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[34 & 35 VICT.] *The Wharves and Warehouses Steam Power and Hydraulic Pressure Company's Act, 1871.* [Ch. cxxi.]



CHAP. cxxi.

An Act for the Incorporation of the Wharves and Warehouses Steam Power and Hydraulic Pressure Company; and for other purposes. A.D. 1871.
[13th July 1871.]

WHEREAS the establishment of a system for applying motive power by hydraulic pressure to waterside and land cranes used for the purpose of raising and loading goods, and for working dock gates and other machinery, would be of great local and public advantage :

And whereas the persons herein-after named (with others) willing to undertake the establishment of such a system, and it is expedient that they be incorporated into a company for that purpose :

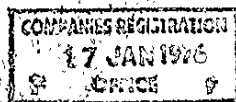
And whereas it is expedient that the Company so to be incorporated (herein-after called "the Company") should be authorised to take and use for the purposes of this Act water from the River Thames, returning the same after having been so used to the river :

And whereas the objects of this Act cannot be obtained 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 :

1. This Act may be cited for all purposes as "The Wharves and Warehouses Steam Power and Hydraulic Pressure Company's Act, 1871." Short title.

2. "The Companies Clauses Consolidation Act, 1845," Part I. (relating to cancellation and surrender of shares) of "The Companies Clauses Act, 1863," and "The Companies Clauses Act, 1870," "The Lands Clauses Consolidation Acts, 1845, (except the provisions thereof with respect to the purchase of lands otherwise than by agreement, and with respect to the entry upon lands by the [Local.-121.] A 1 General Acts herein named incorporated.



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A.D. 1871. promoters of the undertaking,) 1860, and 1869," and the provisions of "The Waterworks Clauses Act, 1847," with respect to the breaking up of streets for the purpose of laying pipes, are (except where expressly varied by this Act) incorporated with and form part of this Act: Provided that the word "street" in those provisions does not for the purposes of this Act include any railway, or any part of a railway, or any approach connected with a railway, except only where the company owning the railway, or if it be leased, the companies being the owners and lessees respectively thereof, consent to its being so included.

Company
incorporated.

3. George Heiron, John Derrick Ayers, Jorgen Daniel Larsen, John Humphreys, William Morris, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purposes of this Act, and for those purposes shall be incorporated by the name of the "Wharves and Warehouses Steam Power and Hydraulic Pressure Company." and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Capital.

4. The capital of the Company shall be seventy-five thousand pounds, in seven thousand five hundred shares of ten pounds each.

Shares not
to be issued
until one
fifth part
thereof shall
have been
paid up.
Calls.

5. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

6. One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of calls in any year upon any share.

Power to
divide
shares

7. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share": Provided always, that the Company shall not divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried

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to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share. A.D. 1871.

8. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend after such rate, not exceeding six per centum per annum, as shall be determined at a general meeting of the Company especially convened for the purpose, on the amount for the time being paid up on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share, and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided. Dividends on half shares.

9. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company. Dividend on preferred shares to be paid out of the profits of the year only.

10. Notwithstanding after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it. Half shares to be registered and certificates issued.

11. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share. Terms of issue to be stated in certificates.

12. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for nonpayment of calls, shall apply to all preferred half shares to be created under the authority of this Act, and every such preferred half share shall Forfeiture of preferred shares.

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A D. 1871. for that purpose be considered a whole share, distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company, all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

Preferred shares not to be cancelled or surrendered. 13. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital. 14. The several half shares under this Act shall be half shares in the capital of the Company, and every two preferred or deferred half shares held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions hereinbefore contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Receipts on behalf of incapacitated persons. 15. If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of his guardian or committee, as the case may be, shall be a sufficient discharge to the Company for the same.

Application of moneys. 16. All moneys raised under this Act shall be applied for the purposes of this Act only.

First ordinary meeting. 17. The first ordinary meeting of the Company after the passing of this Act shall be held within six months next after the passing of this Act.

Quorum of general meetings. 18. The quorum of a general meeting of the Company, whether ordinary or extraordinary, shall be ten shareholders, holding in the aggregate not less than two thousand pounds of the capital of the Company.

Number of directors. 19. The number of directors shall be six, but the Company may from time to time reduce the number of directors, so that the number be not less than four.

Qualification of directors. 20. The qualification of a director shall be the possession in his own right of not less than twenty shares.

Quorum. 21. The quorum of a meeting of directors shall be three.

First directors. 22. George Heiron, John Derrick Ayers, Jorgen Daniel Larsen, John Humphreys, William Morris, and one other duly qualified person to be appointed by them or the majority of them, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at

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that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting, the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

A.D. 1871.

Election of directors.

23. The Company may from time to time acquire, but only by agreement, and may hold and use, any lands (not exceeding half an acre in any one parish, and not exceeding five acres in the whole) which they may think requisite for any of the purposes of their undertaking, and may provide, erect, and use thereon any buildings, machinery, apparatus, and conveniences which they may think requisite for any of the purposes of their undertaking.

Power to acquire lands by agreement.

24. The district of the Company for the purposes of this Act shall have for its western extremity, on the Middlesex side of the River Thames, a point one hundred yards west of Blackfriars Bridge; and for its eastern extremity, on the same side of the river, the west side of the Tower of London; and for its western extremity on the Surrey side of the river, a point one hundred yards west of Blackfriars Bridge; and for its eastern extremity, on the Surrey side of the river, the western side of the Surrey Docks, and shall extend northward and southward to and include a distance of six hundred yards, measured from the centre of the River Thames on both sides of the river between the eastern and western extremities of the district as above mentioned, and shall include Blackfriars Bridge and the Tower subway.

Defining district of Company.

25. The Company from time to time may take at any point or points within their district under this Act, and may use for the purposes of their undertaking, and distribute within their said district, as they from time to time find requisite, waters of the River Thames not exceeding in quantity in any one day (reckoned from midnight to midnight) an aggregate of one million gallons.

Power to use water taken from the River Thames not exceeding one million gallons per diem.

