



CHAPTER clxv.

An Act to confirm an agreement for the transfer to the Blackheath and Greenwich District Electric Light Company Limited of the undertaking of the Lewisham and District Electric Supply Company Limited and to confer further powers upon the Blackheath and Greenwich District Electric Light Company Limited and for other purposes. A.D. 1903.
[11th August 1903.]

WHEREAS the Blackheath and Greenwich District Electric Light Company Limited (hereinafter called "the Company") was on the eleventh day of May one thousand eight hundred and ninety-six registered under the Companies Acts 1862 to 1890 the object among other objects for which the Company was established being to carry on the business of an electric light company in all its branches :

And whereas by the Blackheath and Greenwich District Electric Lighting Order 1897 confirmed by the Electric Lighting Orders Confirmation (No. 11) Act 1897 and the Blackheath and Greenwich District (Extension) Electric Lighting Order 1899 confirmed by the Electric Lighting Orders Confirmation (No. 15) Act 1899 (which Orders are together hereinafter described as "the Blackheath Orders") the Company was authorised under the Electric Lighting Acts 1882 and 1888 to supply electricity for all public and private purposes in the parish of Greenwich the parishes of Charlton Eltham Lee and Kidbrook and part of the parish of Lewisham as constituted at the dates of the Blackheath Orders :

And whereas that portion of the Company's undertaking which is now within the metropolitan borough of Woolwich has been purchased by the corporation of that borough under the powers conferred by the Blackheath Orders but the Company are desirous

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A.D. 1903. of supplying the corporation by agreement with electric energy in bulk and it is expedient that power to give a supply in bulk as and when in this Act provided should be conferred on the Company :

And whereas the Company are supplying electric energy under the Blackheath Orders in the remainder of the area specified in the said Orders which is now included in the metropolitan borough of Greenwich and the metropolitan borough of Lewisham :

And whereas the Lewisham and District Electric Supply Company Limited (hereinafter called "the Lewisham Company") was on the twenty-ninth day of June one thousand nine hundred registered under the Companies Acts 1862 to 1898 and was by the Lewisham Electric Lighting Order 1901 (hereinafter called "the Lewisham Order") and the Penge Electric Lighting Order 1901 (hereinafter called "the Penge Order") confirmed by the Electric Lighting Orders Confirmation (No. 12) Act 1901 authorised to supply electricity for all public and private purposes in a part of the metropolitan borough of Lewisham not included in the Company's area but adjoining the Company's area and in a part of the urban district of Penge :

And whereas the Lewisham Company have commenced the supply of electricity in the area included in the Lewisham Order but the areas included in that Order and in the Penge Order could more conveniently be supplied by the Company under the powers conferred by this Act and with that view the Lewisham Company have agreed to sell and transfer and the Company have agreed to purchase and take over the undertakings of the Lewisham Company authorised by the Lewisham Order and the Penge Order upon the terms contained in the agreement between them contained in the First Schedule to this Act annexed :

And whereas it is expedient that the said agreement should subject to the provisions of this Act be confirmed and that from and after the date of the transfer of the said undertakings the Company should become the undertakers in relation to such undertakings for the purposes of the Lewisham Order and the Penge Order and should be entitled to maintain and work such undertakings along with their undertaking authorised by the Blackheath Orders :

And whereas the area included in the Penge Order is separated from the area included in the Lewisham Order by a part of the Beckenham Urban District a part of the metropolitan borough of Lewisham and a part of the urban district of Penge not included in the Penge Order and it is expedient that the Company should be

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authorised to lay main cables for the purpose of obtaining through communications from the area included in the Lewisham Order to the area included in the Penge Order : A.D. 1903.

And whereas parts of the Beckenham Urban District the metropolitan borough of Lewisham and the urban district of Penge intervening between the area included in the Lewisham Order and the area included in the Penge Order are supplied with electricity by the Crystal Palace District Electric Supply Company Limited (hereinafter called "the Crystal Palace Company") under the Crystal Palace and District Electric Lighting Orders 1890 and 1894 (hereinafter called "the Crystal Palace Orders") but the area therein included could be conveniently supplied in combination with the areas supplied by the Company and it is expedient that the Crystal Palace Company should be authorised to transfer the whole or part of their undertaking to the Company by agreement :

And whereas the objects 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 Blackheath and Greenwich District Electric Light Company's Act 1903. Short title.

