



CHAPTER xxv.

An Act to empower the Stone Gas Light and Coke Company Limited to supply electricity and to confer further powers on and to change the name of the Company and for other purposes. [8th July 1914.]

A.D. 1914.
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WHEREAS the Stone Gas Light and Coke Company Limited (in this Act called "the Company") are a company incorporated under the Acts repealed by the Companies (Consolidation) Act 1908 for the purposes (amongst other things) of making and vending in the township of Stone and the adjoining townships gas and coke and other matters arising from the making of gas and for lighting the said townships with gas:

And whereas by the Stone Gas Order 1881 (confirmed by the Gas Orders Confirmation Act 1881 and hereinafter called "the Order of 1881") the Company were authorised to maintain and continue gasworks upon the lands described in the schedule to that Order and powers were conferred upon the Company in relation to the supply of gas within certain limits defined by that Act:

And whereas it was provided by the Order of 1881 that the share capital of the Company should not exceed the sum of seventeen thousand five hundred pounds unless the Company were thereafter authorised to raise further additional share capital and the amount of moneys borrowed by the Company was not to exceed two thousand five hundred pounds and the paid up share capital of the Company now consists of the sum of ten thousand pounds and the Company have borrowed on mortgage the sum of one thousand two hundred pounds:

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And whereas the demand for gas within the Company's limits of supply has increased and is increasing and it is expedient to empower them to manufacture gas and residual products upon additional lands adjoining the existing gasworks acquired by the Company by agreement since the Order of 1881 and to confer upon them the further powers in regard to the supply of gas contained in this Act :

And whereas the area in which the Company are authorised by the Order of 1881 to supply gas was defined by that Order to be the township of Stone and the adjoining townships or places of Darlaston Meaford Oulton Walton Aston Stoke-by-Stone and Little Aston all in the parish of Stone in the county of Stafford :

And whereas the area so defined now comprises the parish and urban district of Stone and a large portion of the parish of Stone Rural in the rural district of Stone all in the county of Stafford and it is expedient that the limits of supply of the Company should be defined in reference to the existing local areas and should be extended to include the remaining portion of the said parish of Stone Rural :

And whereas the Company are supplying gas throughout the whole of the urban district of Stone and nearly the whole of the parish of Stone Rural at a reasonable rate to the consumers and the Company can utilize their present lands and machinery and works to a great extent for generating electricity and it is expedient that the Company be empowered to supply electricity for public and private purposes to and within the whole of their limits of gas supply :

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of this Act :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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

PART I.

A.D. 1914.

PRELIMINARY.

1. This Act may be cited as the Stone Gas and Electricity Act 1914 and the Stone Gas Order 1881 and this Act may be cited together as the Stone Gas and Electricity Acts 1881 and 1914. Short titles.

2. This Act is divided into Parts as follows:—

Act divided into Parts.

Part I.—Preliminary.

Part II.—Gas.

Part III.—Electricity.

Part IV.—Change of name of Company.

Part V.—Financial.

Part VI.—Miscellaneous.

3. This Act shall be deemed to be a special Act within the meaning of the Electric Lighting Acts 1882 to 1909 and the Electric Lighting (Clauses) Act 1899 so far as the provisions of those Acts are applicable to or incorporated by this Act (which Acts are hereinafter referred to as “the principal Acts”). Application of Electric Lighting Acts.

4. The following Acts and parts of Acts are (subject to the provisions of and so far as applicable to the purposes of this Act) hereby incorporated with and form part of this Act (namely):— Incorporation of general Acts.

The Gasworks Clauses Act 1847 (except sections 30 to 34 both inclusive) as amended by the Gasworks Clauses Act 1871 Provided that—

(A) Section 13 of the Gasworks Clauses Act 1847 shall be read as if the words “or any premises” were inserted after the words “private building” and as if the words “Provided also that every such contract entered into by the Company shall be alike in terms and amount under like circumstances to all consumers” were added at the end of that section;

(B) Section 35 of the same Act in its application to the Company shall be read as if the words from “in case the whole” down to “have been paid” were omitted therefrom;

The Lands Clauses Acts (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement); and

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The provisions of the schedule to the Electric Lighting (Clauses) Act 1899 except sections 5 23 83 and 84 thereof.

Interpretation.

5. In this Act the several words and expressions to which meanings are assigned 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—

The expression “the Company” means the Stone Gas Light and Coke Company Limited;

The expression “the Order of 1881” means the Stone Gas Order 1881;

The expression “limits of supply” means the limits within which the Company are authorised by this Act to supply gas;

The expression “area of supply” means the area within which the Company are authorised by this Act to supply electricity;

The expression “the gas undertaking” means the undertaking of the Company for the supply of gas as authorised by the Order of 1881 and this Act;

The expression “the electricity undertaking” means the undertaking of the Company for the supply of electricity as authorised by this Act;

The expression “the undertaking” includes the gas undertaking and the electricity undertaking;

The expression “the principal Acts” means the Electric Lighting Acts 1882 to 1909 and the Electric Lighting (Clauses) Act 1899 and the schedules to such Acts.

