CHAPTER cxxii.

An Act to dissolve and re-incorporate the Broadstairs Waterworks Company, Limited, and to make further provision for the supply of water to the parish of Saint Peter the Apostle and Broadstairs, in the Isle of Thanet; and for other purposes. [19th July 1875.] A.D. 1875.

WHEREAS the Broadstairs Waterworks Company, Limited (herein-after referred to as the limited company), was established in the year 1859 for the purpose of supplying Broadstairs and the parish of Saint Peter the Apostle in the Isle of Thanet with water, and hath been registered and incorporated under the "Joint Stock Companies Act, 1856:"

And whereas the present capital of the limited company is ten thousand pounds, divided into one thousand shares of five pounds each, all of which shares have been fully paid up, five hundred shares of two pounds each, all of which last-mentioned shares have been fully paid up, and of eight hundred shares also of five pounds each, and on which last-mentioned shares the sum of two pounds and ten shillings only has been paid, and Broadstairs, and also the parish of Saint Peter the Apostle, have derived great benefit from the water supplied by the limited company; and it is expedient that the limited company should be dissolved and re-incorporated by Act of Parliament, and that the same should be authorised to supply and sell water within the limits, in the manner, and subject to the conditions by this Act prescribed:

And whereas the limited company have no mortgage or bond debt:

And whereas the limited company have constructed a reservoir and other works; and it is expedient that they should have further powers for carrying on and extending their works, and for raising additional capital for the purposes of their undertaking:

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

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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; (that is to say,)

Short title.

1. In citing this Act for any purpose whatsoever it shall be sufficient to use the expression "The Broadstairs Waterworks Act, 1875."

Provisions of general Acts herein named incorporated.

2. The several Acts of Parliament following; (that is to say,) "The Companies Clauses Consolidation Act, 1845;" Parts I. and III. of "The Companies Clauses Act, 1863;" "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement, with respect to the entry upon lands by the promoters of the undertaking, and with respect to small portions of intersected lands; and "The Waterworks Clauses Acts, 1847 and 1863," save so far as they are expressly altered or excepted by this Act, shall be incorporated with this Act; and in construing those Acts respectively as incorporated with this Act the expression "the special Act" shall mean this Act; the expressions "the Company" and "the undertakers" shall respectively mean the Company by this Act incorporated; the expression "the undertaking" and "the waterworks" shall include all the works by this Act vested in the Company, as well as those which may be constructed by them under the powers of this Act; and the expression "superior court" or "court of competent jurisdiction," or any other like expression in this or the incorporated Acts contained, shall be read and have effect as if the debt or demand with respect to which the expression is used were a common simple contract debt, and not a debt or demand created by statute.

Same meaning to words in this Act as in incorporated Acts.

3. Except as in this Act otherwise provided, the several words and expressions to which meanings are assigned by the Acts incorporated herewith, or either of them, shall in this Act have the meanings so assigned to them respectively, unless there be in the subject or context something repugnant to or inconsistent with such construction.

Interpretation of terms.

4. In this Act the expression "the limited company" shall mean the Broadstairs Waterworks Company, Limited, and the expression "the Company" shall mean the Company hereby incorporated, unless there be in the subject or context something repugnant to or inconsistent with such construction.

Limits of Act.

5. The limits of this Act for the supply of water shall be the parish of Saint Peter the Apostle in the Isle of Thanet.

Incorporation of Company.

6. From and after the passing of this Act the limited company shall be dissolved, and the several persons who immediately before the passing of this Act were members of that company, and all other persons and corporations who shall hereafter subscribe to or become proprietors in the undertaking of the Company, and their executors, administrators, successors, and assigns respectively, shall be and they are hereby united into a company for the purpose of maintaining and constructing waterworks and supplying water within the limits of this Act, and for other the purposes by this Act authorised, and shall be incorporated by and under the name of "The Broadstairs Waterworks Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and shall and may sue and be sued, and shall have power to purchase, hold, and dispose of lands and other property for the purposes of this Act.

Present property of limited company vested in Company incorporated by this Act.