2. In this Act—

"Local authority" means the local authority of any district within the meaning of the Electric Lighting Acts 1882 and 1888 ;

"The Company" means the Blackheath and Greenwich District Electric Light Company Limited ;

"The Lewisham Company" means the Lewisham and District Electric Supply Company Limited ;

"The Blackheath Orders" means the Blackheath and Greenwich District Electric Lighting Orders 1897 and 1899 ;

"The Lewisham Order" means the Lewisham Electric Lighting Order 1901 ;

"The Penge Order" means the Penge Electric Lighting Order 1901 ;

"The Crystal Palace Company" means the Crystal Palace District Electric Supply Company Limited ;

Interpretation.

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“The Crystal Palace Orders” means the Crystal Palace and District Electric Lighting Order 1890 and the Crystal Palace District Electric Lighting Order 1894.

Confirmation of scheduled agreement for transfer of Lewisham Company's undertakings.

3. The Company shall purchase from the Lewisham Company and the Lewisham Company shall sell and transfer to the Company the undertakings of the Lewisham Company authorised by the Lewisham Order and the Penge Order together with all rights powers and privileges conferred upon the Lewisham Company by the said Orders subject (except as between the two Companies) to all obligations and liabilities affecting the same respectively upon such terms and conditions as are set forth in the agreement contained in the First Schedule to this Act which agreement is hereby sanctioned and confirmed and made binding upon the Company and the Lewisham Company.

Undertakings of Lewisham Company to vest in Company.

4. As from the date of transfer mentioned in the said scheduled agreement the said undertakings shall subject as aforesaid become absolutely vested in the Company for all such or the like estate and interest as the Lewisham Company were seised and possessed of or entitled to at the date of such conveyance and thereupon the Company shall become the undertakers for the purposes of the Lewisham Order and the Penge Order and may carry on such undertakings along with their undertakings authorised by the Blackheath Orders provided that the undertakings of the Company in the respective areas to which the Blackheath Orders the Lewisham Order and the Penge Order respectively apply shall for the purpose of the interpretation of such Orders and of the Electric Lighting Acts 1882 and 1888 be deemed separate undertakings and within or in respect of each the Company shall be bound to keep and render the same accounts and shall be entitled to make the same charges as if this Act had not been passed.

Power to lay mains and cables in Beckenham urban district in metropolitan borough of Lewisham and in urban district of Penge.

5.—(1) Subject in respect of the urban districts of Beckenham and Penge to the provisions of sections 11 to 20 (both inclusive) of the Schedule to the Electric Lighting (Clauses) Act 1899 and to the provisions of the Gasworks Clauses Act 1847 set out in the appendix to that Schedule and in respect of the metropolitan borough of Lewisham to sections 12 13 and 15 to 22 of the Crystal Palace and District Electric Lighting Order 1890 which shall respectively apply for this purpose as if those sections were incorporated with this Act and as if the Company were undertakers within the meaning of those sections the Company may for the purpose of obtaining through communication from the area

included in the Lewisham Order to the area included in the Penge Order lay and maintain two mains or cables with the necessary inspection boxes and other works through the Beckenham urban district that part of the metropolitan borough of Lewisham which is not included in the Lewisham Order or the Blackheath Orders and that part of the urban district of Penge which is not included in the Penge Order Provided always that the laying of any such mains through the area of the Crystal Palace Company shall not entitle the Company to supply electricity within the area of the Crystal Palace Company except with the consent of the Crystal Palace Company. A.D. 1903.

(2) Such mains and cables shall so far as the same will be outside the area included in the limits of supply under the Lewisham Order and the Penge Order be laid and maintained on the routes and through and under the public and private streets and roads named in the Second Schedule to this Act or may be laid and maintained through or under the public streets or roads on the substituted route or routes as hereinafter mentioned.

