



CHAPTER xxxiv.

An Act to authorise the Leicestershire and Warwickshire Electric Power Company to raise additional capital to confer further powers upon the Company and for other purposes. A.D. 1926.

[30th June 1926.]

WHEREAS by the Leicestershire and Warwickshire Electric Power Act 1902 the Leicestershire and Warwickshire Electric Power Company (hereinafter called "the Company") were incorporated and authorised (amongst other things) to acquire lands to erect generating stations and other works and to supply electricity within parts of the counties of Leicester and Warwick and by the Leicestershire and Warwickshire Electric Power Act 1904 further powers were conferred upon the Company :

And whereas the capital of the Company authorised by the said Act of 1902 is seven hundred and fifty thousand pounds in seventy-five thousand shares of ten pounds each and the Company are by that Act authorised to borrow on mortgage or raise by the issue of debenture stock any sum not exceeding one-third part of such capital at the time issued :

And whereas the Company have issued seventy-four thousand five hundred and ninety-four shares of ten pounds each the whole of which are fully paid up and the Company have raised two hundred and forty thousand pounds by the issue of debentures :

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And whereas the Company have expended on capital account for the purposes of and in connection with their undertaking upwards of one million one hundred and two thousand pounds :

And whereas it is expedient that the Company should be empowered to raise additional capital and to raise further money by borrowing or by the creation and issue of debentures or debenture stock and that the powers of the Company in respect of the raising of money should be enlarged and extended as by this Act provided :

And whereas it is expedient that the capital of the Company should be divided into shares of one pound each and that such provisions in connection with such division or consequential thereon should be made as are in this Act contained :

And whereas the names of certain persons mentioned in the Act of 1902 as promoters and first directors of the Company are entered in the register of shareholders of the Company in respect of the shares numbered from one to four hundred and one and from four hundred and four to four hundred and eight but no subscriptions having been paid thereon such shares have not been issued by the Company and it is expedient that provision be made for the cancellation of the entries in such register relating to such shares :

And whereas it is expedient that the provisions in this Act contained in relation to meetings the qualification and powers of directors and the management of the affairs of the Company should be enacted :

And whereas it is expedient that the Company be empowered to acquire additional lands and that further powers as in this Act contained be conferred upon the Company :

And whereas in order to facilitate the development of the undertaking of the Company and to remove unnecessary restrictions upon the Company in the exercise of their powers under the said Acts of 1902 and 1904 and the Electricity (Supply) Acts 1882 to 1922 it is expedient to repeal so much of sections 36 and 37 of the said Act of 1902 as relates to overhead lines and to make other provisions in regard thereto as hereinafter in this Act provided :

And whereas it is expedient that the other provisions contained in this Act be enacted: A.D. 1926.

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:—

1. This Act may be cited as the *Leicestershire and Warwickshire Electric Power Act 1926.* Short title.

2. This Act and the *Leicestershire and Warwickshire Electric Power Acts 1902 and 1904* may be cited as the *Leicestershire and Warwickshire Electric Power Acts 1902 to 1926.* Citation of Acts.

3. The following Act and Parts of an Act are (except where expressly varied by this Act) incorporated with and form part of this Act and this Act shall be deemed to be a special Act within the meaning of those Acts (that is to say):— Incorporation of Acts.

The Companies Clauses Consolidation Act 1845;

Parts I. II. and III. of the Companies Clauses Act 1863 (as amended by subsequent Acts) relating respectively to cancellation and surrender of shares to additional capital and to debenture stock.

4. In this Act the several words terms and expressions to which meanings are assigned by the *Electricity (Supply) Acts 1882 to 1922* the schedule to the *Electric Lighting (Clauses) Act 1899* or by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Act unless the context otherwise requires the following expressions shall have the respective meanings in this section applied to them (that is to say):— Interpretation.