PART II.

GAS.

Extension of limits of supply.

6.—(1) The limits within which the Company may supply gas under the Order of 1881 as amended by this Act shall be extended so as to include the portion of the parish of Stone Rural not included within the limits of supply under the Order of 1881 and the Company shall have and may exercise within the added area all and the like powers privileges and authorities for and in relation to the supply of gas and shall

be subject to all and the like duties liabilities and obligations in respect thereof as they now have and are subject to within the existing limits of supply. A.D. 1914.

(2) From and after the passing of this Act the limits of supply shall be defined to include the parish and urban district of Stone and the parish of Stone Rural in the rural district of Stone all in the county of Stafford. Definition of limits of supply.

7. The Company may upon the lands described in Part I. of the First Schedule to this Act erect construct lay down provide maintain alter improve enlarge extend and renew or discontinue gasworks and works for the manufacture and storage of gas and for the manufacture conversion utilisation storage and distribution of materials used in or residual products resulting from such manufacture and the Company may also from time to time provide lay down alter improve enlarge extend and renew all necessary retorts gasholders receivers mains pipes machinery and other works and apparatus and conveniences and do all such acts as they think proper for making and storing gas and for supplying gas within the limits of supply and may supply gas accordingly and may on the said lands convert and manufacture all residual products resulting from the manufacture of gas. Lands for manufacture and storage of gas and powers to construct and maintain gasworks.

8.—(1) The prescribed number of candles shall be fourteen. Quality of gas.

(2) For the purposes of the Gasworks Clauses Act 1871 the prescribed testing place shall be the testing place which has been provided by the Company in pursuance of the provisions of section 19 (Testing of gas) of the Order of 1881 or some other testing place to be provided by the Company upon some part of the lands described in the schedule to the Order of 1881 or the First Schedule to this Act.

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

(4) For testing the illuminating power of the gas the burner to be used shall be that known as the Metropolitan argand

A.D. 1914. No. 2 the photometer shall be the bar photometer or the table photometer the standard light shall be that supplied by Harcourt's ten-candle pentane lamp and in making the test the burner shall be so used as to obtain from the gas when burned at the rate aforesaid the greatest amount of light Provided that the Board of Trade may on the application of the Company or the local authority approve the use of any other burner photometer or standard light which may appear to the Board to be equally or more suitable for the testing.

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

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

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

(8) Section 16 (Quality of gas) section 18 (Pressure of gas), and section 19 (Testing of gas) of the Order of 1881 are hereby repealed.

Saving as to penalties.

9.—(1) No penalty shall be incurred by the Company for insufficiency of pressure defect of illuminating power or excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was produced by any circumstance beyond the control of the Company Provided that the want of sufficient funds shall not be held to be a circumstance beyond the control of the Company.

(2) Section 20 (No penalty in case of unavoidable cause) of the Order of 1881 is hereby repealed.

Dividend dependent on price charged.

10.—(1) From and after the thirty-first day of December one thousand nine hundred and fourteen the standard price to be charged by the Company for gas supplied by them shall be three shillings and ninepence per one thousand cubic feet:

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

In respect of any half year during any part of which the price charged by the Company for any gas supplied by them shall have been one penny or part of a penny above the standard price the dividends payable by the Company shall in respect of each penny or part of a penny by which the standard price shall have been so increased be reduced below the standard rate of dividend by two shillings and sixpence on every one hundred pounds of ordinary capital with a ten per centum standard rate of dividend and by one shilling and ninepence on every one hundred pounds of such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds:

In respect of any half year during the whole of which the price charged by the Company for gas supplied by them shall have been one penny or more below the standard price the dividends payable by the Company may in respect of each penny by which the standard price shall have been so reduced be increased above the standard rate of dividend by two shillings and sixpence upon every one hundred pounds of ordinary capital with a ten per centum standard rate of dividend and by one shilling and ninepence on every one hundred pounds of such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds.

(2) If in any year the dividends payable on the ordinary shares shall comprise a fractional amount less than one quarter per centum the directors may in their discretion add such fractional amount to the reserve fund or may defer the payment of such fractional amount until the payment of the next or some succeeding dividends and shall in their discretion either add such fractional amount to and pay the same with such succeeding dividends accordingly or add the same to the reserve fund.

