



### CHAPTER lxxxv.

An Act for amending the City of London Electric Lighting (Brush) Order 1890 and the City of London (East District) Electric Lighting Order 1890 as confirmed by the Electric Lighting Orders Confirmation (No. 15) Act 1890 and the City of London Electric Lighting (Brush) Order 1891 as confirmed by the Electric Lighting Orders Confirmation (No. 10) Act 1891. [29th June 1893.] A.D. 1893.

**W**HEREAS the Brush Electrical Engineering Company Limited (herein-after called "the Brush Company") incorporated under the Companies Acts 1862 to 1886 were by the City of London Electric Lighting (Brush) Order 1890 (herein-after referred to as "the Brush Order 1890") authorised to supply electricity to certain portions of the city of London :

And whereas the Laing Wharton and Down Construction Syndicate Limited (herein-after called "the Construction Syndicate") incorporated under the Companies Acts 1862 to 1886 were by the City of London (East District) Electric Lighting Order 1890 (herein-after referred to as "the East District Order 1890") authorised to supply electricity to certain portions of the city of London other than the portions of such city included in the area of supply of the Brush Order 1890 :

And whereas it was provided by section 59a of the Brush Order 1890 that at any time after the commencement of the order the undertakers might with the consent of the local authorities and the Board of Trade transfer the undertaking to a company duly constituted under the Companies Acts 1862 to 1886 not having powers to supply energy within the administrative county of London elsewhere than in the city of London upon such terms and conditions as might be approved by the Board of Trade and that subject to the said terms and conditions the said company should from and after the date on which the transfer was appointed to take effect be



A.D. 1893. the undertakers for the purposes of the said order without prejudice however to anything done or suffered prior to such date :

And whereas section 60 of the East District Order 1890 in similar terms authorised the transfer of that order :

And whereas by the City of London Electric Lighting (Brush) Order 1891 (herein-after referred to as "the Brush Order 1891") the Brush Company were authorised to supply electricity to the remaining portions of the city of London not included in the Brush Order 1890 and the East District Order 1890 And it was by section 2 thereof provided that the Brush Order of 1890 therein-after called the principal order and the order now in recital should be read and construed together as one order and might be cited as the City of London Electric Lighting (Brush) Orders 1890 and 1891 (herein-after referred to as "the Brush Orders 1890 and 1891") :

And whereas by the Southwark Electric Lighting Order 1891 (herein-after referred to as "the Southwark Order 1891") the Brush Company were authorised to supply electricity within the district of the St. Saviour's District Board of Works in the administrative county of London :

And whereas by section 6 of the Brush Order 1891 section 60 of the Brush Order 1890 was by inadvertence repealed in lieu of section 59a of the last-named order and it was enacted that at any time after the commencement of the order the undertakers might with the consent of the local authority and the Board of Trade transfer the undertaking to a company duly constituted under the Companies Acts 1862 to 1886 not having power to supply energy within the administrative county of London elsewhere than in the city of London and the district of the St. Saviour's District Board of Works upon such terms and conditions as might be approved by the Board of Trade and that subject to the said terms and conditions the said company should from and after the date on which the transfer was appointed to take place be the undertakers for the purposes of the order without prejudice however to anything done or suffered prior to such date :

And whereas section 61 of the Southwark Order 1891 in similar terms authorised the transfer of that order :

And whereas by indenture bearing date the 21st day of August 1891 the undertakings respectively authorised by and the powers of the Brush Order 1890 the Brush Order 1891 and the Southwark Order 1891 respectively were with the consent of the respective local authorities and the Board of Trade duly transferred to the City of London Electric Lighting Company Limited (herein-after referred to as "the city company") and that company thereupon became the undertakers under the said orders respectively :



A.D. 1893.

And whereas by an indenture dated the 21st day of August 1891 the undertaking authorised by and the powers of the East District Order were in like manner with the consent of the local authority and the Board of Trade duly transferred to the city company and that company thereupon became the undertakers under that order :

And whereas it was provided by section 8 of the Brush Order 1890 and by section 8 of the East District Order 1890 respectively the marginal note whereof respectively is "Separate accounts to be kept of undertaking" that the undertakers should keep accounts of the capital employed for the purposes of the undertaking distinct from the accounts kept by them in respect of any other undertaking or business and should keep the accounts of capital from time to time expended in the undertaking for public purposes so far as possible separate from the accounts of capital expended for private purposes and should also keep separate annual accounts of receipts and expenditure in respect of public purposes and private purposes respectively and that each of the said annual accounts should be debited with  $7\frac{1}{2}$  per cent. on the capital so expended as aforesaid (less the amount from time to time written off under that section) for depreciation and also 5 per cent. per annum on the net profits shown by such account which should be placed to a reserve fund until such reserve fund reached a sum equivalent to one quarter of the capital so expended as aforesaid :

And whereas by section 33 of the Brush Order of 1890 and by section 33 of the East District Order of 1890 respectively it was also provided that if the balance of receipts over expenditure shown by the undertakers' annual accounts for any year ending the 31st day of December after debiting the amounts specified in the section of the respective orders whereof the marginal note was "Separate accounts to be kept of undertaking" exceeded a cumulative profit of 10 per cent. on the amount of the capital for the time being employed in the undertaking the price of energy to private consumers charged otherwise than by agreement should be reduced for the year ensuing after the next following 25th day of March at the rate of one halfpenny per unit for each 1 per cent. over the 10 per cent. so shown by the said accounts :

And whereas if each of the said annual accounts is debited with the sum of  $7\frac{1}{2}$  per cent. on all the capital expenditure to which the respective account relates for depreciation the prospect of any reduction of the price of energy in accordance with the above-recited provisions will be indefinitely postponed and in view thereof the local authority of the district over which the powers of those orders extend has consented to an amendment of the Brush Orders of 1890-1891 and the East District Order of 1890 in the manner



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A.D. 1893. herein-after provided and it is expedient that the same should be so amended :

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 Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title. 1. This Act may be cited as the City of London Electric Lighting Act 1893.