“The Company” means the *Leicestershire and Warwickshire Electric Power Company*;

“The Act of 1902” means the *Leicestershire and Warwickshire Electric Power Act 1902*;

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“The Act of 1904” means the Leicestershire and Warwickshire Electric Power Act 1904;

“The Acts of 1902 and 1904” means the Act of 1902 and the Act of 1904;

“The undertaking” means the undertaking of the Company;

“The area of supply” means the area within which the Company are or may hereafter be authorised to supply electricity;

“The existing ordinary shares” means the shares of ten pounds each in the capital of the Company authorised by the Act of 1902;

“Converted ordinary shares” means the shares into which the existing ordinary shares are converted by virtue of this Act;

“The directors” and “the secretary” mean respectively the directors and the secretary of the Company.

Power to raise additional capital.

5. The Company may from time to time raise additional capital not exceeding in the whole five hundred thousand pounds nominal capital by the creation and issue at their option of new ordinary shares preferred ordinary shares deferred ordinary shares or preference shares of one pound each or wholly or partially by any one or more of these modes respectively and they may attach to any such capital such rights liabilities privileges and preferences as they think fit.

New ordinary shares to be subject to same incidents as existing shares.

6. Any new ordinary shares created by the Company under this Act (not being preferred ordinary shares or deferred ordinary shares) and the holders of such new ordinary shares respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents in all respects as if the capital represented by the new ordinary shares were part of the now existing ordinary capital of the Company of the same class or description and the new ordinary shares were shares in that capital.

Dividends &c. on preference shares.

7.—(1) The Company may provide that any preference shares created under the powers of this Act shall be entitled to a cumulative preferential dividend not exceeding the rate of eight pounds per centum per annum and that if the profits of any year are not sufficient to

pay such dividend the deficiency shall be made good out of any funds of the Company which may be available for that purpose or out of the profits of any subsequent year. A.D. 1926.

(2) Such preference shares may from time to time be issued by the Company with such rights of priority and other rights in the distribution of the assets of the Company as the Company may think fit (including the right of repayment of the amount of preference capital at the time issued and paid up and of any arrears or deficiency of dividend thereon in priority to the ordinary share capital) and the Company may provide that when the holders of such preference shares shall have received repayment in full of the amounts paid up by them and of any arrears or deficiency in the dividend which should have been paid to them thereon they shall not in respect of such shares be entitled to any further participation in the assets of the Company.

(3) The Company may on such terms and conditions as they think fit form and maintain special sinking contingency or reserve funds for the purpose of securing the repayment in any distribution of the assets of the Company of any issue of preference shares of the Company and of the payment of any deficiency or arrears of dividend thereon and may provide for yearly or other payments out of profits into such funds and for the application thereof to the payment of dividends on such issue of preference shares and to the purchase of such preference shares or of other securities or otherwise and for the final distribution of such funds and they may appoint trustees to receive hold manage and apply such funds all on such terms and conditions and with such powers and immunities as the Company may prescribe.

(4) The terms and conditions on which any preference shares are issued shall be clearly stated on the certificates of such shares.

8. Section 10 (Calls) of the Act of 1902 is hereby repealed and as respects any capital issued after the passing of this Act (whether under the powers of this Act or of the Act of 1902) the directors may make such calls upon the respective shareholders in respect of the amount of capital respectively subscribed or owing by them of such amounts and at such times as the directors may think fit. Calls.

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Additional
capital to form
part of capital
of Company.

Power to
borrow in
respect of
authorised
and ad-
ditional
capital.

9. The additional capital authorised by this Act shall form part of the capital of the Company.

10.—(1) The directors may without any further or other authority than is given by this section in respect of the capital already raised or created by the issue of shares under the Act of 1902 raise at their option either by borrowing on mortgage of the undertaking or by the creation and issue of debentures or debenture stock or wholly or partially by any one or more of those modes any sum or sums not exceeding in the whole (inclusive of the sum of two hundred and forty thousand pounds raised up to the thirty-first day of December one thousand nine hundred and twenty-five) the sum of three hundred and seventy-two thousand nine hundred and seventy pounds.