(3) If the Company or the local authority desire that either of the said mains or cables shall be laid in a different route from those described in the Second Schedule to this Act the Company or such local authority may give notice in the case of a local authority to the Company and to any other local authorities affected and in the case of the Company to the local authorities affected specifying in such notice the route desired to be substituted and a local authority may serve a notice under this section notwithstanding that the Company have already served a notice under the said incorporated provisions of the Electric Lighting (Clauses) Act 1899.

(4) If no party to whom notice is given notifies to the other party within twenty-eight days after such notice their disapproval of the route proposed to be substituted such route shall be substituted for that route mentioned in the Second Schedule to this Act which it is proposed to vary and if any difference arises as to the proposed substituted route such difference shall be referred to arbitration under the Arbitration Act 1889 and the route to be followed shall be one of the routes described in the Second Schedule to this Act or such substituted route as the arbitrator may determine.

(5) The Company and any local authority may agree for the use of any electrical works of the local authority for the purpose of carrying such cables or mains through the local authority's district.

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(6) Subject to the incorporated provisions of the Electric Lighting (Clauses) Act 1899 the Company may break up the roadway in or under any bridge along the route described in the Second Schedule to this Act or any substituted route whether such roadway or bridge be repairable by a railway company or by any local authority but the Company shall not break up the roadway of any private road or street for the purposes of this section save those mentioned in the Second Schedule to this Act.

Power to take transfer of Crystal Palace Company's undertaking by agreement.

6. The Company and the Crystal Palace Company may subject to the approval of the Board of Trade enter into and carry into effect any agreement for the transfer to the Company of the whole or a part of the undertaking powers duties and liabilities of the Crystal Palace Company under the Crystal Palace Orders or any Acts or Order amending the same and after such transfer the Company shall to the extent of the powers duties and liabilities so transferred be the undertakers for the purposes of those Acts and Orders.

Exemption of fittings from distress.

7. No fittings let for hire by the Company shall be subject to distress or to the landlord's remedy for rent nor to be taken in execution under any process of law or equity or any proceeding in bankruptcy against the person or persons in whose possession the same may be. Provided that such fittings are marked or impressed with a sufficient mark or brand indicating the Company as the actual owners thereof.

Company may refuse to supply electrical energy in certain cases.

8. The Company may refuse to supply electrical energy to any person whose payments for the supply of electrical energy or for the hire or sale of fittings are for the time being in arrear whether any such payments be due to the Company in respect of a supply to the premises in respect of which such supply is demanded or in respect of other premises.

As to supply of electricity where consumer has separate supply.

9.—(1) Notwithstanding anything contained in the Electric Lighting Acts 1882 and 1888 or in any Order made thereunder a person shall not be entitled to demand from the Company a supply of electrical energy to premises having a separate supply unless such person shall have previously agreed to pay to the Company such minimum annual sum as will give to the Company a reasonable return on the capital expenditure and other standing charges incurred by the Company to meet the possible maximum demand of such person.

(2) In case the Company and the person demanding such supply of electrical energy shall fail to agree as to the amount of

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such minimum annual sum to be paid by such person the amount of such minimum annual sum shall be fixed by an electrical engineer to be appointed as arbitrator by the President of the Institution of Civil Engineers. A.D. 1903.

10.—(1) If the local authority for any district adjoining any area which the Company are for the time being authorised to supply with electrical energy are or shall be authorised by Provisional Order confirmed by Parliament to supply energy or if any Company shall be authorised to supply energy in any such district the Company and any such local authority or Company may with the approval of the Board of Trade enter into and carry into effect agreements for the supply of electrical energy in bulk by the Company to or for such local authority or Company. Supply of electrical energy outside or for use outside Company's area.

(2) The Company on the one hand and any local authority company or person owning or working tramways partly within and partly without the Company's area of supply on the other hand may enter into and carry into effect agreements for the supply by the Company to such authority company or person of electrical energy for the purposes for which such authority company or person is empowered to use the same.

11. Any supply of electrical energy given under this Act and any works constructed for that purpose shall be subject to all provisions for the protection of the telegraphic lines of the Postmaster-General and of his rights in respect thereof which are contained in the Acts or Orders relating or applying to the Company. For protection of telegraphic lines of Postmaster-General.