(3) As from the thirty-first day of December one thousand nine hundred and fourteen sections 12 (Limits of dividend on capital) and 17 (Fixing maximum price of gas) of the Order of 1881 are hereby repealed.

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Charge for
gas supplied
by means of
prepayment
meters.

11.—(1) The Company may demand for any gas supplied through a prepayment meter a not greater charge than for gas supplied to private consumers within their limits of supply through any other kind of meter or by any other method of supply.

(2) The charge for the hire of any prepayment meter and fittings to be used therewith shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of tenpence per one thousand cubic feet supplied in manner aforesaid such sum to include the hire of meter and the fittings used therewith or at the rate of one shilling per one thousand cubic feet if such fittings include a cooking stove.

(3) The charge for the hire of any prepayment meter without fittings shall be a sum of money calculated according to the quantity of gas supplied through the prepayment meter and the maximum charge shall be at the rate of sixpence per one thousand cubic feet supplied in manner aforesaid or at the rate of ten per centum per annum on the cost of the meter whichever shall be the higher.

(4) The said charges shall include the providing letting fixing repairing and maintenance of the meters and fittings or of the meters (as the case may be) and the cost of collection and other costs incurred by the Company in connection therewith.

(5) For the purpose of this section the expression “prepayment meter” means any meter or appliance by which the quantity of gas supplied is regulated according to the amount of money prepaid therefor.

As to construction and placing of pipes &c. between mains and meters.

12. In order to enable the Company to ensure a satisfactory supply of gas to their consumers the following provisions shall have effect:—

(1) The Company may specify the size and material of the pipes with the fittings thereof which are to be laid by the consumer on his own premises either in the first instance or on the occasion of any renewal between the Company’s mains and the meter so far as such pipes and fittings are intended to be covered over:

(2) The Company may if they think fit make different specifications for different classes of premises having regard to the probable maximum consumption of gas thereon at any one time: A.D. 1914.

(3) The specification shall be published twice in some newspaper or once in each of two newspapers circulating within the limits of supply and a copy thereof shall be kept exhibited in the office of the Company:

(4) Every meter to be used in a new building or a building not previously supplied with gas or in connection with a new or substituted pipe laid by the consumer between the main and the consumer's meter shall be placed as near as reasonably practicable to the Company's main but within the outside wall of the building:

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

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

13. The Company may lay down and repair take up relay or renew mains pipes and culverts within the limits of supply Power to lay pipes &c.

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for ancillary
purposes.

for the purpose of procuring conducting or disposing of any oil or other materials used by them in or resulting from the manufacture of gas or any residual products thereof or for any purpose connected with their gas undertaking and the provisions of the Gasworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes and for the protection of pipes when laid so far as they are applicable for the purposes of this section shall extend and apply mutatis mutandis to and for the purposes thereof.

Gas consumers to
give notice
to Company
before re-
moving.

14. At least twenty-four hours' notice shall be given to the Company by every gas consumer either personally at the office of the Company or in writing before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever date shall first occur Notice of the effect of this enactment shall be endorsed upon every demand note for gas charges payable to the Company.

Supply of
gas where
consumer
has separate
supply.

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

Power to
enter pre-
mises and
remove
fittings.

16. The power to enter premises and to remove pipes meters fittings or apparatus conferred on the Company by section 22 of the Gasworks Clauses Act 1871 shall extend to all cases in which any person entering into occupation of any premises previously supplied with gas by the Company shall not require to take a supply of gas from the Company or to

hire from the Company all or any of the pipes meters fittings or apparatus belonging to the Company and let by them on hire to any former occupier of such premises. A.D. 1914.

17.—(1) In any case in which the Company are by virtue of any enactment relating to their gas undertaking authorised to cut off and discontinue the supply of gas to any premises in consequence of any default on the part of the occupier of the premises it shall be lawful for the Company without prejudice to any other remedy which may be lawfully available to them to disconnect at the meter the service pipe (whether belonging to the consumer or to the Company) and any person who shall reconnect such service pipe with the meter without the consent of the Company shall be deemed to commit an offence within the meaning of section 18 of the Gasworks Clauses Act 1847: As to mode of cutting off supplies.

Provided that if and so soon as the matter complained of shall have been remedied nothing in this section shall prejudice or interfere with any rights vested in any person by virtue of section 11 of the Gasworks Clauses Act 1871.

(2) For the purposes of this section the Company shall (subject to the conditions specified in section 22 of the Gasworks Clauses Act 1871) have and may exercise the like powers of entry as are exercisable under the said section 22 for the purposes of that section.

