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An Act to sanction certain proceedings of the Harrogate Waterworks Company with reference to the construction of works and the raising of money, and to empower them to construct additional works and to raise further money; and for other purposes. [13th May 1869.]

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WHEREAS by the Harrogate Waterworks Act, 1846, (herein-after referred to as "the Act of 1846,") the Harrogate Waterworks Company (herein-after referred to as "the company") were incorporated, and were empowered to construct works for supplying with water the hamlets or places of High and Low Harrogate, in the several townships of Knaresborough, Pannal, Bilton-with-Harrogate, and Scriven-with-Tentergate, in the parishes of Knaresborough and Pannal, in the west riding of the county of York, and to raise for that purpose by shares eight thousand pounds, and by borrowing two thousand five hundred pounds: 9 & 10 Vict. c. cxiii.

And whereas the company duly constructed the works authorized by the Act of 1846, and raised and expended thereon the whole of the share and loan capital which they were empowered to raise:

And whereas the works constructed under the authority of the Act of 1846, other than works of distribution, consisted of a reservoir or reservoirs lying on the south side of and adjoining the Irongate Bridge Road in the parish of Pannal, and of drains, cuts, pipes, and other works for conducting into and collecting therein the waters of certain springs situate in and rising out of the lands surrounding or adjoining the said reservoir:

And whereas, by reason of the drainage and cultivation of the lands out of which the said springs arose, the supply of water obtained by the company therefrom has for some years past much decreased, and the company have been obliged, in order to secure a sufficient supply for the largely increasing wants of their district, to

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construct other works in addition to the said works authorized by the Act of 1846:

And whereas the company have expended in the construction of such last-mentioned works various sums of money, amounting in the aggregate to the sum of eleven thousand two hundred pounds, or thereabouts, of which two thousand four hundred pounds was money which the company might have divided as profits, and eight thousand eight hundred pounds was money advanced from time to time by the shareholders in the company by way of voluntary loan:

And whereas it is expedient that the proceedings of the company with reference to the construction of such last-mentioned works should be sanctioned and confirmed, and that they should be empowered to maintain such works as a part of their undertaking, as the same are described in and proposed to be altered and extended under the authority of this Act:

And whereas for the purpose of affording an adequate supply of water for the increasing wants of Harrogate it is necessary and expedient that the company should be empowered to construct the additional works herein-after described:

And whereas the amount which the company have expended on capital account now consists of the following sums, viz.:

Original share capital under the Act of 1846, divided into 800 shares of 10*l.* each - -	£8,000	0	0
Money advanced by way of voluntary loan at the rate of 11*l.* per share - - -	8,800	0	0
Money expended out of undivided profits at the rate of 3*l.* per share - - - -	2,400	0	0
	19,200	0	0
Money borrowed on mortgage under the Act of 1846 - - - - - -	2,500	0	0
	£21,700	0	0

And it is expedient that the company should be empowered to create fully paid-up shares to the amount of the money so advanced by way of voluntary loan, and expended out of profits, and that they should be empowered to raise further money for the purposes of this Act:

And whereas by the Act of 1846 the company are required to furnish a supply of water for domestic purposes, at a rate per centum per annum of not exceeding ten pounds upon the annual rackrent or value of the premises so supplied with water, and also a sufficient supply of water for one watercloset at any annual rent or sum not

exceeding twenty shillings, and also a sufficient supply of water for any additional number of waterclosets over and above one at any additional rent or sum not exceeding ten shillings for every such additional watercloset, and it is expedient that such maximum rates should be reduced:

And whereas the commissioners for the improvement of High and Low Harrogate, being also the local board of health for the district of High and Low Harrogate, (herein-after referred to as "the improvement commissioners,") deem it more beneficial to the inhabitants of the said district, and especially to the occupiers of small houses, and the company are willing, that the said maximum rate of ten pounds per centum per annum for the domestic supply, instead of being reduced to six pounds per centum per annum, including one watercloset, as proposed by the company, should be reduced to five pounds ten shillings per centum per annum, with power for the company to continue to charge in addition thereto such sum for waterclosets as herein-after mentioned, and it is expedient that provision should be made to that effect:

And whereas plans and sections showing the lines and levels as well of the existing works which the company have constructed as aforesaid, and are by this Act authorized to maintain and extend, as of the additional works which they are by this Act empowered to construct and maintain, with a book of reference to those plans, have been deposited with the clerk of the peace for the west riding of the county of York, which plans, sections, and book of reference are herein-after respectively referred to as the deposited plans, sections, and book of reference:

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

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

Short title.