Amalgama-  
tion of  
under-  
takings. 2. The undertakings under the Brush Orders 1890–1891 and the East District Order 1890 shall for all purposes of the Electric Lighting Acts 1882 and 1888 be deemed to be one undertaking and the said orders may be collectively cited and are herein-after referred to as “the City of London Electric Lighting Orders 1890 and 1891.”

Interpreta-  
tion. 3. In this Act the expressions “the undertakers” and “the undertaking” mean respectively the city company and the undertaking authorised by the City of London Electric Lighting Orders 1890 and 1891. The local authority means the Commissioners of Sewers for the city of London.

Amendment  
of provisions  
as to  
accounts of  
undertaking. 4. Section 8 of the Brush Order 1890 and section 8 of the East District Order 1890 are hereby repealed and in lieu thereof the following provisions shall have effect :—

(1.) The undertakers shall except with the special approval of the Board of Trade to be previously given (after consideration of any representations which the local authority may make) at all times keep accounts of the capital employed for the purposes of the undertaking distinct from the accounts kept by them in respect of any other undertaking or business :

(2.) The undertakers shall keep the accounts of capital from time to time expended in the undertaking for public purposes so far as possible separate from the accounts of capital expended in the undertaking for private purposes and shall also keep separate annual accounts of receipts and expenditure on the undertaking in respect of public purposes and private purposes respectively :

(3.) Each of the said annual accounts shall be debited with  $7\frac{1}{2}$  per cent. for depreciation on the capital (less the amount from time to time written off for depreciation under this sub-section) expended upon those of the articles specified in item 1 of

capital expenditure set forth in the schedule to this Act which shall have been in use by the undertakers for the purposes of the undertaking for one complete year : A.D. 1893.

- (4.) The moneys so debited shall form a depreciation fund which may be from time to time used for maintaining renewing or replacing any of such articles :
- (5.) The undertakers shall also debit each of the said annual accounts with 5 per cent. on the net profits shown by such accounts which 5 per cent. shall be placed to a reserve fund which shall not at any one time exceed a sum equivalent to a quarter of the total capital expenditure as shown by the respective capital accounts irrespective of deductions for depreciation. Such reserve fund shall be applicable to any of the purposes of the undertaking other than for equalising dividends to which by the articles of association of the undertakers for the time being reserve funds are applicable :
- (6.) The undertakers may also debit each of the said annual accounts with such further sum as they think fit not exceeding in the aggregate in any year  $7\frac{1}{2}$  per cent. on the capital expenditure in the undertaking other than that specified under the before-mentioned item 1 and the moneys from time to time so debited shall form a fund which may be from time to time used for any purposes of the undertaking as the board of directors may determine :
- (7.) Any or either of the before-mentioned funds may be invested in any securities not being the shares or securities of the undertakers as the board of directors of the undertakers may from time to time determine and any interest or dividends thereon may be applied for the purposes of the undertaking as the said board of directors may determine :
- (8.) Nothing in this Act shall exempt the undertakers from any obligations imposed upon them by the Electric Lighting Acts 1882 to 1888 or bind the undertakers to adopt or use the form of capital account set forth in the schedule to this Act :
- (9.) The said accounts shall at all times be open to the inspection of the local authority to whom all necessary information and vouchers shall be supplied on request :
- (10.) Any question or difference arising between the undertakers and the local authority under this section shall be determined by arbitration.

5. The rules of the Metropolitan Building Act 1855 limiting the cubical dimensions or contents of buildings used either wholly or in part for the purposes of trade or manufacture shall not after the Exemption of generating stations from



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the Metro-  
politan  
Building  
Act 1855.

passing of this Act apply to any building used by the undertakers wholly for the generation of energy to be supplied under the provisions of the said recited orders. Provided always that every such building shall be constructed of brick stone iron or other incombustible material and provided further that it shall not be lawful for the undertakers or the owners lessees or occupiers of any such building or for any persons interested therein to use such building for any other purpose than the generation of energy as aforesaid until all the rules and provisions of the said Act as to party walls and other measures which are applicable to buildings of a similar character shall have been duly complied with.

Amending  
section 6 of  
Brush Order  
1891.

6. Section 6 of the Brush Order 1891 shall be read and have effect as if section 59a instead of section 60 of the Brush Order 1890 had been referred to therein and the said section 60 shall be in force as if it had not been referred to in section 6 of the Brush Order 1891.

Costs of Act.

7. All costs charges and expenses of and incident to preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the undertakers.

The SCHEDULE herein-before referred to.

A.D. 1893.

ITEMS OF CAPITAL EXPENDITURE.

1. Machinery and plant boilers pumping feed heating appliances engines arc dynamos alternators and exciters.
2. Mains (including cost of laying and repairing).
3. Transformers and accessories.
4. Meters and electrical instruments.
5. Lamp-posts lanterns and lamps.
6. Tools and plant.
7. Office furniture.
8. Proportion of management and general expenses chargeable to capital.  
Rent rates and taxes salaries directors' fees remuneration of late chief engineer and professional charges.
9. Lands and buildings including law charges.

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