7. All reservoirs, aqueducts, conduits, mains, pipes, engines, waterworks, and apparatus, lands, works, erections, buildings, rights, and easements, moneys, securities, deeds, contracts, agreements, papers, books, plans, choses in action, effects, claims and demands, rights and remedies whatsoever, which, immediately before the passing of this Act, were invested in the limited company, or any person on their behalf, or of or to which the limited company, or any persons on their behalf, were seised, possessed, or entitled, either at law or in equity, and otherwise howsoever, and all mains, pipes, hydrants, plugs, matters, and things which have been by them purchased or provided, laid down, erected, or placed in any place or house within the limits of this Act, and which, immediately before the passing of this Act, were the property of or belonging to the limited company, or any person on their behalf, shall be and the same are hereby vested in the Company to the same extent and for the same estate and interest as the same respectively were at the time of the passing of this Act vested in the limited company, or any person on their behalf, and may be held, used, and enjoyed accordingly.

Main source of water supply.

8. Whereas the Company have recently sunk a new well in certain lands in the said parish of Saint Peter the Apostle, and it is expedient that the said new well shall, as far as possible, be the main source from which water is to be supplied by the Company: Therefore, the Company shall, within nine months after the passing of this Act, complete the said well and the necessary works connected therewith, and from and after the completion of the same they shall supply water from the said well within the limits of this Act, and shall not, except in case of necessity, supply any water from their present source of supply; and if any difference shall

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arise between the Company on the one hand, and any sanitary authority, or any twenty consumers of water within the limits of supply, on the other hand, with respect to anything alleged to have been done, or to have been omitted to be done, by the Company, contrary to the provisions of this section, such difference shall be settled by arbitration.

Memorandum and articles of association of the limited company to be void, without prejudice to remedies for antecedent breaches thereof.

9. Subject to the provisions of this Act, the memorandum and articles of association of the limited company shall as to any prospective operation thereof be wholly void, and the Company and shareholders shall be exempted from all the provisions, restrictions, and requirements of any Act which applied to the limited company and the members thereof as such; but nothing in this Act contained shall release or discharge any person from any liability or obligation in respect of any breach of the provisions of the said memorandum or articles of association incurred before the passing of this Act, but such liability or obligation in respect of any such breach shall continue, and, save as in this Act otherwise provided, may be enforced by or on behalf of the Company as nearly as may be in the like manner as the same might have been enforced by or on behalf of the limited company if this Act had not passed.

Nothing to affect previous rights and liabilities.

10. Except as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered by or with reference to the limited company, or the members thereof as such, shall be as valid as if the Company had not been incorporated and the said memorandum and articles of association had not been avoided by this Act, and such incorporation and avoidance and this Act respectively shall accordingly be subject and without prejudice to everything so done or suffered, and to all rights, liabilities, claims, and demands, both present and future, which, if the Company were not incorporated, and the said memorandum and articles of association were not avoided by this Act, and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and with respect to all such rights, liabilities, claims, and demands the Company and its shareholders and property shall to all intents and purposes represent the limited company and the members thereof as such, and the property of the limited company, as the case may be, and the generality of this enactment shall not be restricted by any of the other clauses and provisions of this Act.

Contracts prior to Act to be binding.

11. Except as is by this Act otherwise specially provided, all purchases, sales, conveyances, grants, assurances, deeds, contracts, bonds, and agreements entered into or made before the passing of this Act by, to, or with the limited company, or any trustees or persons acting on behalf of the limited company, or by, to, or with

any other person to whose rights and liabilities they have succeeded, and now in force, shall be as binding and of as full force and effect in every respect against or in favour of the Company, and may be enforced as fully and effectually, as if, instead of the limited company, or the trustees or persons acting on behalf of the limited company, the Company had been a party thereto.

Actions, &c. not to abate.

12. Nothing in this Act shall release, discharge, or suspend any action, suit, or other proceeding at law or in equity which was pending by or against the limited company or any member thereof in relation to the affairs of the limited company, or to which the limited company, or any member thereof in relation to such affairs, were parties immediately before the passing of this Act; but such action, suit, or other proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company (as the case may be) in the same manner and as effectually and advantageously as the same might have been maintained, prosecuted, or continued by or in favour of or against the limited company, or any member thereof, if this Act had not been passed, the Company and the shareholders therein being, in reference to the matters aforesaid, in all respects substituted for the limited company and its members respectively.