1. This Act may be cited for all purposes as "The Harrogate Waterworks Act, 1869."

8 & 9 Vict. c. 18., 10 & 11 Vict. c. 17., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 93. and 118. incorporated.

2. The following Acts and parts of Acts (so far as the same are applicable to the purposes and not inconsistent with the provisions of this Act) are incorporated with and form part of this Act; namely,

The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860:

The Waterworks Clauses Acts, 1847 and 1863:

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The provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof:

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters; (that is to say,)

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 nonpayment 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 borrowed money into capital;

The consolidation of shares into stock;

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 of terms.

3. In this Act the several words and expressions to which by the Acts wholly or partially incorporated herewith meanings are assigned have the same respective meanings, unless there be something in the subject or context repugnant to such construction:

The expression "the company" shall mean the Harrogate Waterworks Company;

The expression "the improvement commissioners" shall include the said commissioners in their capacity of a local board of health as well as in their capacity of commissioners;

And the expression "superior courts" or "court of competent jurisdiction," or any other like expression, in this Act or in any Act wholly or partially incorporated herewith, 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.

Company's capital declared.

4. The company's capital under the Act of 1846 and this Act is as follows; (that is to say,)

(*a*) The company's original capital of eight thousand pounds, divided into eight hundred shares of ten pounds each, which are all fully paid up:

(*b*) The additional capital of twenty-eight thousand pounds by this Act authorized, consisting of sixteen thousand eight hundred pounds of new capital, and eleven thousand two hundred pounds in respect of the monies expended by the

company in the construction of works as herein-before mentioned.

Additional capital in respect of monies expended.

5. In addition to the company's original capital of eight thousand pounds and the new capital of sixteen thousand eight hundred pounds by this Act authorized to be raised, there is by this Act created in respect of monies expended by the company in the construction of works the capital of eleven thousand two hundred pounds in eight hundred shares of fourteen pounds each, and those shares shall be deemed fully paid up, and shall be designated "Harrogate Waterworks five per cent. preference shares," and shall be entitled to a fixed perpetual preference dividend at the rate of not exceeding five pounds per centum per annum.

Vesting same in existing shareholders, share for share.

6. On the passing of this Act the Harrogate Waterworks five per cent. preference shares of fourteen pounds each by this Act created are by this Act vested, share for share, in the several persons who at the passing of this Act are the holders of the eight hundred shares of ten pounds each of the company's original capital of eight thousand pounds.

Subject to same trusts, &c. as existing shares.

7. Except as by this Act otherwise provided, every share so vested shall entitle the holder thereof to the same proportionate rights, qualifications, and privileges, and shall have and be subject to the same trusts, provisions, liabilities, restrictions, and incidents, as the share of the original capital of the company in respect of which it is so vested, and so as to give effect to any will or testamentary or other instrument disposing of or affecting that share of the original capital of the company.

Power to raise new capital.

8. In addition to their original capital of eight thousand pounds, the company may from time to time by virtue of this Act raise by the creation and issue of new shares such sums as they shall think requisite, not exceeding in the whole the sum of sixteen thousand eight hundred pounds (exclusive of the additional capital of eleven thousand two hundred pounds by this Act created), and such shares shall be designated "Harrogate Waterworks new shares," and may be wholly or partly ordinary shares, or wholly or partly preference shares, as the company think fit.

New shares to be subject to same provisions as shares in original capital.

9. Except as by or under the authority of this Act otherwise provided, the new capital created by the company under this Act as last aforesaid, and the shares therein, and the holders of those shares respectively, shall be entitled and subject to the same powers, rights, privileges, and liabilities in all respects as if that new capital were part of the original capital of the company, and those shares were shares in that original capital.

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No share to issue until one-fifth paid up.

10. The company shall not issue any new share created under the authority of this Act as last aforesaid, nor shall any such share vest in the person accepting the same, unless and until a sum of not less than one-fifth part of such share is paid in respect thereof.

Limiting dividend on new capital.