(2) The Company may also in respect of the capital authorised by the Act of 1902 and not already raised by the issue of shares and of the additional capital authorised by this Act raise at their option either by borrowing on mortgage of the undertaking or by the creation and issue of debentures or debenture stock or wholly or partially by any one or more of those modes any sum or sums not exceeding one-half of the nominal amount of such capital for the time being raised and upon which not less than one-half part thereof has been paid up but no sum shall be borrowed or raised in respect of any such capital until the Company have proved to the justice before he gives his certificate under the fortieth section of the Companies Clauses Consolidation Act 1845 that not less than one-half of the amount of each of the shares in respect of which the Company propose to borrow or raise money 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 or 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.

(3) Section 21 (Power to borrow) of the Act of 1902 is hereby repealed but without prejudice to the securities created and subsisting at the passing of this Act.

11. Section 22 (For appointment of a receiver) of the Act of 1902 is hereby repealed as from the passing of this Act. The mortgagees of the Company 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 not be less than ten thousand pounds in the whole.

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Appoint-
ment of
receiver.

12. The Company may create and issue debentures or debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 23 (Debenture stock) of the Act of 1902.

Debentures
and debenture
stock.

13.—(1) The Company may issue as redeemable preference shares or redeemable debentures or debenture stock any preference shares or debentures or debenture stock which the Company are by this Act authorised to create and issue provided that the resolution authorising the creation or issue of such redeemable preference shares debentures or debenture stock (hereinafter in this section referred to as "redeemable shares or stock") shall specify the terms and conditions on which such redeemable shares or stock shall be redeemed.

Redeem-
able
securities.

(2) If it is so provided in the resolution under which redeemable shares or stock are or is created or issued as the case may be the Company may—

(a) call in and pay off the redeemable shares or stock or any part thereof at any time before the fixed date of redemption; and

(b) redeem the redeemable shares or stock or any part thereof either by paying off the same or by issuing to any shareholder debenture holder or debenture stock holder subject to his consent other shares stock or securities in substitution therefor and may for the purpose of providing money for paying off the redeemable shares or stock or of providing substituted shares stock or securities create and issue new shares stock or securities (either redeemable or irredeemable) or reissue redeemable shares or stock originally created and issued under this section. Provided that the creation and issue for the purpose of

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any particular class of capital does not make the total nominal amount of such capital exceed the amount of that class of capital which the Company are by this Act for the time being authorised to raise save so far as such creation and issue is for the purpose of paying off redeemable shares or stock issued under the provisions of this section or of providing shares stock or securities substituted therefor under this section.

As to disposal of shares &c.

14. The Company may in issuing any unissued portion of the capital or any securities authorised by the Act of 1902 and this Act dispose of all or any of the shares representing such capital or such securities at such times to such persons on such terms and conditions and in such manner as the directors think advantageous to the Company.

Increase of capital by special order.

15. The capital and borrowing powers of the Company authorised by the Act of 1902 and this Act may from time to time be increased by a special order made by the Electricity Commissioners and confirmed by the Minister of Transport in accordance with the provisions of the Electricity (Supply) Acts 1882 to 1922 and the Company are hereby authorised to make application for and the Electricity Commissioners and the Minister of Transport are hereby respectively empowered to make and confirm such special orders. Provided that a special order made in pursuance of the powers conferred by this section shall be laid before each House of Parliament and shall not come into force unless and until approved either with or without modification by a resolution passed by each such House.

Sub-division of shares in existing capital.

16.—(1) Notwithstanding anything contained in section 8 (Capital) of the Act of 1902 the capital of the Company authorised by that Act shall as from the date of the passing of this Act be divided into seven hundred and fifty thousand ordinary shares of one pound each.

(2) Each of the existing ordinary shares shall be and is hereby converted into ten ordinary shares of one pound each and such alterations in the register of shareholders as may be necessary for giving effect to the provisions of this section shall be made therein.

17. The respective holders for the time being of the converted ordinary shares shall be entitled in respect thereof to the like rights privileges and priorities in all respects as those to which if this Act had not been passed they would have been entitled in respect of the existing ordinary shares for which the converted ordinary shares held by them are substituted by virtue of this Act.

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Converted shares to confer like rights as existing shares.