12. For the protection and benefit of the urban district council of Beckenham (in this section referred to as "the council") the following provisions shall (notwithstanding anything contained in this Act or in any Act or Order relating to the Company) unless otherwise agreed between the council and the Company have effect (that is to say) :— For protection of urban district council of Beckenham.

(1) All electric lines to be constructed or laid in any road repairable by the council shall unless otherwise required by the Board of Trade be constructed and laid at such side thereof and in such position as the council shall by writing under the hand of their surveyor reasonably direct. The Company shall show on the plan of the works to be served on the council in accordance with the provisions of the Electric Lighting (Clauses) Act 1899 incorporated with this Act the route proposed to be taken and the dimensions and position of the proposed trench :

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- (2) The council shall not be liable for any damage which the Company may sustain through the reasonable acts of the council in constructing reconstructing improving repairing or maintaining any streets bridges sewers electric lines or other works of the council or through the reasonable exercise of any rights powers or privileges vested or to be vested in the council :
- (3) In the event of the council widening improving or altering any roads streets or highways within the district under their jurisdiction after the Company's electric lines shall have been laid in or along the same the Company if so required by the council by notice in writing served upon them previously to the commencement of such widening improvement or alteration shall within one month after the receipt of such notice take all necessary steps under and subject to the provisions of sections 14 and 16 of the Schedule to the Electric Lighting (Clauses) Act 1899 for altering or removing such electric lines to suit the new or altered conditions :
- (4) The reasonable expense of the council incurred in altering the position of any electric lines or works of the Company under the powers of section 17 of the Schedule to the Electric Lighting (Clauses) Act 1899 shall be paid to the council by the Company :
- (5) The Company shall bear and pay to the council the reasonable costs in connection with the alteration reparation or renewal of any tramways sewers bridges mains cables wires pipes or other property of the council which the council may properly incur or be put to in consequence or by reason of the construction or maintenance of the Company's works :
- (6) If owing to the abandonment of the undertaking or any part thereof any electric line laid under the powers of this Act under any street shall for the space of three years be disused and such disuser be proved to the satisfaction of the Board of Trade the said Board may if they think fit by order sanction the removal of such electric line and the council may (subject however to any agreement between the council and the Company providing for the removal of such electric line by the Company) forthwith remove the same with all reasonable care and the Company shall pay to the council the reasonable cost of such removal and of the reinstatement of any street or part of a street in which the same was laid and if the Company fail to pay such cost within one month

after the ascertainment of and application for the same the council may without previous notice to the Company (but without prejudice to any other remedy which they may have for the recovery of the amount) sell and dispose of the materials of the electric line so removed either by public auction or private sale and for such sum or sums and to such person or persons as they think fit and may out of the proceeds of such sale pay and reimburse themselves the reasonable cost of such removal and reinstatement of the street and the cost of the sale and the balance (if any) of the proceeds of the sale shall be paid over by the council to the Company :

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(7) The provisions of this section shall be in addition to the other enactments contained in this Act and the Acts incorporated therewith for the protection of the council and the streets tramways sewers drains electric and other apparatus and works belonging to them :

(8) If any difference arise between the Company and the council touching this section or anything to be done or not to be done thereunder such difference shall be settled by an arbitrator to be appointed by the Board of Trade on the application of either of the parties in difference and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

13. Notwithstanding anything contained in this Act or in the Penge Order the maximum prices which may be charged by the Company under the Penge Order as mentioned in sections 32 and 34 of the Schedule to the Electric Lighting (Clauses) Act 1899 shall be those stated in the schedule to the agreement dated the 31st day of March 1903 and made between the urban district council of Penge of the one part and the Lewisham Company of the other part and in that schedule the expression " Board of Trade unit " shall mean unit as defined in the Fourth Schedule of the Penge Order.

Maximum prices in Penge.

14. The following provisions shall have effect for the protection of the mayor aldermen and councillors of the metropolitan borough of Greenwich (in this section called " the council ") (that is to say) :—

For protection of Greenwich Borough Council.