11. The company shall not in any year make out of their profits any larger dividend on the new capital of sixteen thousand eight hundred pounds by this Act authorized to be raised by shares than seven pounds in respect of every one hundred pounds actually paid of such capital on ordinary shares, or six pounds in respect of every one hundred pounds actually paid of such capital on preference shares, unless, as regards the ordinary shares, a larger dividend be at any time necessary to make up the deficiency on any previous dividend on such shares which shall have fallen short of the said yearly rate.

Power to borrow in respect of capital already expended.

12. The company may from time to time and at any time after the passing of this Act borrow on mortgage, in respect of their original capital of eight thousand pounds, and the additional capital of eleven thousand two hundred pounds by this Act created, any sums not exceeding in the whole the sum of four thousand eight hundred pounds, inclusive of the sum of two thousand five hundred pounds which the company have already borrowed under the authority of the Act of 1846.

Power to borrow in respect of new capital.

13. In addition to the sum of four thousand eight hundred pounds which the company are authorized to borrow by the last preceding section, they may from time to time borrow on mortgage, in respect of the new capital of sixteen thousand eight hundred pounds by this Act authorized to be raised by shares, any sum or sums not exceeding the following; (that is to say,) when and so soon as the sum of five thousand six hundred pounds, part of the said new capital of sixteen thousand eight hundred pounds, has been issued and taken up, and one half thereof is paid up, the company may borrow on mortgage any sums not exceeding one thousand four hundred pounds; and so on in respect of each further sum of five thousand six hundred pounds, part of the said new capital of sixteen thousand eight hundred pounds, the company may borrow any sums not exceeding one thousand four hundred pounds: Provided always, that the company shall not borrow on mortgage any of the respective sums of one thousand four hundred pounds each which they are by this Act authorized to borrow as aforesaid, or any part thereof, until the whole of the respective sum of five thousand six hundred pounds, part of the said new capital in respect of which such sum is to be borrowed, is issued and taken up, 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 the whole of such capital has been issued and taken up, and that one half thereof has been paid up, and that not less than one-fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their 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.

Arrears may be enforced by appointment of a receiver.

14. The mortgagees of the company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages, by the appointment of a receiver; and in order to authorize the appointment of a receiver in respect of principal or principal and interest 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.

Existing mortgages to have priority.

15. All mortgages or bonds granted by the company under the authority of the Act of 1846 which shall be subsisting at the passing of this Act shall, during the continuance thereof, have priority over all mortgages granted under the authority of this Act.

Power to create debenture stock.

16. The company may create and issue debenture stock, and may attach thereto such a fixed perpetual preferential dividend, not exceeding five pounds per centum per annum, as they shall think fit.

Application of monies.

17. All monies raised by the company under the authority of this Act by shares or by debenture stock or by borrowing shall be applied to the purposes of this Act, and to the general purposes of the company, and to no other purpose.

Power to take lands and streams and springs of water.

18. Subject to the provisions of this Act, the company may from time to time enter upon, take, and use such of the lands shown upon the deposited plans and described in the deposited book of reference as it may be necessary to enter upon, take, and use for the purposes of this Act, and the company may also take and use for the purposes of this Act all springs and waters in and under any lands to be acquired and held by the company, or which may be taken, intercepted, and abstracted by means of the works shown on the deposited plans.

Power to maintain and extend existing works.

19. Subject to the provisions of this Act, the company may make and maintain, alter and extend, in the lines or situations and

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according to the levels shown on the deposited plans and sections relating thereto, the works next herein-after described, with all proper approaches, works, and conveniences connected therewith respectively. The works herein-before referred to and hereby authorized are as follows, and are herein-after called the "constructed waterworks:"

A reservoir situate on the out pasture surrounding Haverah Park Lodge, with the embankment thereof, which is situate about four hundred and twenty yards north-east of the said Haverah Park Lodge:

A bywater channel passing round the south-east side of the said reservoir, and commencing and terminating in the stream which flows through the said reservoir from the west:

An aqueduct, conduit, or line of pipes commencing in the said reservoir and terminating in the original reservoir of the company situate on the south side of and adjoining the Irongate Bridge Road:

A tank or cistern situate in Haverah Park about four hundred and thirteen yards west of the dwelling house called Mount Pleasant, and an aqueduct or line of pipes commencing in the said tank and terminating in the said original reservoir of the company.