26. The Company shall, in consideration of the use by them of the water of the River Thames by this Act authorised, make the

Payment to be made by Company to

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A.D. 1871. following payments half-yearly, on the first January and first July in every year, to the conservators:

the Conser-
vators of the
Thames.

1. From the day when the Company commences to use, for the purposes of their undertaking, any water of the River Thames, and until the daily quantity so used amounts to two hundred and fifty thousand gallons, the sum of twelve pounds ten shillings:
2. From the time when the daily quantity used by the Company exceeds two hundred and fifty thousand but does not exceed five hundred thousand gallons, the sum of twenty-five pounds:
3. From the time when the daily quantity used by the Company exceeds five hundred thousand but does not exceed seven hundred and fifty thousand gallons, the sum of thirty-seven pounds ten shillings:
4. From the time when the daily quantity used by the Company exceeds seven hundred and fifty thousand gallons, and until the same reaches one million gallons, the sum of fifty pounds.

Contribu-
tions of
Company to
be first
charge on
their receipts
after pay-
ment of
debts, &c.

27. The payments to be made under this Act by the Company shall be the first charge on the net receipts of the Company, and in priority to any claim of any shareholders, stockholders, proprietors, or members of or in the Company to any dividend or share of profits or receipts; and from and after the date fixed for the commencement of the payment it shall not be lawful for the Company at any time to pay or divide any dividend or share of profits or receipts to or among any shareholders, stockholders, proprietors, or members of or in the Company, unless and until the Company have paid to the conservators the half-yearly payment accrued due from the Company under this Act at the then last preceding first day of July or first day of January as the case may be.

Water taken
may be
ascertained
by Conserva-
tors of river.

28. For the purpose of ascertaining the quantity of water taken and used by the Company for the purposes of this Act it shall be lawful for the Conservators of the River Thames, by their engineer, or any other person or persons duly authorised by them for the purpose, to enter upon the premises of the Company at all reasonable hours, and to have free access to such works and machinery as may be necessary to enable him or them to ascertain the quantity of water taken or used by the Company.

Mode of
ascertaining
quantity of
water taken.

29. If at any time, in the opinion of the Conservators of the River Thames, the Company are taking or using a greater quantity of water than they are entitled to take or use under the provisions

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of this Act, the Company, on being required by the conservators so to do, shall, at their own expense, cause proper mechanical apparatus to be constructed at such point or points upon the property of the Company as the conservators may direct, for ascertaining and testing the quantity of water taken and used by the Company, such machinery to be constructed and worked to the reasonable satisfaction of the engineer for the time being of the conservators, who shall have, together with any person or persons duly authorised by them for the purpose, free access to and full liberty to inspect such machinery, and take notes of the amount of water so taken and used; and it shall be lawful for the said conservators, if they think fit, from time to time to affix and use upon the property of the Company such machinery as in their opinion may be necessary for the purpose of testing and ascertaining the quantity of water so taken and used by the Company, and the Company shall afford all proper and necessary facilities to the conservators for the affixing and using of such machinery as aforesaid. A.D. 1871.

30. The Company shall and they are hereby required to construct all proper works, apparatus, and conveniences necessary to secure the return to the River Thames of all waters taken therefrom, and used by them, immediately after the use of the same for the purposes of this Act, and at such places and under such restrictions and regulations as the Conservators of the River Thames, may from time to time appoint; and if the Company violate, refuse, or neglect to comply with any such restrictions or regulations they shall be liable to a penalty not exceeding twenty pounds, and to a further penalty of ten pounds per day for every day during which the violation, refusal, or neglect shall continue, such penalties to be recoverable by the conservators in any court of competent jurisdiction. Water to be returned to River Thames.

31. The Company shall not at any time supply water to be used for any purpose other than as a motive force; and if and whenever the Company supply water at any place contrary to this enactment they shall for every such offence forfeit to every company now incorporated by Act of Parliament for the supply of water within the district comprising that place the sum of twenty pounds, and a further sum of ten pounds for every day the offence continues after the penalty of twenty pounds is incurred. Water to be used for purposes of motive power only.

32. Nothing in this Act contained shall authorise the Company to enter upon, embank, encroach on, or interfere with any part of the soil or bed of the River Thames or shore thereof, except with For protection of bed and shore of River Thames.

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A.D. 1871. the consent of and according to plans approved by the Conservators of the River Thames.

As to pipes
laid within
the city of
London.

33. All pipes laid by the Company within the city of London, or along the roads or streets under the jurisdiction of any vestry or district board of works, under the authority of this Act, shall be laid under the superintendence (at the cost of the Company) and to the reasonable satisfaction of the engineer or surveyor for the time being of the said corporation or commissioners, or vestry, or district board, as the case may be, and all paving works rendered necessary by the works of the Company shall be executed at the cost of the Company by the contractors for the time being of the commissioners, and all such costs (including all such reasonable expenses as the commissioners, or vestry, or district board (as the case may be) may incur for engineering and superintendence) shall be paid by the Company, and be recoverable in any court of competent jurisdiction.

As to laying
of pipes
along Black-
friars Bridge
and in the
city of
London.

34. Nothing herein contained shall authorise or be construed to authorise the laying by the Company of any pipe or other tube, work, or apparatus, along or across Blackfriars Bridge, except with the consent and in accordance with such plans and specifications as may be approved in writing by the Corporation of the city of London, under the hand of the town clerk.

Company
to remove
pipes laid
in city of
London in
certain
events.

35. If at any time hereafter the Corporation of the city of London, or the Commissioners of Sewers of the city of London, or any other corporation, body, or persons, as the case may be, shall construct any subway, or tube, or covered way for the purpose of receiving gas, water, or other mains or pipes, or works in any street in which the pipes of the Company are laid, and shall, by notice in writing served upon the Company, require that the pipes of the Company shall be removed from their then position and laid in any such subway, tube, or covered way, the Company shall consent thereto, and shall pay such proportion of the expense of constructing such subway, tube, or covered way as may be agreed upon, or in case of difference be settled in manner herein-after provided, and shall forthwith, at their own expense, proceed to remove, lay, and thereafter maintain their pipes in such subway, tube, or covered way in such position as the engineer for the time being to the said Corporation or the said Commissioners may direct, and in accordance in all respects with his directions: Provided always, that any difference between the parties as to the position in which any such pipes shall be laid and maintained, or the proportion of expense of construction

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to be paid by the Company, shall be settled by a referee to be appointed by the Board of Trade on the application of either party. A.D. 1871.