(1) In lieu of requiring the Company to sell pursuant to subsection (2) or subsection (3) of section 65 of the Blackheath Electric Lighting Order 1897 so much of the

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undertaking and works authorised by the Blackheath Orders as is situate within the borough of Greenwich the council may give notice in writing to the Company requiring them to sell to the council and the Company shall sell to the council in manner provided by the said section 65 subsection (2) or (3)—

(A) The existing generating station situate within the said borough of Greenwich and existing machinery therein with such additions to such station and additional machinery as shall then be sufficient to provide for the efficient supply of electricity in accordance with the then demand for all public and private purposes within the present area as hereinafter defined with a reasonable reserve for contingencies ; and

(B) All mains cables and other works and apparatus situate within the said borough of Greenwich and then used or provided for the purpose of supplying electricity within the said present area :

(2) The Council shall in such notice specify as accurately as they reasonably can the mains cables and works and that portion of the generating station and the machinery therein situate within the borough which the council desire to purchase and the Company may within two months thereafter serve a counter notice on the council requiring the council to buy any part of the mains cables works station and machinery not included in such notice which the Company may contend to be purchaseable by the council under the last preceding subsection (1) (A) and (B) and thereupon the question of what property is to be purchased by the council having regard to the foregoing subsections shall be determined failing agreement by arbitration :

(3) The price to be paid shall be determined in the same manner and on the same basis as if the notice had been served under subsection (2) or subsection (3) as the case may be of the said section 65 of the Blackheath Electric Lighting Order 1897 and at the expiration of twelve months from the date of the council's notice the Company shall sell to the council the property so to be purchased as aforesaid in accordance with the provisions of the said section 65 subsection (2) or (3) and such price shall be then paid as in such subsections provided :

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- (4) The Company and the council may with the consent of the Board of Trade enter into and carry' into effect any agreement for the sale by the Company to the council of the whole or any part of the Company's undertaking and works within the borough of Greenwich or for the excepting (in the case of the council exercising their power of purchase under the said Order of 1897 or under the Electric Lighting Act 1888) of any mains machinery buildings plant or works which the Company may have laid or erected or intended to lay or erect within the said borough or for the supply of electricity in bulk by the council to the Company :
- (5) If on the purchase by the council of any part of the Company's undertaking within the borough of Greenwich the Company retain a generating station and works within such borough the Company may for the purpose of connecting such station with any other part of their areas of supply as the same may then be constituted use and maintain any generating station works and mains excepted from purchase and lay and maintain mains and cables with the necessary inspection boxes and other works in such borough and shall for that purpose have the powers given by the Blackheath Orders in that behalf subject to the restrictions in those Orders contained :
- (6) The Company before commencing to lay within the borough of Greenwich any mains or other street works for the supply of energy wholly outside the said borough shall serve upon the council a notice and plan specifying the works and the line of route and unless within twenty-eight days after service the council object thereto such route shall be deemed to be approved Provided always that such mains shall be laid in such line or route and in a trench of such dimensions and in such position as may be reasonably required by the council or failing agreement as may be determined by arbitration as hereinafter provided and the Company shall show on the plan of the works to be served on the council the route proposed to be taken and the dimensions and position of the proposed trench and where the council object within such twenty-eight days to any proposed line or route and indicate an alternative route or deviation which in the opinion of the Board of Trade is reasonable such alternative route or deviation shall be adopted :

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- (7) If any additions to the said existing generating station are made by the Company in excess of what shall for the time being be required for the said efficient supply of electricity within the said present area the additional buildings and machinery therein shall be detached and separated from the said existing generating station or so arranged as to be capable of being so detached and separated :
- (8) Any difference between the Company and the council as to anything required to be done or otherwise arising under this section shall be determined by an arbitrator appointed failing agreement by the Board of Trade and the Arbitration Act 1889 shall apply to such arbitration :
- (9) In the event of a purchase by the council after the expiration of the period of forty-two years mentioned in subsection (1) of section 65 of the Blackheath Electric Lighting Order 1897 the Company shall not be entitled to any compensation or allowance under section 2 of the Electric Lighting Act 1888 for any loss occasioned by severance of the part purchased from so much of the undertaking and works as shall be outside of the said present area :
- (10) In this section " present area " means the area in which the Company are immediately before the passing of this Act supplying or empowered to supply electric energy under the Blackheath Orders (other than the parish of Eltham).