Power to construct new works.

20. Subject to the provisions of this Act, the company may also make and maintain, in the lines or situations and according to the levels shown on the deposited plans and sections relating thereto, the works next herein-after described, with all proper approaches, works, and conveniences connected therewith respectively. The works lastly herein-before referred to, and hereby authorized, are as follows, and are herein-after called the "new waterworks:"

A conduit or line of pipes commencing from and out of the aqueduct, conduit, or line of pipes first described in the last preceding section, and terminating in the reservoir next herein-after described:

A reservoir situate at Harlow Hill, and about two hundred and fifty-three yards east of Harlow Hill Tower.

Works authorized by this Act to form part of company's undertaking.

21. All the said constructed waterworks and new waterworks respectively by this Act authorized to be made, maintained, and extended shall, for all purposes whatsoever, be deemed to be part of the original waterworks of the company, as if the same had been authorized by and included in the Act of 1846; and the provisions of that Act shall, so far as the same are not inconsistent with the provisions of this Act, extend and apply to the said constructed waterworks and new waterworks as fully and effectually as

the same now extend and apply to the original waterworks of the company.

Lateral and vertical deviations.

22. The company, in constructing the works by this Act authorized, may make lateral deviations from the line of such works not exceeding the limits of deviation shown on the deposited plans, and may deviate from the levels of the reservoirs to any extent not exceeding five feet, and of other works delineated on the deposited sections to any extent not exceeding five feet upwards and seven feet downwards: Provided always, that if the said reservoir situate at Harlow Hill be constructed upon land within the limits of deviation of greater or less elevation than the land upon which the same is shown on the deposited plans, then the said reservoir may be made on such higher or lower level as may be necessary.

Temporary occupation of lands.

23. The provisions with respect to the temporary occupation of lands incorporated with this Act shall apply only to the said reservoir situate at Harlow Hill and the works immediately connected therewith; and for the purposes of this Act those provisions shall be read as if the said reservoir and works were therein mentioned instead of the railway, and the boundaries of the reservoir and works instead of the centre of the railway.

Powers for compulsory purchases limited.

24. The powers of the company for the compulsory purchase of lands for any of the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Power to acquire additional lands by agreement.

25. In addition to the lands which the company are by this Act authorized to purchase compulsorily, they may, for any of the purposes of this Act, from time to time, by agreement, purchase in fee, either absolutely or in consideration of any yearly or other rent, any additional quantity of land, not exceeding in the whole twenty acres, or any easement or right (not being an easement or right of water) in or over such additional lands, which they may from time to time think requisite for any of the purposes of their undertaking: Provided, that, notwithstanding the exception in this section contained, the company may acquire a right to take the water of any spring in any case in which they would be entitled to the exclusive use of the whole water of such spring, on purchasing the land in which the same arises.

Owners may grant easements.

26. The persons empowered by the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, respectively, to sell or convey or release lands shall, subject to the provisions of those Acts respectively, have full power to grant to the company in fee, either absolutely or in consideration of any yearly or other rent, any easement, right, privilege, power, or authority in, over, or affecting any lands by this Act authorized

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to be purchased by the company compulsorily or by agreement, and which the company from time to time think requisite for the purposes of this Act.

Application of Lands Clauses Act, 1860, to easements.

27. For the purposes of this Act the provisions of the Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, with respect to lands and rentcharges, so far as the same respectively are applicable in that behalf, shall extend and apply to easements and rentcharges granted or reserved by grants and leases respectively of easements under this Act.

Period for completion of new waterworks.

28. The new waterworks shall be completed within the period of seven years from the passing of this Act, and if the new waterworks shall not be completed within that period, then on the expiration thereof the powers of the company under this Act for making the new waterworks, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as is then in course of completion: Provided always, that, subject to the provisions of this Act, the company from time to time may alter, enlarge, and extend their reservoirs, engines, machinery, wells, mains, and pipes, in such way and manner as shall be necessary for supplying water within the limits of this Act.

Repeal of sect. 42. of Act of 1846.