Trustees of limited company to be indemnified.

13. Every trustee or other person in whom or in whose name any lands, works, buildings, easements, rights, property, or effects belonging to the limited company were vested immediately before the passing of this Act, and who (being authorised so to do) entered into any bond, covenant, contract, or engagement in respect of the same, or otherwise on behalf of the limited company, shall be indemnified out of the funds and property of the Company against all liability (including costs, charges, and expenses) which he may sustain or incur or be put unto by reason of his having entered into such bond, covenant, contract, or engagement.

Company to satisfy liabilities of limited company.

14. From and after the passing of this Act, and except as is by this Act otherwise expressly provided, the Company shall in all respects be subject to and shall discharge all obligations and liabilities to which the limited company, immediately before the passing of this Act, were subject, and shall indemnify the members, directors, officers, and servants of the limited company, and their respective representatives, from all such obligations and liabilities, and from all expenses and costs in that behalf.

Water rates due to be recovered by Company.

15. All water rates and rents which immediately before the passing of this Act were due and payable, or accruing due and payable, to the limited company, shall be payable to, and may be

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collected and recovered by the Company in like manner as the water rates and rents by this Act authorised to be taken.

Debts due to and by limited company to be paid to and by the Company.

16. All persons who immediately before the passing of this Act owed any sum of money to the limited company, or to any person on their behalf, shall pay the same, with all interest (if any) due or to accrue due for the same, to the Company; and all debts and moneys which immediately before the passing of this Act were due or owing by, or recoverable from, the limited company, or for the payment of which the limited company are, or but for this Act would be, liable, shall be paid, with all interest (if any) due or to accrue due thereon, by or be recoverable from the Company.

Certificates, &c. to remain in force.

17. Notwithstanding the avoidance of the said memorandum and articles of association, all certificates (until cancelled under the powers of this Act), sales, transfers, and dispositions heretofore made or executed under them for and with respect to any shares in the limited company shall remain in full force and continue and be available in all respects as if they had not been avoided.

Books, &c. continued evidence.

18. All documents, books, and writings which if the said dissolution and avoidance had not taken place would have been receivable in evidence shall be admitted as evidence in all courts of law and equity and elsewhere, notwithstanding such dissolution and avoidance.

Officers to continue.

19. All officers and servants of the limited company who were in office immediately before the passing of this Act shall hold and enjoy their respective offices and employments, together with the salaries and emoluments thereunto annexed, until they shall resign the same, or be removed therefrom by the Company, and shall be subject and liable to the like power of removal, rules, regulations, conditions, pains, and penalties in all respects whatsoever as if they had been appointed under this Act.

Present registers of members to be continued.

20. The books kept by the limited company for entering the names and designations of the members thereof, with the numbers of their shares, and the proper distinguishing number of such shares, shall and may continue to be kept for the same purpose by the Company, and shall, until some other register of shareholders shall be provided by the Company, be taken and considered as the register of shareholders required to be kept by the Companies Clauses Consolidation Act, 1845.

Capital.

21. The original capital of the Company (subject to the future increase thereof under the authority of this Act) shall be the sum of ten thousand pounds, and shall be represented by one common ordinary capital stock of the aggregate nominal amount of six

thousand pounds, which stock, and all future additions thereto, shall be called the Company's ordinary stock, and of eight hundred ordinary shares of the nominal value of five pounds each; and such ordinary stock and ordinary shares shall take ordinary dividend only out of the net revenue of the Company after all the guaranteed and other preference charges (if any), interest, rent, and other liabilities of the Company on revenue account are paid.

Appropriation of the capital.