Saving for rights of purchase by local authorities.

15. Nothing in this Act shall affect the rights of purchase of the local authorities or any of them under the Blackheath Orders the Lewisham Order the Penge Order or the Crystal Palace Orders but such rights shall continue to apply to the Company's undertakings within the respective areas included in the said Orders as if this Act had not been passed.

Copy of Act to be registered.

16. The Company shall deliver to the Registrar of Joint Stock Companies three printed copies of this Act and he shall retain and register the same with the papers of (1) the Company (2) the Lewisham Company and (3) the Crystal Palace Company respectively and if such copies are not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty Every penalty under this section shall be recoverable summarily.

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There shall be paid to the registrar by the Company on each A.D. 1903.
of such copies being registered the like fee as is for the time being —
payable under the Companies Act 1862 on registration of any
document other than a memorandum of association.

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

A.D. 1903. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

AN AGREEMENT made the sixteenth day of December one thousand nine hundred and two between THE BLACKHEATH AND GREENWICH DISTRICT ELECTRIC LIGHT COMPANY LIMITED (hereinafter called "the Blackheath Company") whose registered office is at 37 Tranquil Vale Blackheath London of the one part and THE LEWISHAM AND DISTRICT ELECTRIC SUPPLY COMPANY LIMITED (hereinafter called "the Lewisham Company") whose registered office is at 199 High Street Lewisham in the county of London of the other part.

WHEREAS the Lewisham Company have agreed to sell and transfer and the Blackheath Company have agreed subject to the requisite Parliamentary sanction to purchase and take over the undertakings of the Lewisham Company authorised by the Lewisham Electric Lighting Order 1901 (hereinafter called "the Lewisham Order") and the Penge Electric Lighting Order 1901 (hereinafter called "the Penge Order") upon the terms and at the price expressed in this agreement:

It is hereby agreed as follows:—

1. This agreement (except as hereinafter provided) is made conditionally on the requisite sanction being obtained from Parliament by an authorising or confirming Act (hereinafter referred to as "the enabling Act") and this agreement shall if Parliament think fit be scheduled to and confirmed and made binding on both Companies by the enabling Act and shall be subject to such alterations as Parliament may think fit to make therein.

2. Subject as in the preceding clause mentioned the Lewisham Company agree to assign and transfer and the Blackheath Company agree to take over as from the date of transfer hereinafter mentioned the whole of the undertakings of the Lewisham Company authorised by the Lewisham Order and the Penge Order or either of them and the Electric Lighting Acts 1882 and 1888 and the Electric Lighting (Clauses) Act 1899 and all the rights powers and privileges and easements conferred upon the Lewisham Company by the Lewisham Order and the Penge Order and now or at the date of transfer held by the Lewisham Company by virtue of such Orders or either of them to hold the said rights powers privileges and easements to the Blackheath Company their successors and assigns as fully and effectually as if the said Orders had both been granted in the first instance to the Blackheath Company.

3. The Lewisham Company shall also sell and the Blackheath Company shall purchase all buildings plant engines works mains service lines instru-

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ments and meters laid placed or constructed or to be laid placed or constructed by the Lewisham Company within the areas of supply defined in the Lewisham Order and the Penge Order for the purposes of the Lewisham Company and all rights to repayment of moneys or deposits made or to be made with the Board of Trade under the Lewisham Order and the Penge Order or either of them which may not have been repaid to the Lewisham Company before the date of transfer and the full benefit of all proceedings contracts or engagements to which the Lewisham Company are or may be entitled in connection with the said undertakings and all money due or to become due from consumers or others to the Lewisham Company and with power in the name of the Lewisham Company or otherwise to enforce such rights sue upon such contracts and recover such moneys as aforesaid. A.D. 1903.