29. Section 42 of the Act of 1846 is hereby repealed.

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

30. The company shall, at the request of the owner or occupier of any private dwelling house or part of a private dwelling house in any street in which any service pipe of the company shall be laid, or of any person who, under the provisions of this Act or the Act of 1846, shall be 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 purposes, at a rate not exceeding the rate of five pounds ten shillings per centum per annum upon the annual rackrent or value of such dwelling house or part of a dwelling house: Provided always, that the company shall not be obliged to furnish such supply for any less sum than eight shillings and eightpence in any one year.

What shall not be deemed domestic purposes.

31. A supply of water for domestic purposes shall include a supply for one watercloset in any house of which the annual rackrent or value is less than ten pounds, but shall not include a supply for any watercloset in any house of which the annual rackrent or value shall amount to or exceed ten pounds.

Rates for waterclosets and baths.

32. In addition to the rates for the supply of water for domestic purposes, the company may demand and receive for every watercloset in or appurtenant to any dwelling house or part of a dwelling house of which the annual rackrent or value shall be ten pounds

or upwards, and for every bath, any yearly sum not exceeding ten shillings each: Provided always, that the company shall not be bound to supply any private bath which shall be so constructed as to contain, when filled for use, more than fifty gallons of water.

Supply of water by agreement.

33. The company may supply water for other than domestic purposes upon such terms and conditions as shall be agreed upon between the company and the person, company, or public body desirous of having the supply.

Power to company to make and maintain ice houses.

34. The company may construct and maintain ice houses and other buildings and conveniences for the storage of ice.

Power to company to apply Cold Bath Reservoir to bathing purposes.

35. And whereas the company some years since constructed, under the authority of the Act of 1846, a reservoir known as the Cold Bath Reservoir, the water supplying which is unsuitable and is no longer used for domestic purposes, and it would be a great public convenience if that reservoir were made available for bathing purposes: Therefore the company may apply and use their Cold Bath Reservoir to and for the purposes of a bath or baths, with all proper fittings, conveniences, and accommodation, and they may charge for the use thereof such reasonable sum or sums as they from time to time think fit: Provided that the company shall, by planting trees, and by other proper and reasonable means, secure and from time to time maintain the privacy of the said bath or baths, and the buildings and accommodations connected therewith.

As to reserved fund.

36. So much of section 51 of the Act of 1846 as provides for the application of a portion of the profits of the company to the purposes of a contingent or reserved fund, and section 52 of that Act, shall be and the same are hereby repealed; and sections 76 to 79, both inclusive, of the Waterworks Clauses Act, 1847, shall apply to the aggregate nominal capital of the company as defined by this Act.

Time and place of holding half-yearly general meetings.

37. The half-yearly general meetings of the company to be held in the year one thousand eight hundred and seventy and every subsequent year shall be held in the months of January and July in each year, and one half-yearly general meeting shall every year be held in Harrogate.

Limiting charge for supply to improvement commissioners.

38. The charge which the company may make for the water supplied by them to the improvement commissioners for public and sanitary purposes shall not exceed ninepence for every one thousand gallons so supplied, and section 63 of the Act of 1846 shall be read subject to this section.

Providing for inspection of ac-

39. The improvement commissioners may from time to time nominate and appoint, by writing under their seal, an accountant or

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counts on behalf of improvement commissioners.

other competent person to inspect on their behalf the accounts of the company; and the person so appointed may, at the office or place of business of the company, and between the hours of ten in the forenoon and four in the afternoon of any two days to be fixed by him in the month of February in every year, inspect, and the company shall cause to be produced to him for inspection, all such books of account, and other books, bills, receipts, vouchers, and papers relative to the pecuniary affairs of the company for the preceding year, as he may reasonably require for the purpose of verifying the accuracy of the account for that year deposited by the company with the clerk of the peace for the west riding of the county of York pursuant to the provisions of the Act of 1846: Provided that the improvement commissioners or the person so appointed shall give to the company at least one week's notice in writing of the days fixed for every such inspection.

Pre-emption to improvement commissioners in case of sale of company's undertaking.

40. If at any time hereafter the company shall be desirous of selling their undertaking, they shall, before they enter into an agreement for the sale thereof, give to the improvement commissioners notice in writing of their desire to sell the same; and if within the space of three months after the giving of such notice the improvement commissioners make to the company an offer in writing for the purchase of the undertaking of the company at a price to be named in such offer, the company shall not sell their undertaking to any other person or body of persons, excepting at a price higher by five hundred pounds at the least than the price so offered by the improvement commissioners, and the company shall, within the space of three months after having received such offer from the improvement commissioners, elect whether or not they will accept the offer so made by the improvement commissioners.