18. The converted ordinary shares to which any person shall become entitled under the provisions of this Act shall be held in the same rights upon the same trusts and subject to the same powers provisions charges and liabilities as those upon or to which the existing ordinary shares for which such converted ordinary shares are substituted were held or were subject immediately before the date of 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 (whether executed before or after such date) disposing of or affecting any such existing ordinary shares and trustees executors or administrators or other parties under disability shall and may accept such converted ordinary shares in substitution for the existing ordinary shares held by them and may retain dispose of or otherwise deal with the same as fully and freely in all respects as they might have retained disposed of or otherwise dealt with such existing ordinary shares.

Shares to be held on same trusts &c.

19. The Company shall call in the certificates of the existing ordinary shares and shall issue in exchange for those certificates to the respective proprietors thereof free of charge certificates of converted ordinary shares for the respective amounts to which those proprietors are under this Act respectively entitled but no proprietor shall be entitled to a new certificate until he shall have delivered up to the Company to be cancelled the existing certificate for which such certificate is to be substituted. If any such existing certificate shall have been lost or destroyed the new certificate shall be issued upon such terms as to evidence of loss or destruction and indemnity as the directors may think sufficient. Until the issue of such new certificates the existing certificates shall have and possess the same rights and advantages as if they were certificates for those respective amounts of converted ordinary shares but if any holder of any existing ordinary shares neglects or omits to send or deliver to the Company

Provisions as to exchange of certificates.

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A.D. 1926. his existing certificates for the period of one year after notice in writing sent by registered letter to such holder at 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 converted ordinary shares to which such holder is entitled under the provisions of this Act until such existing certificates are sent or delivered to the Company or are proved to the reasonable satisfaction of the directors to have been lost or destroyed and until such indemnity as the directors may think fit shall have been given.

As to
transfers.

20. All transfers or other dispositions of any of the existing ordinary shares shall after the passing of this Act and notwithstanding the provisions thereof be valid and have due effect given to them respectively as transfers of the amount of converted ordinary shares which is substituted under the provisions of this Act for the existing ordinary shares thereby expressed to be transferred or disposed of although the instrument transferring or disposing of such shares shall describe the same by the name or denomination which the shares transferred or disposed of had before conversion under the provisions of this Act and the bequest of or any covenant or provision in any will deed or agreement (whether executed before or after the date of the passing of this Act) relating to any specific nominal amount of any of the existing ordinary shares shall be held to apply to a nominal amount of converted ordinary shares equal to that into which such existing ordinary shares are converted by virtue of this Act.

Repealing
provisions of
Act of 1902 as
to dividing
shares.

21. Sections 12 to 19 of the Act of 1902 with reference to the division of the existing ordinary shares into half-shares are hereby repealed.

Rectifica-
tion of
register.

22. The entries in the register of shareholders relating to the unissued shares numbered from one to four hundred and one and from four hundred and four to four hundred and eight shall be cancelled and all or any existing liabilities and rights with respect to such shares shall be and are by virtue of this Act absolutely extinguished and the Company may issue and dispose of ordinary shares of the same aggregate nominal amount in manner provided by the section of this Act whereof

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Provided that nothing in this section shall invalidate or
in any way prejudice or affect any act or thing which
may have been done by the persons named in respect of
such unissued shares in the said register as promoters
and first directors of the Company.

23.—(1) The Company may at any time purchase Purchase
by agreement any debentures or debenture stock of the and cancel-
Company and for that purpose may apply any moneys lation of
for the time being in their hands which they are entitled Company's
to apply to capital purposes. securities.

(2) Any debentures or debenture stock purchased
under the provisions of this section may at any time be
cancelled and extinguished and the amount of any debentures
or debenture stock so cancelled or extinguished
shall be deemed to be money borrowed and paid off by
the Company within the meaning of section 39 of the
Companies Clauses Consolidation Act 1845 and the
provisions of that section as to re-borrowing by the
Company shall apply accordingly.