4. The consideration for the transfer and sale shall be firstly the sum of ten thousand seven hundred and twenty pounds to be paid or satisfied as to eight thousand two hundred and twenty pounds by payment in cash and as to two thousand five hundred pounds by the issue to the Lewisham Company of two thousand five hundred paid-up ordinary shares in the Blackheath Company secondly the actual amount of the future expenditure by the Lewisham Company on capital account as is hereinafter provided up to the date of transfer and thirdly a sum equal to the amounts of any deposits made with the Board of Trade under the Lewisham Order and the Penge Order which may not have been repaid to the Lewisham Company before the date of transfer and such consideration shall be paid or satisfied on the date of transfer and on payment or satisfaction thereof the said undertaking and other property hereby agreed to be sold shall be assigned and transferred to the Blackheath Company by the Lewisham Company and the Lewisham Company will also at or after completion do and execute all such assignments acts deeds and assurances as shall be requisite for vesting in the Blackheath Company the premises hereinbefore agreed to be transferred and sold in such manner and form as shall be reasonably required by the Blackheath Company.

5. The purchase money or consideration shall be paid or satisfied by the Blackheath Company and the assignment shall be executed by the Lewisham Company and the sale completed at such date within two calendar months after the date of the Royal Assent to the enabling Act and at such place in London as the Companies may agree on or if they differ then at such other date and place as may be fixed by arbitration (such date being in this agreement called "the date of transfer").

6. At the date of transfer the Lewisham Company shall deliver to the Blackheath Company the said buildings plant engines works mains service lines instruments and meters and all additions thereto and within six weeks thereafter the Lewisham Company shall deliver to the Blackheath Company all books of account and other particulars as to the business of the Lewisham Company which the Blackheath Company may reasonably require.

7. Until the date of transfer the Lewisham Company shall maintain and work their existing mains and works within the transferred areas in full and

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A.D. 1903. — complete efficiency and subject to the inspection and reasonable requirements of the Blackheath Company and until the date of transfer the Lewisham Company will also satisfy all legal demands which they may receive for electrical energy within such areas and do all that is necessary to comply with the terms of the Lewisham Order and Penge Order but shall not acquire any freehold or leasehold hereditaments or make any further expenditure for plant or mains or otherwise on capital account without the previous written consent of the Blackheath Company such consent not to be unreasonably withheld.

8. The Lewisham Company shall discharge all their debts and liabilities up to the date of transfer and all moneys (if any) which are or shall prior to the date of transfer be or become charged upon or constitute encumbrances on any part of the premises herein agreed to be transferred and sold and under this clause the Lewisham Company shall inter alia pay to the Blackheath Company on the date of transfer all moneys due or to become due from the Lewisham Company to the Blackheath Company on debenture or otherwise.

9. The Lewisham Company shall not at any time during the subsistence of this agreement without the previous written consent of the Blackheath Company do or knowingly suffer any act or thing whereby the premises hereby agreed to be transferred and sold or any part thereof can be charged or prejudicially affected or whereby any further obligation or liability may be made incumbent upon the undertakers for the time being under the Lewisham Order and the Penge Order or make any contract or alteration reducing the rates or prices charged to consumers or increasing the present usual obligations of the Lewisham Company to consumers.

10. As from the date of this agreement until the date of transfer the undertaking of the Lewisham Company under the Lewisham Order and the Penge Order shall be carried on for the benefit and at the risk of the Blackheath Company subject as hereinafter provided.

11. The accounts of the Lewisham Company relative to the said undertaking shall within one month after the date of transfer be made up by that Company as from the date of this agreement to the date of transfer and if after paying or providing for all debts and liabilities on revenue account such accounts show a balance of profit up to the date of transfer such profit balance shall forthwith be paid by the Lewisham Company and belong to the Blackheath Company or if such accounts show a balance of loss as between the date of this agreement and the date of transfer such balance shall be forthwith paid by the Blackheath Company to the Lewisham Company.

12. Any agreement or consent in writing under this agreement shall be sufficiently made or given if signed by the secretaries of the two Companies parties hereto or by the secretary of the Company giving the consent as the case may be.

13. The Blackheath Company will forthwith promote a Bill and use their best endeavours to procure its passing in the next session of Parliament containing such clauses as may be necessary (alone or amongst other things) to carry these presents into effect and to authorise the transfer and sale hereby agreed upon and the Lewisham Company will upon request of the

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Light Company's Act, 1903.