36. Where any of the pipes or works of the Company to be laid or done under or by virtue of this Act shall or may pass over, under, or by the side of, or so as prejudicially to interfere with, any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Metropolitan Board of Works, or of any vestry or district board constituted under the Metropolis Local Management Act, 1855, or with any sewers or works to be made or executed by the said boards or vestry, or either of them, or shall or may in any way prejudicially affect the sewerage or drainage of the districts under their or either of their control, the Company shall not lay the pipes or commence the work until they shall have given to the said Metropolitan Board, or to the district board or vestry, as the case may be, fourteen days previous notice in writing of their intention so to do by leaving such notice at the principal office of such board or vestry, as the case may be, for the time being, with a plan and section showing the course and inclination thereof, and other necessary particulars relating thereto, and until such board or vestry respectively shall have signified their approval of the same, unless such board or vestry, as the case may be, do not signify their approval, disapproval, or other directions within fourteen days after service of the said plan, sections, and particulars as aforesaid; and the Company shall comply with and conform to all reasonable directions and regulations of the respective board or vestry in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such board or vestry may deem necessary for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works, or any part thereof, and shall save harmless the said Metropolitan Board, district board, and vestry respectively against all and every the expense to be occasioned thereby, and all such pipes shall be laid and works done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said Metropolitan Board, district board, or vestry, as the case may be, at the costs, charges, and expenses in all respects of the Company; and when any new, altered, or substituted work as aforesaid, or any work or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said boards and vestry respectively as any sewers or works now are or hereafter may be; and nothing in this Act shall

For protection of
sewers of
Metropolitan
and other
boards.

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A.D. 1871. extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said boards and vestries, or any of them, or their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

For protection of gas and water companies.

37. The Company shall not begin any work interfering with or in any way affecting any of the mains or pipes of any water or gas company, unless at least twenty-one days previous notice in writing of the intention so to do, and describing the manner in which it is proposed to interfere with such mains or pipes, be given to the principal engineer for the time being of the water or gas company so affected, or left for him at the principal office of such gas or water company; and the Company shall not in any way alter, displace, or otherwise interfere with any of the mains or pipes of any water or gas company, but the water or gas company's engineer shall have the exclusive direction and management of and may execute all such works as he thinks necessary for the purpose of removing, altering, and restoring the mains or pipes, and all expenses properly incurred by such water or gas company in that behalf shall be repaid to them by the Company: Provided that if the water or gas company for ten days next after the day specified in the notice served by the Company for the commencement of the works interfering with or affecting any of the mains or pipes, or for ten days after such later day as the Company by notice in writing to the water or gas company specify for commencing the works, fail to commence or at any time thereafter fail to proceed with reasonable despatch in the execution of the work, the Company at their own expense may remove, alter, or otherwise interfere with the mains or pipes in such manner and to such extent as they deem necessary, and execute all such other works as they deem requisite for preventing any such interruption to the supply of water or gas by the water or gas company; and provided also, that the water or gas company shall not be liable for any damage or injury occasioned to the works of the Company, or to any streets or roads, or otherwise howsoever, by reason of any of the works executed under this Act, or in any way consequent thereupon, unless the damage or injury arise from the neglect or default of the water or gas company, their engineer, workmen, or servants.

Power to supply and let on hire cranes, machinery, &c.

38. The Company may within their district under this Act supply motive power by hydraulic pressure to any person or persons or company, and erect and let for hire and may work any cranes, machines, engines, or other apparatus for the purpose of supplying such motive power, upon such terms (pecuniary or otherwise) and subject to such conditions as may be agreed upon between the

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Company and the person or persons or company to whom the same is so let; and any such cranes, machines, engines, or other apparatus of the Company shall not be subject to distress for rent of the premises where the same are used, or to be attached or be taken in execution under any process in any court of law or equity, or any other legal proceedings against any person or persons or company other than the Company. A.D. 1871.

39. All rents and sums payable to the Company in pursuance of any contract or arrangement made under this Act shall be recoverable in any court of competent jurisdiction, and if so agreed between the contracting parties, may be recovered by distress as for rent or otherwise, as is so agreed. Recovery of rents by Company.

40. Except as by this Act is expressly provided, nothing in this Act shall extend or be construed to extend to prejudice or derogate from the estates, rights, interests, liberties, privileges, or franchises of the Conservators of the River Thames, or prohibit, defeat, alter, or diminish any power, authority, or jurisdiction which at the time of the passing of this Act the conservators might lawfully claim, use, or exercise. Saving rights of the Conservators of the River Thames.

41. Nothing herein contained shall be deemed or construed to exempt the Company from the provisions of any general Act relating to the Company, now in force or which may hereafter pass during this or any future session of Parliament. Company not exempt from provisions of general Acts.

42. 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. Expenses of Act.



CHAPTER lxxii.

An Act to extend the district to enlarge the powers and to change the name of the Wharves and Warehouses Steam Power and Hydraulic Pressure Company ; and for other purposes. A.D. 1884.
[23rd June 1884.]

WHEREAS by the Wharves and Warehouses Steam Power and Hydraulic Pressure Company's Act 1871 (herein-after called the Act of 1871) the Wharves and Warehouses Steam Power and Hydraulic Pressure Company (herein-after called the Company) were incorporated for applying motive power by hydraulic pressure to the purposes therein mentioned with power within the district defined in that Act to break up streets and lay down pipes and for the purposes of the said Act to take water from the river Thames and to exercise the other powers thereby conferred upon them :

And whereas the Company have in exercise of the powers of the Act of 1871 established a central pumping station with machinery of great power and have laid mains throughout a large extent of the district as defined by that Act and are supplying power thereby to numerous consumers :

And whereas a large demand exists for the supply of hydraulic power to consumers outside of the Company's district as defined in the Act of 1871 and it is expedient that that district should be extended and enlarged and that the name of the Company should be changed and that the Company should be empowered to raise further moneys and that the provisions of the Act of 1871 should be otherwise altered and amended as in this Act expressed :

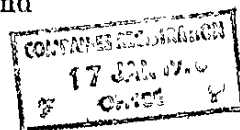
And whereas the objects of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and

[Local.-72.]