18. In any case in which in consequence of any default on the part of the occupier of any premises the Company shall have cut off the supply of gas to such premises (whether under the existing powers of the Company or under the powers conferred by this Act) and the occupier so in default shall desire to resume such supply he shall pay to the Company the expenses of reconnecting the supply and the Company shall not be under any obligation to supply gas to such occupier until he shall have paid such expenses. Occupier to pay expenses of reconnecting disconnected supply.

19.—(1) The Company may purchase sell let for hire fix repair and remove but shall not manufacture engines stoves ranges pipes and other gas-fittings (in this section referred to as "fittings") for lighting motive-power heating ventilating cooking or any other purposes and may provide all materials and work necessary or proper in that behalf and with respect thereto may demand and take such remuneration or rents and charges and make such terms and conditions as may be agreed upon. Power to supply gas-fittings &c.

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(2) Any fittings let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under any process of any court or any proceedings in bankruptcy against the person 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.

Engines &c.
of Company
let on hire
though fixed
to premises
to remain
property
of Company.

20.—(1) All gas engines apparatus fittings and appliances let by the Company on hire under the provisions of this Act shall notwithstanding that they be fixed or fastened to any part of any premises in which they may be situate or to the soil under any such premises at all times continue to be the property of and removable by the Company Provided that nothing in this subsection shall affect the amount of the assessment for rating of any premises upon which any such fittings are or shall be fixed.

(2) The Company shall only be entitled to the privileges and exemptions conferred by this section in respect of such fittings as shall have upon them respectively a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof.

Period of
error in
defective
meters.

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

Anti-fluc-
tuators for
gas engines.

22. Every consumer of gas supplied by the Company who uses a gas engine shall if required to do so by the Company use an effective anti-fluctuator together with an effective non-return valve and shall at all times at his own expense keep such anti-fluctuator and valve in proper repair and in default

of his so using or keeping such anti-fluctuator and valve in proper repair the Company may cease to supply gas to such consumer. The Company shall have access to and be at liberty to take off remove test inspect and replace any such anti-fluctuator and valve at all reasonable times such taking off removing testing inspecting and replacing to be done at the expense of the Company if the anti-fluctuator and valve be found in proper order but otherwise at the expense of such consumer.

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23. If any person is required by the Company to give to them security in respect of any supply of gas or for the payment of the price or rent of a meter and such security is made by way of deposit the Company shall pay interest at the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Company to pay interest on money deposited as security for gas.

Section 21 of the Order of 1881 is hereby repealed.

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

Company may enter into contracts for supply of gas.

PART III.

ELECTRICITY.

25. The area within which the Company may supply electricity under this Act (in this Act referred to as "the area of supply") shall be the limits for the supply of gas as defined by this Act that is to say the parish and urban district of Stone and the parish of Stone Rural in the rural district of Stone all in the county of Stafford and such area shall be deemed to be the area of supply within the meaning of section 4 of the schedule to the Electric Lighting (Clauses) Act 1899 and the Company may supply electricity within the area of supply for all public and private purposes.

Area of supply of electricity.

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Power to use lands and erect generating station.

26.—(1) The Company may appropriate and use for the purposes of the electricity undertaking the lands described in (a) the schedule to the Order of 1881 and (b) Part I of the First Schedule to this Act or any part of those lands and which said lands (a) and (b) are for greater convenience described in Part II of the First Schedule to this Act and the said Company may thereon erect maintain work and use a station or stations for producing and generating transforming storing and distributing electricity with all such buildings engines batteries dynamos accumulators and other plant machinery apparatus works and conveniences as may be necessary or suitable for those purposes and may produce generate transform store use and supply such electricity accordingly.

(2) The Company may appropriate and use for the said purposes any other lands acquired by them but they shall not use any such lands for the purpose of constructing a generating station except with the consent of the Board of Trade and the Board of Trade shall not in any case give such consent except subject to and in accordance with the provisions of section 2 of the Electric Lighting Act 1909.

Power to break up streets not repairable by local authority and railways.

27. Subject to the provisions of the principal Acts the Company may break up for the purposes of the electricity undertaking the streets and parts of streets not repairable by the local authority and the railways which are mentioned in the Second Schedule to this Act.

Power to supply engines motors fittings &c. for lighting power and other purposes.