22. The six thousand pounds ordinary stock of the Company shall be allotted and apportioned between the several persons and parties who shall at the time of the passing of this Act be registered in the books of the limited company as the holders of fully paid-up shares in the capital of the limited company, in proportion to the number and nominal value of such shares registered in the names of such persons and parties respectively; and the eight hundred five-pound shares of the Company shall be allotted and apportioned between the several persons and parties who shall at the time of the passing of this Act be registered in the books of the limited company as the holders of shares not fully paid up in the capital of the limited company, in proportion to the number of such shares registered in the names of such persons and parties respectively; and the amounts registered in the said books as having been paid up on the shares of the limited company respectively shall be deemed and taken to be the amounts paid up on the shares of the Company allotted and apportioned in respect of such shares in the limited company respectively: Provided always, that if at any time after the passing of this Act the said eight hundred five-pound shares of the Company, or any of them, shall be fully paid up, the same shall, as and when they are so paid up as aforesaid, become ipso facto part of the ordinary stock of the Company; and the provisions of this Act with respect to stock allotted and apportioned in lieu of shares in the limited company shall apply to such stock into which shares of the Company shall be converted in the same manner in all respects as though the same were stock allotted and apportioned in lieu of shares in the limited company.

As to the word "share" in incorporated Acts.

23. In construing in connexion with this Act the clauses and provisions of "The Companies Clauses Consolidation Act, 1845," and of "The Companies Clauses Act, 1863," incorporated with this Act, the word "share" shall include ordinary stock.

Shares in Company to be subject to same trusts as shares in limited company.

24. All ordinary stock and every share by this Act appropriated as aforesaid shall be subject and liable to the same trusts, powers, provisoes, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of this Act affected the then share or shares in the limited company for which the ordinary stock or share so appropriated is substituted, and so as to give effect to and

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not to revoke any testamentary disposition of or affecting such existing share or shares.

Company shall call in and cancel existing share certificates, and issue new certificates in lieu thereof.

25. The Company shall call in and cancel the existing certificates of shares in the limited company, and issue in lieu thereof certificates in the form and under the conditions prescribed by "The Companies Clauses Consolidation Act, 1845," but the holders of such existing certificates of shares shall not be entitled to any certificates of proprietorship under this Act until they shall have delivered up to the Company to be cancelled the certificates of proprietorship issued to them before the passing of this Act, or shall have proved to the reasonable satisfaction of the directors the loss or destruction thereof.

Power to raise additional capital by new shares.

26. The Company may from time to time raise, by the creation and issue of new ordinary shares of an amount of not less than ten pounds each, or of new ordinary stock or of new preference shares of an amount of not less than ten pounds each, or of new preference stock, or by any or either of those modes, an additional capital of five thousand pounds.

Profits of the Company limited.

27. The Company shall not in any one year make out of their profits any larger dividend on the additional share capital to be raised under the powers of this Act than seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital, or six pounds in respect of every one hundred pounds actually paid up of such capital as may be issued as preference capital.

As to amount of new shares.

28. Any new shares, whether ordinary or preference, issued under this Act shall be of a nominal amount not less than ten pounds.

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

29. In case in any half year the net revenues of the Company applicable to dividend shall be insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary stock or shares in the capital of the Company, a rateable deduction shall be made in the dividend of each class.

Power to borrow on mortgage.

30. The Company may at any time and from time to time after the passing of this Act borrow on mortgage any sum or sums not exceeding in the whole two thousand five hundred pounds.

Arrears may be enforced by appointment of receiver.

31. The mortgagees of the Company may enforce the payment of the arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and the amount owing in respect of principal to the mortgagees by whom application for a receiver shall be made shall not be less than one tenth of the amount for the time being due and owing to the mortgagees.

As to conversion of borrowed money into capital.

32. The Company shall not have power to raise the money by this Act authorised to be borrowed on mortgage, or any part thereof, by the creation of shares or stock instead of borrowing, or to convert into capital the amount borrowed under the provisions of this Act, unless in either case all dividends upon the shares or stock, whether ordinary or preferential, are limited to a rate not exceeding five pounds per centum per annum.

Debenture stock.

33. 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 at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Priority of mortgages over other debts.