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[Ch. lxxii.] *London Hydraulic Power Act,* [47 & 48 Vict.]
1884.

A.D. 1884. Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title. 1. This Act may be cited for all purposes as the London Hydraulic Power Act 1884 and this Act and the Act of 1871 as amended and extended by this Act shall be read and construed together as one Act and may be cited as the London Hydraulic Power Acts 1871 and 1884.

Incorporation of general Acts. 2. The following parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say) :—

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters namely ;—

The distribution of the capital of the Company into shares :

The transfer or transmission of shares :

The payment of subscriptions and the means of enforcing the payment of calls :

The forfeiture of shares for non-payment of calls :

The consolidation of shares into stock :

The general meetings of the Company :

The making of dividends : and

The giving of notices :

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part IV. (relating to change of name) of the Companies Clauses Act 1863.

Extension of Company's district. 3. The district of the Company as defined by the Act of 1871 as from the passing of this Act comprises and includes for all the purposes of that Act and this Act the following area (that is to say) :

The area within an imaginary line drawn parallel to the centre line of the river Thames and distant therefrom one thousand two hundred yards on the northern or Middlesex side and six hundred yards on the southern or Surrey side and extending westward to an imaginary line drawn parallel to and one hundred yards south-west of Vauxhall Bridge and eastwards on the Middlesex side to an imaginary line drawn in a north-easterly and south-westerly direction across the north-west corner of the West India Dock offices and on the Surrey side to the western boundary of the Company's district as defined by the Act of 1871.

Application of provisions of former Act. 4. All the provisions of the Act of 1871 so far as those provisions are applicable and capable of taking effect are hereby extended and shall apply to the area of the Company's district as extended and enlarged by this Act as fully and effectually as if the extended area

described in this Act had formed part of the district described in the A.D. 1881.
Act of 1871.

5. The Company with the consent of the Metropolitan Board of Works and also of the vestry of any parish within the metropolis mentioned in schedule A to the Metropolis Management Act 1855 or (as the case may be) with the consent of the board of works for any district within the metropolis formed by the union of the parishes mentioned in schedule B to the Metropolis Management Act 1855 (which consent the said Metropolitan Board of Works and the vestries and the boards of works so mentioned in those schedules are hereby respectively empowered to give) may extend their pipes and works within such parish or district. Provided that all the acts and operations of the Company authorised by the Act of 1871 and this Act and done and effected within such parish or district shall be so done and effected under the superintendence and subject to the reasonable approval of the Metropolitan Board of Works and of the vestry of any parish or the board of works of any such district as the case may be.

Company
with consent
of authorities
may extend
their pipes
&c. within
certain dis-
tricts.

6. Nothing in this Act or in the Act of 1871 contained shall authorise or be construed to authorise the laying by the Company of any pipe or other tube work or apparatus along or across either of the bridges over the river Thames known respectively as London Bridge and Blackfriars Bridge and nothing in this Act contained shall authorise or be construed to authorise the laying by the Company of any pipe or other tube work or apparatus along or across the bridge known as Southwark Bridge except in each case with the consent of and in accordance with such plans and specifications as may be approved in writing by the corporation of the city of London under the hand of the town clerk.

As to laying
of pipes
along bridges.

7. The Company shall not in carrying out the works authorised by the Act of 1871 and this Act or either of them or for any other purpose break up or disturb any street or place or the pavement thereof under the control or direction of the commissioners of sewers of the city of London unless at least seven days' previous notice in writing of their intention so to do specifying the work proposed to be executed and the street place or pavement intended to be broken up or disturbed be given to the engineer or surveyor of such commissioners or left for him at his office or at the office of such commissioners and the Company shall attend to the directions of such engineer or surveyor with a view to secure a free passage in such streets and places and to prevent needless injury to the streets and shall not open more of such streets or places at one time than such

For the
protection of
the streets of
the city of
London.

A.D. 1884. engineer or surveyor shall in writing authorise and when the Company shall break up or disturb any such street place or pavement they shall with all convenient speed complete the work for which the same shall be broken up and shall so soon as the works affecting it are completed and at the furthest within ten days from the day on which those works were begun or within such further time as the engineer or surveyor of the commissioners shall prescribe restore the street place or pavement to as good a condition as it was in when it was broken up or disturbed under the superintendence and to the satisfaction of the engineer or surveyor of the commissioners and the Company shall save harmless and keep indemnified the said commissioners and their successors against any expenses consequent on any such works and if the Company fail to comply with the requirements of this Act they shall forfeit to the said commissioners a sum of ten pounds for every offence and an additional sum of ten pounds for every day that the Company shall fail to comply with the directions of such engineer or surveyor and the said commissioners may if they think fit restore the street place or pavement broken up or disturbed and recover the expenses of such restoration and also the said sums so forfeited from the Company in an action or actions of debt.

For the protection of the London and North-Western Railway Company.

8. In executing any of the powers of this Act or the Act of 1871 the Company shall not in any way obstruct impede or interfere with the access to or egress from the Haydon Square station of the London and North-Western Railway Company or the traffic to from or at the same.

Penalty for using water for other than hydraulic power.

9. If any person supplied by the Company with pressure water under the powers of this Act shall use the water so supplied for any other purposes than as a motive force he shall for every such offence forfeit to the Company the sum of twenty pounds and a further sum of not exceeding ten pounds for every day during which such offence shall be continued or repeated after notice to him of this enactment to be recoverable summarily before a magistrate or by an action at law in any court of competent jurisdiction and if the Company shall use water supplied by them under the powers of this Act or knowingly permit or suffer the same to be used for any other purposes than as a motive force they shall forfeit the like sums (to be recoverable in the like manner) to the company authorised to supply water in the district within which water shall be used or permitted or suffered to be used contrary to this enactment

Change of name.

