



## CHAPTER li.

An Act to confer further powers upon the Shropshire  
Worcestershire and Staffordshire Electric Power Com-  
pany and for other purposes. [23rd August 1916.]

A.D. 1916.

**W**HEREAS by the Shropshire and Worcestershire Electric Power Act 1903 the Shropshire and Worcestershire Electric Power Company (in this Act called "the Company") were incorporated with a share capital of three hundred thousand pounds and with power to borrow one hundred thousand pounds and were authorised (amongst other things) to supply electricity within parts of the counties of Salop and Worcester:

And whereas by the Shropshire Worcestershire and Staffordshire Electric Power Act 1905 the name of the Company was changed to the Shropshire Worcestershire and Staffordshire Electric Power Company the area of supply of the Company was extended 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 the share capital and borrowing powers of the Company were increased to nine hundred thousand pounds and three hundred thousand pounds respectively:

And whereas by the Shropshire Worcestershire and Staffordshire Electric Power Act 1914 the Company were empowered to issue part of their share capital as preference shares and further powers were conferred upon the Company:

And whereas the Company have issued share capital to the amount of three hundred thousand pounds in sixty thousand

A.D. 1916  
—

“The Act of 1903” “the Act of 1905” “the Act of 1906” and “the Act of 1914” mean respectively the Shropshire and Worcestershire Electric Power Act 1903 the Shropshire Worcestershire and Staffordshire Electric Power Act 1905 the Shropshire Worcestershire and Staffordshire Electric Power Act 1906 and the Shropshire Worcestershire and Staffordshire Electric Power Act 1914;

“The Acts of 1903 to 1916” means the Shropshire Worcestershire and Staffordshire Electric Power Acts 1903 to 1914 and this Act;

“The undertaking” means the undertaking of the Company as authorised by the Acts of 1903 to 1916;

“The directors” means the directors of the Company;

“Apparatus and appliances” means and includes 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;

“Consumer” means any company body or person having an agreement with the Company for the supply of energy;

“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 and appliances to a consumer.

Power to borrow.

4.—(1) Notwithstanding anything contained in any Act 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 raise for the purposes of this Act and for 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 subject to the provisions of section 23 (Debenture stock) of the Act of 1903 or partly by either of such means such sum or sums of money as with the aggregate amount of money raised at the date of the passing of this Act by borrowing on mortgage and by the creation and issue of debenture stock under



the provisions of the Act of 1903 and the Act of 1906 will make up the sum of three hundred thousand pounds Provided that no sum of money raised by borrowing on mortgage or by the creation and issue of debenture stock which together with the money raised as aforesaid under the provisions of the Act of 1903 and the Act of 1906 exceeds one-third part of the amount of the share capital of the Company at the time actually issued shall rank in priority to or *pari passu* with the moneys secured by any mortgages or debenture stock granted or issued prior to the passing of this Act without the consent of the holders of any such mortgages or debenture stock as provided by any agreement between the Company and the holders thereof or any trustees for them or any of them.

A.D. 1916.  
—

(2) The powers of borrowing on mortgage conferred upon the Company by section 21 (Power to borrow) of the Act of 1903 as amended by section 21 (Increase of capital authorised by Act of 1903) of the Act of 1906 so far as the same shall not have been exercised at the date of the passing of this Act are hereby repealed.

5. Section 22 (For appointment of a receiver) of the Act of 1903 is hereby repealed but subject and without prejudice to any appointment of a receiver or proceedings 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.

6. If any money is payable to a mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt in  
case of per-  
sons not sui  
juris.

7. All money raised or to be raised by the Company on mortgage or by the creation and issue of debenture stock under the provisions of the Acts of 1903 to 1916 shall have priority against the Company and the property from time to time of

Priority of  
mortgages  
and deben-  
ture stock  
over other  
debts.

A.D. 1916 — 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.

Company  
may borrow  
temporarily.

8. The Company may for the purposes of or in connexion with their business borrow moneys on temporary loans and may draw accept and endorse or guarantee bills of exchange or other negotiable instruments.

Amendment  
of Act of  
1914.

9. The Act of 1914 is hereby amended and shall be read and construed as if in lieu of subsection (5) of section 2 (Power to issue preference shares) thereof there had been inserted therein the following subsection (that is to say):—

“(5) The Company may provide that such preference shares shall be entitled to any dividend or interest not exceeding the rate of ten pounds per centum per annum and that if the profits of any half-year are not sufficient to pay such dividend or interest the deficiency may be made good out of the profits of any subsequent half-year or otherwise as they may think fit”;

and as if in lieu of section 5 (Power to pay commission on issue of capital) of that Act there had been inserted therein the following section (namely):—

“5. Notwithstanding anything contained in the Shropshire Worcestershire and Staffordshire Electric Power Acts 1903 to 1906 or the Acts incorporated therewith the Company may in issuing any part of their capital (whether original or additional) which the Company are or may hereafter be authorised to raise dispose of any of the shares or stock representing the same at such price at such time to such persons on such terms and conditions and in such manner as the directors think advantageous to the Company.”



**10.** The Company may subject to the provisions of section 8 (For protection of Midland Electric Corporation for Power Distribution Limited) of the Act of 1906 by agreement but not otherwise purchase take on lease or otherwise acquire work use maintain alter and improve any generating station or sub-station and the works connected therewith or incidental thereto belonging to any company body or person within the area of supply for the time being of the Company and may sell or otherwise dispose of or discontinue the working and use of any such generating station or sub-station so acquired or any part thereof but nothing in this section shall exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any lands on which any such generating station or sub-station is constructed Provided that nothing in this section shall prejudice or affect the rights of any local authority under any existing indenture or agreement with the Company.

A.D. 1916.  
Company  
may acquire  
generating  
stations &c.

**11.** All apparatus and appliances 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 have 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 and appliances so long as they remain the property of the contractor as if the same were apparatus and appliances 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 the said section 16 to be affixed to or impressed or made on such apparatus and appliances sufficiently indicates that the contractor is the actual owner thereof and that such apparatus and appliances are protected by virtue of this Act.

Exemption  
of fittings &c.  
let on hire  
by contrac-  
tors from  
distress.

A.D. 1916.  
Restriction  
on raising  
money during  
war.

**12.** Notwithstanding anything contained in this Act the Company shall not under or in pursuance of the powers of this Act raise or borrow any money (other than money required for the payment of the costs charges and expenses referred to in the section of this Act whereof the marginal note is "Costs of Act") during the continuance of the present war and twelve months thereafter unless the consent of the Treasury has been previously obtained.

Costs of Act.

**13.** 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.

---

Printed by EYRE and SPOTTISWOODE, LIMITED,  
FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

---

And to be purchased, either directly or through any Bookseller, from  
WYMAN AND SONS, LIMITED, 29, BREAMS BUILDINGS, FETTER LANE, E.C., and  
28, ABINGDON STREET, S.W., and 54, ST. MARY STREET, CARDIFF; or  
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or  
E. PONSONBY, LIMITED, 116, GRAFTON STREET, DUBLIN;  
or from the Agencies in the British Colonies and Dependencies,  
the United States of America, and other Foreign Countries of  
T. FISHER UNWIN, LIMITED, LONDON, W.C.