Power for company to make regulations for preventing waste of water.

41. Subject to the provisions of this Act the company may from time to time make and enforce such reasonable regulations as they may find expedient for preventing the waste or misuse of water, and among other things may prescribe the size, nature, make, strength, and arrangement of the pipes, cocks, cisterns, and other apparatus used for the purposes of the supply.

Power for company to refuse supply where regulations not complied with.

42. In the event of any such regulations not being observed by any person having or requiring a supply of water the company may refuse to supply water, or may cut off the water supplied to him, unless and until the regulations be complied with. And if and whenever any difference shall arise as to whether the regulations are reasonable or have been complied with by any person whose supply of water may have been so cut off, the difference may be referred by either party to and shall be settled by two justices.

For preventing waste of water.

43. The company shall not be compellable to supply with water any watercloset or private bath, or the apparatus connected therewith, unless the same be made to the satisfaction of the company, and used so as to prevent the waste or undue consumption of water.

Recovery of water rents, &c. by distress.

44. If and whenever any person shall neglect or refuse to pay the amount due from him to the company in respect of water rates or rents, or the sale or hire of water fittings, meters, mains, pipes, or tubes, for the space of seven days after demand thereof by the company or their agent or collector, it shall be lawful for any justice to issue his summons to such person, requiring him to appear at a time and place named therein, and then and there to show cause why the amount so demanded should not be paid. And if on the appearance of such person, or in default of appearance after proof of service of the summons, either personally or at the last known place of abode or business of such person, no sufficient cause can be shown to the contrary, it shall be lawful for such justice to issue his warrant of distress for the seizure and sale of the goods and chattels of such person for the recovery of the amount which may be proved before such justice to be due from such person, together with such costs, including the costs of cutting off the water if the same shall have been cut off by the company, as to such justice shall seem just and reasonable.

Contents of summons or warrant.

45. Any summons, warrant, notice, demand, or other process issued for any of the purposes of this Act may contain in the body thereof, or in a schedule thereto, several names and several sums.

Recovery of sums by action.

46. Whenever any person neglects to pay any rent, rate, or sum due to the company under this Act, they may recover the same, with full costs of suit, in any court of competent jurisdiction for the recovery of debts of the like amount, and the remedy of the company under this enactment shall be in addition to their other remedies for the recovery of such rent, rate, or sum.

Application of penalties.

47. Every penalty imposed by this Act, or any Act incorporated with this Act, shall (except where otherwise expressly provided, and except where the company shall be the party by whom the penalty has to be paid) be paid to the company.

Authentication of notices.

48. Any summons, demand, or notice, or other such document to be given by the company under this Act may be in writing or print, or partly in writing and partly in print, and if the same require authentication by the company the signature thereof by the secretary to the company shall be a sufficient authentication.

Penalties not cumulative.

49. Penalties imposed upon the company for one and the same offence by several Acts of Parliament shall not be cumulative, and

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for this purpose this Act and the Acts wholly or partially incorporated with this Act shall be deemed several Acts.

Liability to rates not to disqualify justices.

50. A person shall not be incapable of acting as a justice of the peace in the execution of this Act with reference to any of the purposes thereof by reason of his being liable to any rate or charge under this Act.

Saving rights of commissioners.

51. Except as by this Act is expressly provided, nothing herein contained shall repeal, alter, abridge, or prejudice any of the rights, powers, and authorities of the improvement commissioners conferred or vested by "The Public Health Act, 1848," "The Public Health Supplemental Act, 1849," "The Public Health Supplemental Act, 1850," and "The Local Government Act, 1858," or any of them, or any of the provisions contained in the Act passed in the fourth year of the reign of Her present Majesty Queen Victoria, chapter 16, intituled "An Act for improving certain parts of the "townships of Bilton-with-Harrogate and Pannal, called High and "Low Harrogate, in the west riding of the county of York, for pro-"tecting the mineral springs and regulating the stinted pastures "in the said townships."

Expenses of Act.

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

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