10. From and after the passing of this Act the name of the Company shall be the London Hydraulic Power Company instead of

their present name of the Wharves and Warehouses Steam Power and Hydraulic Pressure Company. A.D. 1884.

11. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole seventy-five thousand pounds by the issue of new shares but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or Corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Power to
raise addi-
tional
capital.

12. The capital in new shares created by the Company under this Act and the new shares therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the capital of the Company authorised by the Act of 1871 and the new shares were shares in that capital The capital in new shares so created shall form part of the capital of the Company.

New shares
to be subject
to the same
incidents as
other shares.

13. Every person who becomes entitled to new shares shall in respect of the same be a holder of shares in the Company and shall be entitled to a dividend with the other holders of shares of the same class or description proportioned to the whole amount from time to time called and paid on such new shares.

Dividends on
new shares.

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

Receipt
clause in case
of persons
not sui juris.

15. The provisions contained in sections seven to fourteen both inclusive of the Act of 1871 with reference to the division of the shares in the capital by that Act authorised into half shares shall extend and apply to the shares in the additional capital by this Act authorised as if the same had been re-enacted in this Act with reference thereto.

Extending
to additional
capital pro-
visions of
Act of 1871
as to dividing
shares

16. All moneys raised under this Act shall be applied to the purposes only of the Act of 1871 and this Act to which capital is properly applicable.

Application
of moneys.

17. Nothing in this Act shall exempt the Company from any indictment suit action or other proceeding at law or in equity in respect of any nuisance caused by them:

Company
not exempt
from action
&c.

Nothing in this Act shall exempt the Company from the provisions of any general Act for the improvement of the sanitary condition of

[Ch. lxxii.] *London Hydraulic Power Act,* [47 & 48 Vict.]
1884.

A.D. 1884. towns or the abatement of nuisances now in force or which may hereafter pass or from any enactments which may be hereafter from time to time made by Parliament for limiting the maximum dividends to be declared and paid by the Company and for restricting the powers of the Company to convert borrowed money into capital and for fixing and revising the rates and tolls to be received by the Company and for giving all persons and corporations the right to avail themselves of the several works and appliances of the Company on payment of such rates and tolls without preference or favour and for empowering the corporation or other local authority to take and purchase the undertaking of the Company after the expiration of such term of years as Parliament shall determine with all the rights powers and authorities of the Company and either subject or not subject to their liabilities debts contracts and obligations at a price to be ascertained by arbitration in such manner as Parliament shall determine together with all proper provisions for effectuating the purposes aforesaid or for any one or more of such purposes exclusively of the others or other of them.

Costs of Act. 18. All costs charges and expenses of and incident to the preparing and applying for and the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

LONDON: Printed by TYRE and SPOTTISWOODS,
Printers to the King's most Excellent Majesty. 1901.

No 2-55/68

[52 VICT.]

London Hydraulic Power Act, 1889.

[Ch. vii.]



CHAPTER vii.

An Act to empower the London Hydraulic Power Company to raise additional Capital and for other purposes. A.D. 1889.

[31st May 1889.]

WHEREAS by the Wharves and Warehouses Steam Power and Hydraulic Pressure Company's Act 1871 (hereinafter called the Act of 1871) a company (hereinafter called the Company) was incorporated for applying motive power by hydraulic pressure to the purposes and within the district therein mentioned and by the London Hydraulic Power Act 1884 (hereinafter called the Act of 1884) their present name of the London Hydraulic Power Company was conferred upon the Company and their district was enlarged:

And whereas the capital of the Company in shares consists of seventy-five thousand pounds under the Act of 1871 and seventy-five thousand pounds under the Act of 1884 making an aggregate of one hundred and fifty thousand pounds divided into fifteen thousand ordinary shares of ten pounds each but the Company are not authorised to raise any money by borrowing:

And whereas the whole of the share capital of the Company has been issued and paid up and has been expended by the Company for purposes authorised by their Acts and in consequence of the rapidly increasing demands upon the Company for the supply of hydraulic power and for the extension of their system throughout their authorised district the Company require and it is expedient that they should be authorised to raise further money by shares and by borrowing for the purposes of their undertaking:

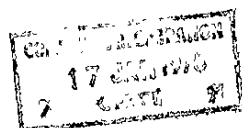
And whereas the objects of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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:—

[Price 6d.]

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L.A. 1889.
Short title.

1. This Act may be cited for all purposes as the London Hydraulic Power Act 1889 and the Acts of 1871 and 1884 and this Act may be cited as the London Hydraulic Power Acts 1871 1884 and 1889.

Incorporation of general Acts.

2. The following parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say):—

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters namely:—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing by the Company of money on mortgage or bond;

The conversion of borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act:

Part I. (relating to Cancellation and Surrender of Shares) and Part II. (relating to Additional Capital) of the Companies Clauses Act 1863.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction and the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to raise additional capital.

4. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole one hundred and fifty thousand pounds by

the issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof. A.D. 1889.

5. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital. The capital in new shares or stock so created shall form part of the capital of the Company. New shares or stock to be subject to the same incidents as other shares.

6. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or the whole amount of such stock as the case may be. Dividends on new shares or stock.

7. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned. Restriction as to voting in respect of preference shares or stock.

8. If any money is payable to a shareholder or debenture or debenture stock holder being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipt clause in case of persons not sui juris.

9. The Company may from time to time and at any time after the passing of this Act borrow on mortgage of the undertaking in respect of their existing capital of one hundred and fifty thousand pounds any sum or sums not exceeding in the whole the sum of thirty-seven thousand five hundred pounds. Power to borrow in respect of existing capital.

10. The Company may from time to time in addition to the said sum of thirty-seven thousand five hundred pounds borrow on mortgage of their undertaking in respect of the additional capital of one hundred and fifty thousand pounds which they are by this Act authorised to raise any further sum or sums not exceeding in the whole the sum of thirty-seven thousand five hundred pounds. Power to borrow in respect of additional capital.