28. The Company may purchase provide supply sell and let on hire and may fix set up alter repair and remove but shall not manufacture motors accumulators services wires boxes switches transformers lamps meters fittings and other apparatus used for or in connection with the use of electricity for lighting and other purposes and may provide all materials and do all work necessary or proper in that behalf and may demand take and recover such remuneration in money or such rents or charges for and may make such terms and conditions with respect to the supply of such articles and things as aforesaid and for securing (both as regards the consumer and third parties) their safety and return to the Company as may be agreed on between the Company and the person to or for whom the same are supplied Provided that in the event of the electricity undertaking or any part thereof being purchased by the local authority the powers of this section shall not be transferred to such authority,

29.—(1) Section 21 subsection (1) of the schedule to the Electric Lighting (Clauses) Act 1899 in so far as it specifies a period within which the Company shall lay down distributing mains shall not apply to the Company but the Company shall before the expiration of three years after the passing of this Act without being required to do so lay down suitable and sufficient distributing mains for the purposes of general supply throughout the parts of streets mentioned in the Third Schedule to this Act Provided that the Board of Trade may from time to time extend such period for such further period as they may think fit Provided further that the Board of Trade may on the expiration of such period or extended period as aforesaid if such mains mentioned in the Third Schedule to this Act are not then laid or evidence forthcoming of the bonâ fide intention of the Company to lay such mains on the representation of the local authority of the district revoke the powers of this Act in regard to the supply of electricity as to the whole or part of the parish and urban district of Stone included in the area of supply and make such order as to payment by the Company of the costs of such representation as they think fit.

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Mains &c. to
be laid down.

(2) If at the expiration of five years after the passing of this Act the Company shall not have laid down distributing mains for the purposes of general supply in the parish of Stone Rural included in the area of supply the Board of Trade may if they think fit order that the powers of the Company in regard to the supply of electricity shall cease as to such last-mentioned parish and on any such order being made those powers shall cease accordingly.

30. The maximum price to be charged by the Company for electricity supplied by them shall subject to alteration as in the schedule to the Electric Lighting (Clauses) Act 1899 provided be that stated in that behalf in the Fourth Schedule to this Act.

Maximum
price.

31.—(1) In the event of a meter of a construction and pattern approved by the Board of Trade used by any consumer of electricity being proved to register erroneously such erroneous registration shall be deemed to have first arisen during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter.

Period of
error in
defective
meters.

(2) The amount of the allowance to be paid to or the surcharge to be made upon the consumer by the Company shall

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be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in the like manner as charges for electricity are recoverable by the Company.

For protection of Staffordshire County Council.

32.—(1) Nothing in this Part of this Act shall in any way limit or affect the powers of the Staffordshire County Council (in this section referred to as “the county council”) to rebuild alter widen or repair the structure of any bridge upon which any work by this Part of this Act authorised shall be constructed or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of this Act.

(2) If at any time the county council require to carry out works for rebuilding altering widening or repairing any bridge which might involve interference with any portion of the undertaking by this Part of this Act authorised they shall prior to the commencement of such works give the Company one month’s notice of their intention to carry out such works and if in order to avoid interruption to the supply by the Company of electrical energy it is necessary to temporarily remove the mains and other electrical appliances belonging to the Company from such bridge then the Company shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereof in such a manner as will not be a danger or inconvenience to the public or unreasonably interfere with the works to be carried out by the county council.

(3) When the rebuilding altering widening or repairing of such bridge shall have been completed the Company shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out.

(4) If any dispute arises between the county council and the Company with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade.

For protection of North Staffordshire Railway Company.

33. The provisions of the section of this Act of which the marginal note is “For protection of Staffordshire County Council” shall extend and apply for the protection of the North Staffordshire Railway Company as if the said section had been re-enacted in this Act in reference to the North Staffordshire Railway Company and that company had been referred to in the said section instead of the Staffordshire County Council.

PART IV.

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CHANGE OF NAME OF COMPANY.

34. As from the date upon which a printed copy of this Act is delivered to the Registrar of Joint Stock Companies in pursuance of the section of this Act whereof the marginal note is "Copy of Act to be registered" the name of the Company shall be "The Stone Gas and Electricity Company Limited" and the provisions of the "Companies (Consolidation) Act 1908 shall apply as if the Company had changed its name by special resolution with the approval of the Board of Trade.

Change of name.

PART V.

FINANCIAL.

35. The limitation prescribed by the Order of 1881 with respect to the share capital of the Company for the purposes of their undertaking shall not prevent the Company from raising for such purposes further share capital not exceeding six thousand five hundred pounds Provided that—

Additional capital.

(1) The share capital of the Company for the purposes of the undertaking authorised by the Order of 1881 and this Act shall not exceed in the whole the sum of twenty-four thousand pounds unless the Company are hereafter authorised to raise further capital by Provisional Order under the Gas and Water Works Facilities Act 1870 or by Act of Parliament:

(2) It shall not be lawful for the Company to create and issue under the powers of this Act any greater nominal amount of capital than shall be sufficient to produce including any premium which may be obtained on the sale thereof the sum of six thousand five hundred pounds or to raise by the issue of preference shares any greater amount of the capital authorised by this Act than three thousand two hundred and fifty pounds.

