Parliament :

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

Short title.

1. This Act may be cited as the Yorkshire Electric Power Act 1914.

Inter-
pretation.

2. In this Act the several words and expressions to which meanings are assigned by the Act of 1901 have the same respective meanings unless there be something in the subject or context repugnant to such construction:

The expression "the Company" means the Yorkshire Electric Power Company;

The expression "the Act of 1901" means the Yorkshire Electric Power Act 1901;

The expression "the Act of 1910" means the Yorkshire Electric Power Act 1910.

Application
to Board of
Trade under
Electric
Lighting
Acts.

3. Nothing in section 30 of the Act of 1901 shall be held to prohibit or restrict the Company from making applications to the Board of Trade under sections 1 and 2 of the Electric Lighting Act 1909 or prohibit the Board of Trade from granting Provisional Orders or giving consents under such sections.

Power to
maintain use
&c. Barugh
generating
station.

4. The Company may maintain carry on and use and from time to time enlarge alter and renew the existing generating station leased to the Company situate in the parish of Barugh and urban district of Darton in the west riding of the county of York which station is situate on the lands hereinafter described and they may on those lands construct maintain and use a station or stations for generating electrical energy and may exercise in relation to that station the powers conferred by the Act of 1901 in relation to the generating stations by that Act authorised The lands hereinbefore referred to are as follows:—

A plot of land about 3½ acres in extent situate on and adjoining the south-eastern side of the Lancashire and Yorkshire Railway (Silkstone Branch) bounded on the eastern side by a line drawn parallel or nearly parallel to and at a distance of 85 yards or thereabouts westward of the western boundary of the Lancashire and Yorkshire Railway (Barnsley Branch) and on the western side by a

line drawn parallel or nearly parallel to and at a distance of 170 yards or thereabouts west of the said boundary of the said Barnsley Branch Railway.

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5.—(1) In this section the expression “apparatus” includes all engines machines motors accumulators cables conductors services wires tubes pipes insulators distributing cut-out and other boxes switches transformers lamps meters fittings and other apparatus and appliances the expression “consumer” means any company body or person having agreed with the Company for the supply of energy and the expression “contractor” means any company body or person who has by contract with the Company let or agreed to let on hire or disposed of or agreed to dispose of on terms of payment by instalments any apparatus to a consumer.

Exemption of fittings &c. let on hire by contractors from distress.

(2) All apparatus let on hire or disposed of on terms of payment by instalments by a contractor to a consumer or which a contractor may have agreed to let on hire or dispose of as aforesaid and being in or upon premises to which the Company has agreed to give a supply of energy shall at all times subject to the terms of the contract between the contractor and the consumer continue to be the property of the contractor and be removable by the contractor or by the Company at the request of the contractor and subject as aforesaid the power to enter premises for the removal of fittings conferred upon the Company by section 24 of the Electric Lighting Act 1882 and the provisions of section 25 of that Act and of section 16 of the Electric Lighting Act 1909 shall extend and apply to all such apparatus so long as they remain the property of the contractor as if the same were apparatus let by the Company on hire or belonging to the Company within the meaning of such sections or any of them Provided that the distinguishing metal plate or distinguishing brand or mark required by section 16 of the Electric Lighting Act 1909 to be affixed to or impressed or made on such apparatus sufficiently indicates that the contractor is the actual owner thereof and that such apparatus are protected by virtue of this section.

6.—(1) As from the passing of this Act section 21 (Power to borrow) of the Act of 1901 is hereby repealed but without prejudice to anything done thereunder prior to the passing of this Act.

Exercise of borrowing powers in respect of

A.D. 1914.
share capital
when shares
are part paid.

(2) The Company may from time to time borrow on mortgage of the undertaking any sum or sums not exceeding in the whole one third of the nominal amount of those shares in the Company upon which not less than one half part thereof has been paid up but the Company shall not borrow any such sum or sums until they have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that not less than one half of the amount of each of the shares in respect of which the Company propose to borrow has been paid on account thereof and that such shares were issued bonâ fide and are held by the persons to whom the same were issued or their executors administrators successors or assigns and that such persons their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Company
may issue
redeemable
debenture
stock.

7.—(1) The Company may from time to time issue as a redeemable debenture stock any debenture stock which they are authorised to create and by the resolution creating the same shall specify the times at which and the manner in which and the terms and conditions on which the same shall be redeemed.

(2) The Company may among the conditions for the redemption of any such redeemable debenture stock include a condition for the redemption thereof or any part or parts thereof by the substitution for the stock so to be redeemed of other securities of the Company of such nominal amount and upon such terms and conditions as may be prescribed by the resolution creating any such redeemable debenture stock and for the purpose of giving effect to any such condition the Company may create and issue such substituted securities accordingly.