24. The Company may subscribe for purchase hold Power to
and dispose of shares stock or securities in any company subscribe
authorised to supply electricity in any area of supply for shares
situate within or partly within or adjacent to the area or lend
of supply and taking or agreeing to take a supply of money to
electricity from the Company and may lend money other
on mortgage bond or other security to any such company under-
Provided that the amount so subscribed and lent by takings.
the Company under this section shall not at any one time
exceed two hundred thousand pounds.

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

26. Any meeting of the Company whether ordinary Notice of
or extraordinary may be convened by notice delivered meetings.
at or sent by post to the registered address or other known
address of each proprietor of the Company. Provided
that the notice if delivered shall be delivered at such
address as aforesaid not less than six clear days or if
sent by post shall be prepaid and posted not less than
seven clear days before the date of the meeting In
proving that any such notice has been sent by post it

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Quorum of general meetings.

27. The quorum of a general meeting of the Company whether ordinary or extraordinary shall be five shareholders present in person or by proxy holding together not less than one-twentieth part of the capital of the Company for the time being issued.

Voting.

28.—(1) At all general meetings of the Company whether ordinary or extraordinary every holder of ordinary shares shall on a show of hands be entitled to one vote and on a poll to one vote in respect of each one pound ordinary share held by him. Provided always that no shareholder shall be entitled to vote at any meeting in respect of any share on which any call remains unpaid.

(2) Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any share to which a preferential dividend shall be assigned.

Appointment of proxies.

29. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 the attorney of any shareholder of the Company duly authorised in writing may appoint a proxy to vote for and on behalf of the shareholder and for that purpose may execute on behalf of the shareholder the necessary form of proxy. Provided that the instrument appointing the attorney shall be transmitted to the secretary at the same time as the instrument appointing the proxy.

Joint holders.

30. Notwithstanding anything contained in the Companies Clauses Consolidation Act 1845 where several persons are jointly entitled to and registered as holders of any share in the capital of the Company any one of those persons may vote at any meeting (at which holders of shares of the same class are entitled to vote) either personally or by proxy in respect of the share as if he were solely entitled thereto but if more than one of such joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the share shall alone be entitled to vote in respect thereof. Several executors or administrators of a deceased member in whose name any share stands shall for the purposes of this section be deemed joint holders thereof.

31.—(1) Section 27 (Qualification of directors) of the Act of 1902 is hereby repealed and as from the passing of this Act the qualification of a director shall be the possession in his own right of not less than five hundred shares and every director who is not qualified at the time of his appointment as a director shall obtain his qualification within two months after his appointment and if any director does not within such two months obtain his qualification he shall vacate his office as director and shall be incapable of being re-appointed a director until he has obtained his qualification.

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Qualification of directors.

(2) Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract. Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

32. 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 at a general meeting a director of the Company 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 or left at the office of the Company fourteen days at least before the day of election.

Notice of candidature for office of director

33. The continuing directors may act notwithstanding any vacancy in their body but so that if at

Continuing directors.

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A.D. 1926. — any time the number of the directors shall be less than the minimum number prescribed by the Act of 1902 the directors shall not act as such except for the purpose of filling vacancies among the directors and allotting shares to any proposed director or directors.

Managing directors.

34.—(1) The directors may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places.

(2) A managing director while holding that office shall not be subject to retirement by rotation nor be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

(3) Subject to any directions which may be given in general meeting the remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

(4) The directors may entrust to and confer upon any managing director such of the powers exercisable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

Interim dividends and annual accounts.

35. If and so long as the ordinary meetings of the Company shall be held once only in each year the following provisions shall have effect:—

(a) It shall be lawful for the directors to declare and pay in any year an interim half-yearly dividend out of the profits of the Company without the sanction or direction of a general meeting;

(b) The Company and the directors shall not be required to make up a half-yearly balance sheet and accounts and the balance sheet and accounts made up by them in accordance with section 116 of the Companies Clauses Consolidation Act 1845 shall relate to the transactions of the Company in the course of the preceding year.

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

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Closing of
transfer
books.

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

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

As to
share
holders'
register.

38. Notwithstanding anything in any Act relating to the Company any contract or agreement required to be in writing and not under seal may be signed on behalf of the Company by the secretary or other person appointed in that behalf by the directors.