36.—(1) Except as by this Act expressly provided the Company shall not in any year declare out of their profits any larger dividends on their capital than at the following rates (in this Act referred to as "the standard rates of dividend") (namely):—

Limit of dividend on capital.

Ten pounds in respect of every one hundred pounds of the original capital:

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Seven pounds in respect of every one hundred pounds actually paid up of so much of the capital issued under the provisions of the Order of 1881 or of this Act as may be issued as ordinary capital:

Five pounds in respect of every one hundred pounds actually paid up of so much of the capital issued under the provisions of the Order of 1881 or of this Act as may be issued as preference capital.

(2) The provisions of this section shall come into operation as from the thirty-first day of December one thousand nine hundred and fourteen.

Dividends on different classes of ordinary shares or stock to be paid proportionately.

37. In case in any year or in any half-year (if the Company declare a dividend half-yearly) the net revenue of the Company applicable to dividend is insufficient to pay the full amount of the prescribed rates on each class of ordinary shares or stock in the capital of the Company a proportionate reduction shall be made in the dividends payable on each class.

New shares or stock to be sold by auction or tender.

38.—(1) All shares or stock forming part of the capital which the Company may raise under the provisions of this Act shall be issued in accordance with the provisions of this section.

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

(A) Notice of the intended sale shall be given in writing to the clerk of every district council any part of whose district is within the limits of supply of the Company and to the secretary of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the receipt of tenders as the case may be and shall also be duly advertised once in each of two consecutive weeks in one or more local newspapers circulating within the limits of supply:

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

(c) No lot offered for sale shall comprise shares or stock of greater nominal value than one hundred pounds: A.D. 1914.

(d) In the case of a sale by tender no preference shall be given to one of two or more persons tendering the same sum:

(e) In the case of a sale by auction a bid shall not be recognised unless it is in advance of the last preceding bid:

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

(3) Any shares or stock which have been so offered for sale and are not sold may be offered at the reserve price to the holders of ordinary and preference shares or stock of the Company in manner prescribed by a resolution passed by the directors of the Company and to the employees of the Company and to the consumers of gas supplied by the Company in such proportions as the said directors may think fit or to one or more of those classes of persons only. Provided in the case of an offer to holders of shares or stock that if the aggregate amount of shares or stock applied for shall exceed the aggregate amount so offered as aforesaid the same shall be allotted to and distributed amongst the applicants as nearly as may be in proportion to the amounts applied for by them respectively.

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

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

A.D. 1914.

Limit of
borrowing
powers.

39. Notwithstanding anything contained in the Order of 1881 the Company may borrow money on mortgage upon the security of their undertaking but the total amount of moneys so borrowed shall not at any time exceed in the whole one third of the total amount of the share capital of the Company at the time actually raised by the issue of shares or stock including any premium obtained on the sale of any shares or stock under the provisions of the Order of 1881 or of this Act.

Application
of money.

40. All money raised under this Act including any premium shall be applied only to purposes to which capital is properly applicable and any sum of money which may arise from the issue of any shares or stock under the provisions of this Act by way of premium shall not be considered as part of the capital of the Company entitled to dividend but all such sums shall be considered as part of the paid-up capital of the Company for the purpose of determining their powers to raise money by borrowing or the amount which they may carry to the special purposes fund.

Special pur-
poses fund.

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

(2) The special purposes fund shall be applicable only to meet such charges as an accountant appointed for the purpose by the Board of Trade shall approve as being—

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

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

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

(4) The money forming the special purposes fund or any portion thereof may be invested in securities in which trustees

are authorised by law to invest or may be applied for the general purposes of the Company to which capital is properly applicable or may be used partly in the one way or partly in the other. A.D. 1914.

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

42. If the clear profits of the undertaking of the Company in any year amount to a larger sum than is sufficient to pay the dividend on the preference capital and the dividend at the prescribed rates on the ordinary capital of the Company the excess shall be carried to the credit of the divisible profits of such undertaking for the next following year. Provided that the sum standing to the credit of such divisible profits shall not at any time exceed the amount required to pay one year's dividend on the preference capital and one year's dividend at the prescribed rates on the ordinary capital. Application of excess of profits over authorised rates of dividend.

43. Where in any year the dividend of the Company on the ordinary capital of the Company shall exceed the standard rate by reason of the price charged by the Company for gas in such year being below the standard price then out of the amount of the divisible profits of the Company applicable to the payment of such excess of dividend the Company may in such year set apart such sum as they shall think fit and all sums (if any) so set apart by the Company and any reserve or other fund of the Company existing at the passing of this Act may be invested in Government or other securities and the dividends and interest arising from such securities may also be invested in the same or the like securities in order that the same may accumulate at compound interest and the fund so formed shall be called "the reserve fund" and shall be applicable to the payment of dividend in any year in which the clear profits of the Company shall be insufficient to enable the Company in such year to pay the dividend at the authorised rate on the ordinary capital of the Company and save as in this Act provided no sum shall in any year be carried by the Company to any reserve fund. Power to create a reserve fund.