(3) In the event of any redeemable debenture stock being conditioned for redemption by payment in cash the directors of the Company may from time to time after providing for the payment of interest on any mortgages bonds and debenture stock and guaranteed and preference shares or stock of the Company and providing for other fixed charges and obligations set apart out of revenue such sums as they may consider proper for the purpose of forming a fund for the redemption at

maturity of any redeemable debenture stock and may invest such fund or any part thereof and the resulting income therefrom in any securities in which trustees are by law authorised to invest trust funds or in any securities not being securities of the Company in which they may by resolution of a general meeting be authorised to invest such fund and shall hold and apply such fund for the purpose of redeeming any redeemable debenture stock of the Company at maturity and also may pay out of revenue such sums as may be necessary for paying the premiums on any sinking fund policy taken out by the Company for the purpose of redeeming any redeemable debenture stock of the Company at maturity Provided that the directors may apply any part of the redemption fund in the purchase of any redeemable debenture stock at any price not exceeding the redemption price and any stock so purchased shall be cancelled or if no such fund shall be formed the directors of the Company may issue new securities of the like class or description as those to be redeemed to such an amount as may be necessary to provide the money required for redemption of such redeemable debenture stock.

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(4) Upon payment to the holders thereof of the sums payable under any such condition of redemption the debenture stock so redeemed shall be cancelled and the certificates therefor delivered to the Company for cancellation.

8. Subsection (1) of section 2 of the Act of 1910 is hereby repealed and that Act shall be read and have effect as if in lieu of that subsection the following subsection had been inserted therein (namely):—

Amendment
of section 2
of Act of
1910.

(1) The Company may subject to and in accordance with the provisions of Part II. of the Companies Clauses Act 1863 and this Act raise by the creation and issue of preference shares any part not exceeding one half of the capital which they are by the Act of 1901 authorised to raise but so that the nominal amount of preference shares shall not at any time exceed the amount actually paid up on the issued ordinary share capital of the Company.

9. It shall be lawful for the directors of the Company to cancel shares liable to forfeiture without obtaining the confirmation of the declaration of forfeiture by a general meeting of the proprietors of the Company.

Cancellation
of forfeited
shares.

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Removal of
obligation to
prepare half-
yearly
accounts.

10.—(1) The Company shall not be under any obligation to prepare or to submit to their shareholders or auditors half-yearly statements of accounts or balance sheets or to hold ordinary general meetings more than once a year.

(2) The directors of the Company may if it appear to them that the profits of the Company are sufficient declare and pay an interim dividend for the first half of any year notwithstanding that the accounts are not audited for that half-year and that a statement of accounts and balance sheet for that half-year is not submitted to the shareholders and may close their register and books of transfer before the date on which the interim dividend is declared in the same manner and for the same time and subject to the same provisions as they may close their register and books before the date on which their ordinary dividend is declared or before the date of their ordinary meeting.

Votes of
Company at
general
meetings.

11. The Company whilst holders of shares or stock of any other company or undertaking may by writing under their common seal from time to time appoint some person to attend any meeting of such other company or undertaking and such person although not himself a shareholder in such company shall have all the privileges and powers attached to a holder of shares or stock of such company or undertaking at such meeting and may vote thereat in respect of the capital held by the Company.

Quorum.

12. The quorum for a general meeting of shareholders shall consist of ten shareholders present in person or by proxy Provided that in the case of an extraordinary meeting the quorum of shareholders shall hold in the aggregate at least one fourth of the issued capital of the Company unless such one fourth is greater than one twentieth of the nominal capital of the Company when one twentieth of the nominal capital of the Company shall be the aggregate.

Voting at
meetings.

13. For the purposes of voting at general meetings of the Company the prescribed scale of voting referred to in section 75 of the Companies Clauses Consolidation Act 1845 shall be as follows (that is to say):—

On a show of hands every shareholder present in person shall have one vote and upon a poll every shareholder present in person or by proxy shall have one vote for

every share or shares of a nominal value of ten pounds held by him Provided always that no shareholder shall be entitled to vote at any meeting unless he shall have paid all the calls then due upon the shares held by him. A.D. 1914.

14. The directors of the Company may act notwithstanding any vacancy in their body but if at any time the number of directors of the Company holding office shall be less than the minimum number prescribed by section 26 of the Act of 1901 the directors shall not act so long as the number is below such minimum except for the purpose of filling vacancies and allotting shares to any proposed director or directors. Continuing directors.

15. From and after the passing of this Act except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected a director of the Company in place either of a director retiring by rotation or of a director dying refusing to act or ceasing to be qualified or being disqualified to act unless notice in writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the Secretary of the Company or left at the office of the Company seven days at least before the day of election. Notice of candidature for office of director.

16. The Company may apply for or towards the purposes of this Act to which capital is properly applicable any sums of money which they have already raised or are authorised to raise under the authority of the Act of 1901 or the Act of 1910. Power to apply funds.

17. The costs charges and expenses of and incidental to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company. Costs of Act.

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