As to
contracts.

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

Remunera-
tion of
secretary
and
auditors.

40.—(1) The Company shall annually appoint one person or two persons who shall be or a firm of accountants who shall be a member or members of the Institute of Chartered Accountants or the Society of Incorporated Accountants and Auditors or an accountant or accountants approved by the Minister of Transport to be the auditor or auditors of the Company.

Auditors.

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

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Lands by agreement.

41. The Company may for the general purposes of the undertaking purchase or take on lease (by agreement but not otherwise) and hold any lands and hereditaments not exceeding (except with the consent of the Electricity Commissioners which consent such Commissioners are hereby authorised to give) two hundred acres which the Company may from time to time require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands :

Provided always that the Company shall not (save so far as they may be authorised so to do by competent authority) erect any station for generating electricity upon any lands acquired under this section.

Application of Electricity (Supply) Act 1919 and amendment of Act of 1902 in relation to overhead lines.

42.—(1) The county council of a county wholly or partly within the area of supply shall in regard to any electric lines proposed to be placed by the Company above ground along or across any main road or county bridge or approaches thereto vested in the county council be deemed to be a local authority within the meaning and for the purposes of section 21 (Overhead wires) of the Electricity (Supply) Act 1919.

(2) Subsection (2) of section 36 (For protection of Leicestershire County Council) and subsection (2) of section 37 (For protection of Warwickshire County Council) of the Act of 1902 are hereby repealed.

Provisions as to supply of electricity by agreement.

43. If any consumer of electricity supplied by the Company under the terms of any agreement uses the electricity supplied to him by the Company in any manner contrary to the terms of such agreement the Company may if they think fit discontinue to supply electricity to such consumer until they are satisfied that any electricity so supplied will be used in accordance with the terms of such agreement :

Provided that before discontinuing any such supply the Company shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify in what respect the electricity is used contrary to the terms of such agreement.

Power to refuse to supply

44. The Company may refuse to supply electricity to any person from whom any payment for the supply of electricity or meter rent is for the time being in arrear

(not being the subject of a bonâ fide dispute) whether the payment be due to the Company in respect of the premises for which a supply is demanded or in respect of other premises. A.D. 1926.
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electricity in certain cases.

45.—(1) A notice to the Company from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and left with or sent by post to the Company or be given by the consumer personally at the principal office or any recognised local office of the Company. Notice to discontinue supply of electricity.

(2) Notice of the effect of this section shall be endorsed upon every demand note for charges for electricity.

46. Any expenses reasonably incurred by the Company in reconnecting any electric line or other work which may have been lawfully cut off or disconnected by them by reason of any default of a consumer may be recovered in like manner as expenses lawfully incurred by them in such cutting off or disconnecting the same. Expenses of reconnecting lines and works.

47. The Company may apply for special or other orders under the Electricity (Supply) Acts 1882 to 1922. Power to apply for special and other orders.

48. 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 1902 or this Act and any funds under the control of the directors. Power to apply funds.

49. All moneys raised by the Company under this Act shall be applied to the general purposes of the Company to which capital is properly applicable. Application of moneys.

50. If any person without lawful excuse (the proof whereof shall lie on him) shall wilfully interfere with any works or apparatus used by the Company for or in connection with the supply of electricity or do or cause to be done anything which is calculated to interfere with or damage such works or apparatus he shall for every such offence (without prejudice to any other liability or cause of action which may arise out of or by reason of such act) be liable to a penalty not exceeding five pounds. Penalty for interference with works.

[Ch. xxxiv.] *Leicestershire and* [16 & 17 GEO. 5.]
Warwickshire Electric Power Act, 1926.

A.D. 1926.

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Recovery of
penalties
&c.

51. Save as otherwise by the Acts of 1902 and 1904 and this Act expressly provided all offences against the Acts of 1902 and 1904 and this Act and all penalties forfeitures costs and expenses imposed or recoverable under the Acts of 1902 and 1904 and this Act 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.

Costs of
Act.

52. 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, LTD.,

FOR

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Acts of Parliament.

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