44. The Company may apply to all or any of the purposes of this Act to which capital is properly applicable any money from time to time raised by them under the Order of 1881. Power to apply funds.

A.D. 1914.

Separate
accounts for
gas and elec-
tricity under-
takings.

45. Separate capital and revenue accounts shall be kept of the gas undertaking and the electricity undertaking.

The gas undertaking and the electricity undertaking respectively shall be duly credited and debited with the receipts and payments exclusively attributable thereto.

The Company shall out of the capital moneys raised under this Act carry to the credit of the capital account of the gas undertaking the value of all land acquired for the purposes of that undertaking and used for the purposes of the electricity undertaking.

The expenses of direction and management and any expenses common to both the gas undertaking and the electricity undertaking shall be from time to time apportioned between them as nearly as conveniently practicable in proportion to the amount of capital for the time being expended on the gas undertaking and the electricity undertaking respectively.

PART VI.

MISCELLANEOUS.

Power to lay
pipes and
wires in
streets not
dedicated to
public use.

46.—(1) The Company may on the application of the owner or occupier of any premises within the limits of supply abutting on or being erected in any street laid out but not dedicated to public use supply those premises with gas and for that purpose the Gasworks Clauses Act 1847 shall apply as if section 7 of that Act were excepted from incorporation in the Order of 1881 and this Act.

(2) The Company may upon the application of the owner or occupier of any premises within the area of supply abutting on or being erected in any street or road laid out but not dedicated to public use supply such premises with electrical energy and may lay down take up alter relay repair or renew in across or along or out of such street or road such electric lines and apparatus as may be requisite or proper for furnishing such supply and the provisions of the Electric Lighting Acts 1882 to 1909 and of the schedule to the Electric Lighting (Clauses) Act 1899 so far as they are applicable for the purposes of this section shall extend and apply to and for the purposes hereof and to any works constructed or executed by the Company under the powers of this subsection.

47. The Company may refuse to supply gas to any person whose payments for the supply of gas or meter rent 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.

A.D. 1914.

Company may refuse to supply gas in certain cases.

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

Notice to discontinue supply of gas or electricity.

49. The Company may purchase or take on lease houses cottages and buildings for persons in their employ and offices showrooms and other buildings for the purposes of their undertaking and may erect maintain and let any such buildings upon any lands for the time being belonging or leased to the Company.

Dwelling-houses for Company's employees offices showrooms &c.

50. Where the payment of more than one sum by any person is due under this Act any summons or warrant issued for the purposes of this Act in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him.

Several sums in one summons.

51. Penalties imposed on the Company for one and the same offence by several Acts of Parliament shall not be cumulative and for such purpose this Act and the Acts incorporated herewith shall be deemed several Acts.

Penalties not cumulative.

52. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under 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.

Recovery of penalties.

53. Proceedings for the recovery of any demand made under the authority of this Act or the Order of 1881 or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Recovery of demands.

A.D. 1914.
As to purchase of undertaking by urban district council of Stone.

54.—(1) If the urban district council of Stone (in this section called “the council”) shall introduce in the session of Parliament available for private Bill legislation in the year 1916 a Bill for an Act to empower the council to purchase the undertaking of the Company and shall bonâ fide promote the same the Company shall not oppose such Bill except in so far as may be necessary in order to secure the insertion therein of provisions to protect their interests with respect to such purchase and for that purpose the Company shall be at liberty to petition either or both Houses of Parliament and to appear on such petition by counsel agents and witnesses if they think fit.

(2) If the council obtain an Act authorising such purchase they shall give notice of their intention to purchase within six months after the passing of such Act and thereupon the Company shall sell and transfer and the council shall purchase the undertaking of the Company subject to all their then existing debentures mortgages obligations and liabilities.

(3) Any such sale and purchase shall be for such price or consideration and on and subject to such terms and conditions as may be agreed upon between the Company and the council or as failing such agreement shall be determined by arbitration in accordance with the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement and in the construction of the said provisions the expression “the promoters of the undertaking” shall mean the council and the expression “lands” shall mean the undertaking of the Company.

(4) In addition to the amount to be paid by the council to the Company under the foregoing provisions of this section the council shall pay to the Company the costs charges and expenses of obtaining this Act and of procuring any amendments of the Bill to be introduced by the council and also of and incident to the transfer of the undertaking and the winding up of the Company.