34. All money to be raised by the Company on mortgage or debenture stock under the provisions of this Act shall have priority against the Company and the property from time to time of the Company over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act: Provided always, that this priority shall not affect any claim against the Company or their property in respect of any rentcharge granted or to be granted by them in pursuance of the "Lands Clauses Consolidation Act, 1845," or the "Lands Clauses Consolidation Acts Amendment Act, 1860," or in respect of any rent or sum reserved by or payable under any lease granted or made to the Company in pursuance of any Act relating to the Company, which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock.

Application of money.

35. All moneys raised under this Act, whether by shares, stock, debenture stock, or borrowing, shall be applied for the purposes by this Act authorised, and for no other purpose.

General meetings.

36. The first ordinary meeting of the Company shall be held within one month after the passing of this Act, and the future ordinary meetings shall be held in the months of January and July in every year.

Number of directors.

Qualification of directors.

37. The number of directors shall be eight, but the Company may from time to time reduce the number, provided that the number be not less than three. The qualification of a director shall be the possession in his own right of not less than ten shares.

Quorum of meeting of directors.

38. The quorum of a meeting of the directors shall be five; when the number of directors is reduced to five or four, the quorum shall be three; and when the number of directors is reduced to three, the quorum shall be two.

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First directors.

39. James Barritt, Thomas Russell Crampton, Richard Foat, Christopher John Hurst, Richard Attwood Lacy, Thomas Leslie, William Manser, and George Chapman 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 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.

Election of directors.

Power as to maintenance and renewal of waterworks.

40. Subject to the provisions of this Act, the Company may from time to time maintain, improve, and renew or discontinue their existing waterworks upon the lands on which the same are erected, or any part thereof, and they may also upon the same lands, or upon any lands acquired or to be acquired by them, erect, lay down, provide, and from time to time maintain, improve, and renew or discontinue additional waterworks, wells, cuts, shafts, mains, pipes, engines, tunnels, meters, machinery, and other works and apparatus and conveniences in connexion with or in addition to their existing waterworks, and may do all such acts as they may think proper for storing and supplying water within the limits of this Act, and may store and supply water accordingly.

Power to take additional lands by agreement.

41. The Company may from time to time, for the purposes of their undertaking, purchase, take, and hold (by agreement, but not otherwise), in addition to the lands now belonging to them, any lands and hereditaments, not exceeding in the whole four acres, which the Company may from time to time require for the purposes of their works and undertaking.

Power to take easements, &c. by agreement.

42. Persons empowered by "The Lands Clauses Consolidation Act, 1845," to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of "The Lands Clauses Consolidation Acts Amendment Act, 1869," and of this Act, grant to the Company any easement (not being an easement of water), right, or privilege in, over, or affecting any lands required for the

purposes of this Act in, over, or affecting any such lands; and the provisions of the last-mentioned Acts with respect to lands and rentcharges, as far as the same are applicable in this behalf, shall extend and apply to such grants or to such easements, rights, or privileges as aforesaid.

Rate at which water is to be supplied for domestic purposes.

43. The Company shall at the request of the owner or occupier of any house in any street in which any pipe of the Company is or shall be laid within the distance of fifty yards from such house, or on the application of any person who under the provisions of this Act is entitled to demand a supply of water for domestic purposes, furnish to such owner or occupier, or other person, a sufficient supply of water for domestic use at a rate per centum per annum not exceeding six pounds and five shillings per centum upon the annual rackrent or value of the house to be supplied with water: Provided always, that the Company shall not be bound to supply any house or part of a house for any sum less than eight shillings per annum.

Rates for watercloset and baths.

44. In addition to the rates for the supply for domestic purposes, the Company may demand and receive for every watercloset in any house beyond the first the yearly sum of five shillings, and for every bath capable of containing more than twenty-five gallons of water the yearly sum of six shillings.

Water may be supplied by agreement.

45. The Company from time to time may supply any person with water for any purposes for which no specific rates are by this Act limited, by meter or otherwise, upon such terms and conditions as shall be agreed on between the Company and the person desirous of having the supply.

Constant pressure.

46. The water to be supplied by the Company shall be constantly laid on under pressure, but it need not be supplied in any case at a level above that at which water can be supplied by gravitation from the existing works.