A.D. 1889. and that sum they may from time to time borrow not exceeding twelve thousand five hundred pounds in respect of each fifty thousand pounds of the said additional capital but no part of any such sum of twelve thousand five hundred pounds shall be borrowed until shares for so much of the portion of additional capital in respect of which it is borrowed as is to be raised by means of shares are issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such portion of additional capital have been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of the said portion of additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued accepted and paid up bona fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also if such capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same And upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appointment of a receiver.

11. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver 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 one thousand pounds in the whole.

Debenture stock.

12. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 But notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under this or any subsequent Act shall subject to the provisions of any subsequent Act rank pari passu (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys

*See also
Companies Clauses
Act Amendment
of 1869
H.M.C.*

secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock. A.D. 1889.

13. All moneys raised under this Act whether by shares or stock or debenture stock or borrowing shall be applied only to the purposes of the Company to which capital is properly applicable. Application of moneys.

14. Nothing in this Act shall exempt the Company from the provisions of any general Act for the improvement of the sanitary condition of towns or the abatement of nuisances now in force or which may hereafter pass or from any enactments which may be hereafter from time to time made by Parliament for limiting the maximum dividends to be declared and paid by the Company and for restricting the powers of the Company to convert borrowed money into capital and for fixing and revising the rates and tolls to be received by the Company and for giving all persons and corporations the right to avail themselves of the several works and appliances of the Company on payment of such rates and tolls without preference or favour and for empowering the Corporation or other local authority to take and purchase the undertaking of the Company after the expiration of such term of years as Parliament shall determine with all the rights powers and authorities of the Company and either subject or not subject to their liabilities debts contracts and obligations at a price to be ascertained by arbitration in such manner as Parliament shall determine together with all proper provisions for effectuating the purposes aforesaid or for any one or more of such purposes exclusively of the others or other of them. Company not exempt from general Acts.

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

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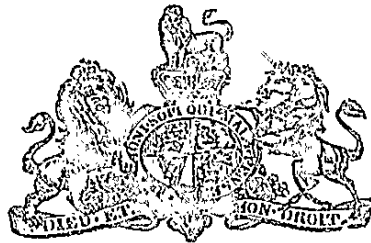
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No. 2-55 169

[53 Vict.] *London Hydraulic Power Company's Act, 1893.* [Ch. ix.]



CHAPTER ix.

An Act to empower the London Hydraulic Power Company to raise additional capital and for other purposes. A.D. 1893.
[9th June 1893.]

WHEREAS under the London Hydraulic Power Acts 1871 1884 and 1889 the share capital of the London Hydraulic Power Company (herein-after called "the Company") consists in the aggregate of three hundred thousand pounds divided into thirty thousand ordinary shares of ten pounds each and the Company are authorised to borrow sums amounting in the aggregate to seventy-five thousand pounds:

And whereas the whole of the share capital of the Company has been issued and paid up and has been expended by the Company for purposes authorised by their Acts and in consequence of the increasing demands upon the Company for the supply of hydraulic power and for the extension of their system the Company require and it is expedient that they should be authorised to raise further money by shares and by borrowing for the purposes of their undertaking:

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

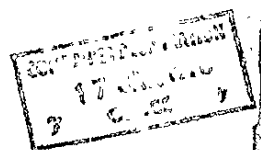
May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited for all purposes as the London Hydraulic Power Company's Act 1893 and the London Hydraulic Power Acts of 1871 1884 and 1889 and this Act may be cited as the London Hydraulic Power Company's Acts 1871 to 1893.

[Price 6d.]

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No. 2-55 169

[56 Vict.] *London Hydraulic Power Company's Act, 1893.* [Ch. ix.]



CHAPTER ix.

An Act to empower the London Hydraulic Power Company to raise additional capital and for other purposes. A.D. 1893.
[9th June 1893.]

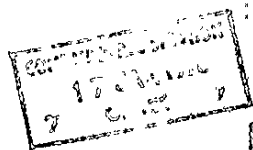
WHEREAS under the London Hydraulic Power Acts 1871 1884 and 1889 the share capital of the London Hydraulic Power Company (herein-after called "the Company") consists in the aggregate of three hundred thousand pounds divided into thirty thousand ordinary shares of ten pounds each and the Company are authorised to borrow sums amounting in the aggregate to seventy-five thousand pounds:

And whereas the whole of the share capital of the Company has been issued and paid up and has been expended by the Company for purposes authorised by their Acts and in consequence of the increasing demands upon the Company for the supply of hydraulic power and for the extension of their system the Company require and it is expedient that they should be authorised to raise further money by shares and by borrowing for the purposes of their undertaking:

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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:—

1. This Act may be cited for all purposes as the London Hydraulic Power Company's Act 1893 and the London Hydraulic Power Acts of 1871 1884 and 1889 and this Act may be cited as the London Hydraulic Power Company's Acts 1871 to 1893.
[Price 6d.] A 1



[Ch. ix.] *London Hydraulic Power Company's Act, 1893.* [56 Vict.]

A.I

A.D. 1893.

Incorporation of general Acts.

2. The following parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say) :—

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely) :—

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and the means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of creditors of the Company against the shareholders;

The borrowing by the Company of money on mortgage or bond;

The conversion of borrowed money into capital;

The consolidation of shares into stock;

The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act :

Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction and the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to raise additional capital.

4. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole three hundred thousand pounds by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or

Costs of

corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof. A.D. 1893.

5. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital. The capital in new shares or stock so created shall form part of the capital of the Company.

New shares or stock to be subject to the same incidents as other shares or stock.

6. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or the whole amount of such stock as the case may be.

Dividends on new shares or stock.

7. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Restriction as to voting in respect of preference shares or stock.