(5) The council shall also pay the sum of one thousand pounds as compensation to the directors of the Company.

(6) If the council on the transfer to them of the said undertaking do not continue and retain the services under them of Thomas Walter Saville (the present engineer manager and secretary of the Company) as engineer manager and secretary

or in either of those capacities at and upon the same or like terms and conditions as his engagement under the Company at the date of the said transfer or if his services are dispensed with for some cause other than misconduct or his salary is reduced at any time within five years from the date of transfer then and in either of such cases the council shall pay to the said Thomas Walter Saville the sum of one thousand five hundred pounds as compensation for loss of office.

A.D. 1914.

(7) For the purposes of this section the expression "the undertaking of the Company" includes all the works engines mains pipes and machinery lands and buildings plant fixed and movable and all other the real and personal property assets and effects of whatever nature and all the rights powers and privileges vested in or belonging to or had or enjoyed by the Company at the date of transfer of the undertaking of the Company to the council save and except cash in hand or with their bankers book debts received or due on credit or revenue account and except any profits then to be divided and except the books and papers relating exclusively to the shareholders in and the constitution of the Company and also except movable stock in trade gas coal and other stores which shall be taken over by valuation at the date of transfer.

55. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is 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 a like penalty Every penalty under this section shall be recoverable summarily.

Copy of Act
to be regis-
tered.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than a memorandum of association or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding-up in England.

A.D. 1914.

Copy of Act
to be an-
nexed to
deed of set-
tlement.

Costs of
Act.

56. To every copy of the deed of settlement of the Company supplied after the passing of this Act to any member under the provisions of the Companies (Consolidation) Act 1908 there shall be annexed a copy of this Act.

57. 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 and may in whole or in part be charged against revenue.

The SCHEDULES referred to in the foregoing Act. A.D. 1914.

FIRST SCHEDULE.

PART I.

GAS LANDS.

(A) All that piece or parcel of land containing 527 square yards or thereabouts comprising certain houses known as the Royal Oak Houses and outbuildings thereto situate in the parish and urban district of Stone in the county of Stafford and bounded on the north-east by Crown Street and on all other sides by the existing lands and gasworks and buildings of the Company.

(B) All that piece or parcel of land containing 218 square yards or thereabouts comprising certain cottages and yard situate in the said parish and urban district of Stone and bounded on the north-east by Crown Street and on all other sides by the existing lands and gasworks and buildings of the Company.

PART II.

LANDS FOR GENERATING STATION.

All that piece of land with the buildings gasworks and other erections thereon containing 5307 square yards or thereabouts situate in the said parish and urban district of Stone and bounded on the north-east by Crown Street and on the south-west by the Trent and Mersey Canal and on the north-west by land belonging or reputed to belong to Messrs. John Joule and Sons Limited and on the south-east by Stafford Street.

SECOND SCHEDULE.

Streets and parts of streets not repairable by the local authority and of the railways which may be broken up by the Company in pursuance of the special powers granted by this Act.

STREETS :—

Parish and urban district of Stone—

Airdale Road.

The roadways on the bridges carrying (1) Stafford Road (2) Newcastle Road over the Trent and Mersey Canal and (3) Longton Road over the North Staffordshire Railway.

Parish of Stone Rural—

The roadways on the bridges carrying (1) Stafford Road and (2) Newcastle Road over the River Trent.

A.D. 1914. RAILWAYS :—

Level crossings over the North Staffordshire Railway at (1) the junction of Station Road and Mount Road and (2) Church Street.

THIRD SCHEDULE.

Parts of streets throughout which the Company are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of three years after the passing of this Act.

Parish and urban district of Stone—

Crown Street from the gasworks to Stafford Street Stafford Street from Crown Street to High Street and High Street from Stafford Street to Granville Square.

FOURTH SCHEDULE.

MAXIMUM PRICES.

In this schedule—

The expression "unit" shall mean the energy contained in a current of one thousand ampères flowing under an electro-motive force of one volt during one hour.

SECTION 1.

Where the Company charge any consumer by the actual amount of energy supplied to him they shall be entitled to charge him at the following rates per quarter For any amount up to twenty units thirteen shillings and fourpence and for each unit over twenty units eightpence.

SECTION 2.

Where the Company charge any consumer by the electrical quantity contained in the supply given to him they shall be entitled to charge him according to the rate set forth in section 1 of this schedule the amount of energy supplied to him being taken to be the product of that electrical quantity and the declared pressure at the consumer's terminals that is to say such a constant pressure at those terminals as may be declared by the Company under the Board of Trade regulations.

Printed by EYRE and SPOTTISWOODE, Ltd.,

FOR

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

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