Power to stop supply of water in case of waste.

47. If any person supplied with water by the Company wilfully do, or cause or knowingly permit to be done, anything in contravention of the provisions of this Act with respect to the waterworks or the supply of water, or wilfully neglect to do anything which under these provisions ought to be done for the prevention of the waste, misuse, undue consumption, or contamination of the water of the Company, the Company may turn off the water supplied by them to such person, and cease to supply water to such person until the act complained of be remedied, and any penalty incurred thereby be paid.

Recovery of sums due.

48. If any person fails to pay any water rent, meter rent, rate, damages, costs, expenses, or other sum due to or recoverable by the

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Company under this Act, they may recover the same by proceedings in any court of competent jurisdiction, or if the amount thereof is not bonâ fide disputed the same may be levied by distress (the person in default being first duly summoned), and any justice may issue his warrant accordingly; and the remedies of the Company under this section shall be in addition to their other remedies for recovery of any such rent, rate, damages, costs, expenses, or other sum.

Company not to show undue preference in the supply of water.

49. In supplying water under the provisions of this Act the Company shall not make or give any undue or unreasonable preference or advantage to or in favour of any particular person, persons, or body in any respect whatsoever, and shall not subject any particular person, persons, or body to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; and in case any difference shall arise between the Company and any person, persons, or body with respect to anything alleged to have been done or to have been omitted to be done contrary to the provisions of this section, the same shall be settled by arbitration.

Arbitration clause.

50. Where any difference is by this Act directed to be settled by arbitration, the same shall be settled by an engineer or other fit person nominated as arbitrator by the Board of Trade on the application of either of the parties to such difference, and the decision of such arbitrator shall in all respects be final and conclusive; and the fees of such arbitrator, and all other expenses of the arbitration, shall be borne and paid as he shall direct.

Purchase of certain mains, machinery, &c. by the Company.

51. Whereas Richard Richardson is or claims to be possessed of certain mains, pipes, and an engine boiler, and other machinery used by him for the supply of water to certain buildings within the limits of this Act, be it enacted, that in case the said Richard Richardson shall, within two months after the passing of this Act, by notice in writing, require the Company to purchase such mains, pipes, engine boiler, and other machinery, or any part thereof, then and in such case the Company shall purchase the same at and for the price actually paid for the same by the said Richard Richardson; and in case any difference shall arise between the Company and the said Richard Richardson with respect to the mains, pipes, engine boiler, or other machinery to be so purchased, or the price to be paid for the same, or any other matter or thing arising under this section, such difference shall be settled by arbitration.

Several names in one warrant.

52. Any number of names and sums may be included in any warrant of distress or notice obtained or given by the Company for any of the purposes of this Act, and may be stated either in the body of the warrant or notice or in a schedule thereto.

Costs of distress.

53. Any justice who issues any such warrant of distress may order that the costs of the proceedings for the recovery of such rate or sum shall be paid by the person liable to pay such rate or sum, and such costs shall be ascertained by the justice, and shall be included in the warrant of distress for the recovery of such rate or sum.

Liability to rates not to disqualify justices.

54. No justice or judge of any county court shall be disqualified for acting in the execution of this Act by reason of his being liable to any rate, rent, or charge under this Act.

Incoming tenant not liable for arrears.

55. The Company shall not be entitled to require from the incoming tenant of any property the payment of arrears of water rent or meter rent left unpaid by any former tenant, unless the incoming tenant has undertaken with such former tenant to pay or exonerate him from the payment of such arrears.

Company not bound to supply several houses by one pipe.

56. The Company shall not be bound to supply more than one house by means of the same pipe, and they may, if they think fit, require that a separate pipe be laid into each house supplied by them with water.

Notice of discontinuance.

57. A notice to the Company from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing and be left at the principal office in Broadstairs for the time being of the Company.

Penalties not cumulative.

58. Penalties imposed on the Company by several Acts for one and the same offence shall not be cumulative, and for this purpose this Act and the Acts incorporated therewith shall be deemed several Acts.

Expenses of Act.

59. All the 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.

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