8. The Company may from time to time borrow on mortgage of their undertaking in respect of the additional capital of three hundred thousand pounds which they are by this Act authorised to raise any further sum or sums not exceeding in the whole the sum of seventy-five thousand pounds and of that sum they may from time to time borrow not exceeding twenty-five thousand pounds in respect of each one hundred thousand pounds of the said additional capital but no part of any such sum of seventy-five thousand pounds shall be borrowed until shares for so much of the portion of additional capital in respect of which it is borrowed as is to be raised by means of shares are issued and accepted and one-half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such portion of additional capital have been issued and accepted and that one-half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one-half of so much of the said portion of additional capital as is to be raised by means

Power to borrow.

[Ch. ix.] *London Hydraulic Power Company's Act, 1893.* [56 Vict.]

A.D. 1893.

of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued accepted and paid up bona fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also if such capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same And upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appointment of a receiver

9. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver 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 five thousand pounds in the whole.

Costs

Debenture stock.

10. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section twelve of the Act of 1889.

Receipt clause in case of persons not sui juris.

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

Application of moneys.

12. All moneys raised under this Act whether by shares or stock or debenture stock or borrowing shall be applied only to the purpose of the Company to which capital is properly applicable.

Plans &c. to be supplied to the London County Council.

13. The Company shall if so required by the London County Council at their expense supply to them one or more copies of any maps plans or sections in their possession showing the position of any mains or pipes laid by the Company before the passing of this Act under any streets roads or bridges within the administrative county of London and the Company shall make and keep maps or plans and sections showing the position of any mains or pipes hereafter laid by them under any such streets roads and bridges as aforesaid and shall at their expense supply to the London County Council as and when requested so to do one copy of every such map or plan and section.

Company not exempt from general Acts.

14. Nothing in this Act or in any of the London Hydraulic Power Acts 1871 1884 and 1889 shall exempt the Company from the provisions of any general Act for the improvement of the

[56 VICT.] *London Hydraulic Power Company's Act, 1893.* [Ch. ix.]

sanitary condition of towns or the abatement of nuisances now in force or which may hereafter pass or from any enactments which may be hereafter from time to time made by Parliament for limiting the maximum dividends to be declared and paid by the Company or for restricting the powers of the Company to convert borrowed money into capital or for fixing and revising the rates and charges to be received by the Company or for giving all persons and corporations the right to avail themselves of the several works and appliances of the Company on payment of such rates and charges without preference or favour or for empowering the Corporation of the City of London or other local authority to take and purchase the undertaking of the Company after the expiration of such term of years as Parliament shall determine with all the rights powers and authorities of the Company and either subject or not subject to their liabilities debts contracts and obligations at a price to be ascertained by arbitration in such manner as Parliament shall determine together with all proper provisions for effectuating the purposes aforesaid or for any one or more of such purposes exclusively of the others or other of them.

A.D. 1893.

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

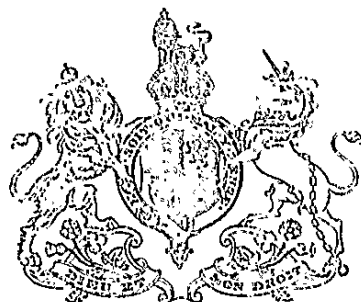
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No. Z-55 / 70

[3 Edw. 7.] *London Hydraulic Power Company's* [Ch. xvii.]
Act, 1903.



CHAPTER xvii.

An Act to enlarge the powers of the London Hydraulic Power Company as to the raising of capital the supply of water and the acquisition of a new site for their pumping station at Westminster and for other purposes.
[30th June 1903.] A.D. 1903.

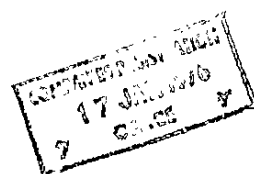
WHEREAS under the London Hydraulic Power Company's Acts 1871 to 1893 the share capital of the London Hydraulic Power Company (hereinafter called "the Company") consists in the aggregate of six hundred thousand pounds and the Company are authorised to borrow sums amounting in the aggregate to one hundred and fifty thousand pounds and it is expedient that the Company should be authorised to raise further money by shares and by borrowing and should also be empowered to take a further quantity of water from the River Thames for the purposes of their undertaking :

And whereas it is expedient that the Company on the one hand and the London County Council on the other hand should be empowered to enter into agreements for giving effect to the provisions contained in section 10 of the London County Council (Improvements) Act 1900 as hereinafter set forth :

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

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

1. This Act may be cited for all purposes as the London Hydraulic Power Company's Act 1903 and the London Hydraulic
[Price 9d.] A 1



[Ch. xvii.] *London Hydraulic Power Company's* [3 Edw. 7.]
Act, 1903.

A.D. 1903. Power Company's Acts 1871 to 1893 and this Act may be cited
as the London Hydraulic Power Company's Acts 1871 to 1903.

Incorporation of general Acts. 2. The following parts of Acts are except where expressly varied by this Act incorporated with and form part of this Act (that is to say) :—

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (namely) :—

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

The borrowing of money by the Company on mortgage or bond ;

The conversion of the borrowed money into capital ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of the right of voting by the shareholders ;

The making of dividends ;

The giving of notices ; and

The provision to be made for affording access to the special Act :

Part I. (relating to cancellation and surrender of shares)

Part II. (relating to additional capital) and Part III. (relating

to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction and the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act partially incorporated herewith shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

[3 Edw. 7.] *London Hydraulic Power Company's* [Ch. xvii.]
Act, 1903.

4. The agreement dated the twenty-third day of June one thousand nine hundred and two and made between the Conservators of the River Thames of the one part and the Company of the other part as set forth in the schedule to this Act is hereby confirmed and made binding upon the parties thereto and may and shall be carried into effect notwithstanding anything contained in section 25 of the Wharves and Warehouses Steam Power and Hydraulic Pressure Company's Act 1871 and the Company may enter into and carry into effect agreements and arrangements with the said conservators for the pumping and using by the Company of tidal water from the River Thames and for the payment of rent royalty or other acknowledgment in respect of the taking of such water and subject to the provisions of the said agreement and of this Act the Company may take from the River Thames and use for the purposes of their undertaking and for distribution within their district the additional quantity of water provided for by the said agreement.

A.D. 1903.