Blackheath Company do all things to facilitate and assist in the obtaining of such Act The costs charges and expenses properly incurred by the two Companies parties hereto for or in connection with the obtaining of the said Act and of this agreement and the deeds and assurances aforesaid shall be borne and paid by the Blackheath Company. A.D. 1903.

14. If the enabling Act shall not receive the Royal Assent on or before the thirty-first day of December one thousand nine hundred and three this agreement shall on that day ipso facto cease and become void except for the purpose of the next following clause and any then pending arbitration hereunder.

15. In the event of this agreement becoming void under the last preceding clause any costs charges and expenses and stamp duties incurred by either Company for or in connection with this agreement or the promotion of the enabling Act shall be defrayed by the Blackheath Company.

16. In case any dispute or difference shall arise between the parties hereto in respect of this agreement or anything to be done or paid in pursuance thereof or any future expenditure by the Lewisham Company or as to the management of their undertaking pending the date of transfer the same shall be referred to the arbitration of one arbitrator in accordance with the provisions of the Arbitration Act 1889 or any other subsisting statutory modification thereof and each party shall and will do such acts or make such payments as may be required of it by any award to be made in such arbitration.

17. The Blackheath Company shall pursuant to the Companies Act 1900 duly file a contract as to the allotment of the said shares.

18. After the date of transfer and completion of the purchase the Lewisham Company will not carry on business in the metropolitan boroughs of Lewisham Greenwich or Camberwell or in the urban districts of Penge or Beckenham nor supply electric light or power there.

In witness whereof the parties hereto have hereunto affixed their respective common seals the day and year first within written.

Sealed with the common seal of the Blackheath and
Greenwich District Electric Light Company Limited } (L.S.)
in the presence of— }
JNO. A. WILLOX }
H. ST. JOHN WINKWORTH } Directors.
G. FREDERIC FOX
Secretary.

Sealed with the common seal of the Lewisham and District
Electric Supply Company Limited in the presence of— } (L.S.)
HERBERT LINNELL }
F. HORNE } Directors.
C. H. ELLIS
Secretary.

[Ch. clxv.] *Blackheath and Greenwich District Electric* [3 EDW. 7.]
Light Company's Act, 1903.

A.D. 1903.

THE SECOND SCHEDULE.

THE FIRST ROUTE.

Streets which may be broken up.	District wherein situate.
<p>From the boundary of the Lewisham Company's area of supply at the junction of Waldram Road with London Road along Dartmouth Road High Street (Upper Sydenham) and Kirkdale in a southerly south-westerly and south-easterly direction to the junction of Kirkdale with West Hill.</p>	<p>Metropolitan borough of Lewisham.</p>
<p>Along West Hill in a westerly direction to its junction with Lawrie Park Road.</p>	
<p>Along Lawrie Park Road in a southerly direction to the south boundary of the Lewisham borough (and north boundary of the Beckenham district) Thence along Lawrie Park Road in a southerly direction from the south boundary of Lewisham borough (and north boundary of the Beckenham urban district) to the junction of Lawrie Park Road with the Crystal Palace Park Road.</p>	<p>Beckenham urban district.</p>
<p>Along Crystal Palace Park Road in a southerly direction to the south boundary of Beckenham urban district and north boundary of Penge.</p>	
<p>Thence along Crystal Palace Park Road in a southerly direction from the south boundary of Beckenham urban district (and north boundary of Penge urban district) to the junction of Crystal Palace Park Road with Beckenham Road.</p>	<p>Penge urban district.</p>
<p>Thence along Beckenham Road in an easterly direction to the boundary of the area of supply under the Penge Order.</p>	

THE SECOND ROUTE.

<p>From the boundary of the Beckenham urban district at the junction of Trewsbury Road and Cator Road southwards along Cator Road to Lennard Road and along Lennard Road in an easterly direction to Courtney Road and along Courtney Road and Whateley Road in a southerly direction to Thesiger Road and along Thesiger Road to the boundary of the Beckenham urban district in Parish Lane.</p>	<p>Beckenham urban district.</p>
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