Amendment
of section 25
of Act of
1871 and
confirming
scheduled
agreement.

Notwithstanding anything in this Act or in the said agreement contained the Company shall only take water direct from the River Thames under the powers of this Act by means of pipes or intakes constructed in such position and manner that they shall not operate when the level of the water in the river falls below sixteen feet from Trinity high-water mark.

5. In addition to and supplemental of the provisions of section 10 of the London County Council Improvement Act 1900 the Company and the London County Council (in this section called "the council") may enter into and carry into effect agreements or arrangements with respect to the reinstatement of the Company's Westminster pumping station and depôt upon lands acquired by the council under the powers of their said Act or otherwise and for the provision on or in connection with such lands of one or more storage tanks with wells adits drifts and pumping plant and also of one or more subways under public streets or roads for enabling intercommunication between various parts of the Company's Westminster depôt when reinstated.

Agreements
with London
County
Council.

But nothing in this Act contained shall be deemed to alter vary or extend otherwise than with their consent any liability of the council under the provisions of the said Act of 1900.

6. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole two hundred thousand pounds by the issue

Power to
raise addi-
tional capital.

[Ch. xvii.] *London Hydraulic Power Company's* [3 Edw. 7.]
Act, 1903.

A.D. 1903. at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

New shares or stock to be subject to same incidents as other shares or stock.

7. Except as by this Act otherwise provided the capital in new shares or stock created by the Company under this Act and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new shares or stock were shares or stock in that capital. The capital in new shares or stock so created shall form part of the capital of the Company.

Dividends on new shares or stock.

8. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called up and paid on such new shares or to the whole amount of such stock as the case may be.

Restriction as to voting in respect of preference shares or stock.

9. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Power to borrow.

10. The Company may from time to time borrow on mortgage of their undertaking in respect of the additional capital of two hundred thousand pounds which they are by this Act authorised to raise any further sum or sums not exceeding in the whole the sum of fifty thousand pounds and of that sum they may from time to time borrow not exceeding ten thousand pounds in respect of each forty thousand pounds of the said additional capital but no part of any such sum of ten thousand pounds shall be borrowed until shares for so much of the portion of additional capital in respect of which it is borrowed as is to be raised by means of shares are issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he

[3 Edw. 7.] *London Hydraulic Power Company's* [Ch. xvii.]
Act, 1903.

so certifies that shares for the whole of such portion of additional capital have been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said portion of additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons to whom the same were issued or their executors administrators successors or assigns and also so far as such capital is raised by shares that such persons or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and 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.

A.D. 1903.

11. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. 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 five thousand pounds in the whole.

For appointment of a receiver.

12. The Company may create and issue debenture stock subject to the provisions of section 12 of the Act of 1880. Notice of the effect of that enactment shall be endorsed on all mortgages and certificates of debenture stock.

Debenture stock.

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

Receipt in case of persons not sui juris.

14. All moneys raised under this Act whether by shares or stock or debenture stock or borrowing shall be applied only to the purposes of the Company to which capital is properly applicable.

Application of moneys.

15. Nothing in this Act or in any of the London Hydraulic Power Company's Acts 1871 to 1893 shall exempt the Company from the provisions of any general Act for the improvement of the sanitary condition of towns or the abatement of nuisances now

Company not exempt from general Acts

[Ch. xvii.] *London Hydraulic Power Company's* [3 Edw. 7.]
Act, 1903.

A.D. 1903. — in force or which may hereafter pass or from any enactments which may be hereafter from time to time made by Parliament for limiting the maximum dividends to be declared and paid by the Company or for restricting the powers of the Company to convert borrowed money into capital or for fixing and revising the rates and charges to be received by the Company or for giving all persons and corporations the right to avail themselves of the several works and appliances of the Company on payment of such rates and charges without preference or favour or for empowering the corporation of the City of London or other local authority to take and purchase the undertaking of the Company after the expiration of such term of years as Parliament shall determine with all the rights powers and authorities of the Company and either subject or not subject to their liabilities debts contracts and obligations at a price to be ascertained by arbitration in such manner as Parliament shall determine together with all proper provisions for effectuating the purposes aforesaid or for any one or more of such purposes exclusively of the others or other of them.

Costs of Act. 16. 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.

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

AN AGREEMENT made the twenty-third day of June one thousand nine hundred and two between the CONSERVATORS OF THE RIVER THAMES (hereinafter called "the conservators") of the one part and the LONDON HYDRAULIC POWER COMPANY (hereinafter called "the Company") of the other part.

WHEREAS the Company are by the London Hydraulic Power Acts 1871 and 1884 authorised and empowered to take at any point or points within their district under the said Acts and use for the purposes of their undertaking within their said district as they from time to time find requisite waters of the River Thames not exceeding in quantity in any one day (reckoned from midnight to midnight) an aggregate of one million gallons (which quantity is hereinafter referred to as "the authorised quantity"):

And whereas the Company are by the said Acts under an obligation to make to the conservators in consideration of the use by the Company of the water of the River Thames by the said Acts authorised the payments specified in the said Acts and (inter alia) when the daily quantity used by the Company exceeds seven hundred and fifty thousand gallons and until the same reaches one million gallons the sum of fifty pounds half-yearly on the first day of January and the first day of July in every year:

And whereas the Company have for some time past been taking and using for the purposes of their said undertaking water from the docks having tidal connection with the River Thames which water together with the water taken by the Company as aforesaid under the powers of the said Acts have exceeded the authorised quantity:

And whereas a question has arisen between the conservators and the Company as to whether the water taken by the Company from the said docks as aforesaid is water of the River Thames within the meaning of the said Acts:

And whereas for the purpose of settling the said question the Company have agreed that whether the water taken by them from the said docks as aforesaid is or is not water of the River Thames within the meaning of the said Acts they will make the payments hereinafter mentioned:

And whereas the Company intend shortly to apply to Parliament for a Bill conferring on them additional powers:

And whereas the Company have applied to the conservators for their permission to take and use for the purposes of their said undertaking and distribute within their said district as they from time to time find requisite