ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

****

Cap. CCXXXV.

An Act for supplying with Water the Town and Neighbourhood of *Newtown* in the County of *Montgomery*. [5th *July* 1865.]

WHEREAS the Inhabitants of *Newtown* and Neighbourhood are at the present Time inadequately supplied with Water, and it is expedient to increase and improve the Supply, and for that Purpose to make and maintain the Works herein-after mentioned: And whereas the Parties in this Act named, and others, are willing, at their own Expense, to provide such increased and improved Supply, and to make and maintain such Works, if the necessary Powers are conferred upon them: And whereas the Objects aforesaid 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; (that is to say,)

1. This Act may be cited for any Purpose as "*Newtown* Waterworks Act, 1865."

8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. c. 17., 23 & 24 Vict. c. 106., and 26 & 27 Vict cc. 93. & 118. incorporated.

2. "The Companies Clauses Consolidation Act, 1845," Part I. of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Waterworks Clauses Acts, 1847 and 1863," (save in so far as the Provisions of those Acts are varied or excepted by this Act), are incorporated with this Act.

Same Meanings to Words in General Acts as in this Act.

3. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction; and the Expressions "Superior Court," "Court of competent Jurisdiction," or other like Expression in this Act or in the incorporated Acts shall 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.

Limits of Act for Supply of Water.

4. The Limits of this Act for the Supply of Water by the Company shall be the Townships, Parishes, and Places of *Newtown*, *Newtown* Southern Division, *Newtown* Upper Division, *Newtown* Lower Division, *Newtown Streets*, *Hendidly*, *Gwestydd*, and *Llanllwchaiarn*, all in the County of *Montgomery*.

Incorporation of Company.

5. *Thomas Savin*, *William Hayward*, *William Shrimpton*, *David Thomas*, *Thomas Jones*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively, are and shall be by this Act united and incorporated into a Company for the Purpose of supplying Water within the Limits of this Act, and for making and maintaining Waterworks for that Purpose, together with all proper Works and Conveniences connected therewith according to the Provisions and for the Purposes of this Act, by and under the Name of "*Newtown* Water Company," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and shall and may sue and be sued, and shall have Power to purchase, take, hold, and dispose of Lands, Houses, and other Property for the Purposes but subject to the Restrictions of this Act.

Capital.

6. The Capital of the Company shall be Twelve thousand Pounds divided into One thousand two hundred Shares of Ten Pounds each.

Shares not to issue until One Fifth paid up.

7. The Company shall not issue any Share created under the Authority of this Act in respect of the original Capital of Twelve thousand Pounds, or of the further Capital of Four thousand Pounds,

Pounds, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share shall have been paid up in respect thereof.

Calls.

8. Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make upon the Shareholders, and Three Months at the least shall intervene between any Two successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in any One Year.

Receipts for disqualified Persons.

9. If any Money be payable to any Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his Guardian or Committee shall be a sufficient Discharge to the Company for the same.

Power to borrow on Mortgage.

10. The Company may borrow on Mortgage any Sums not exceeding in the whole the Sum of Three thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital of Twelve thousand Pounds shall have been subscribed for or taken, and One Half Part thereof paid up, and until they shall prove to the Justice who is to certify under the Provisions contained in the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Shares are issued, that Half of such Capital has been paid up, and that not less than Twenty *per Centum* has been paid on account of each separate Share before or at the Issue thereof, and that all such Capital has been subscribed for *bonâ fide*, and is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable (of which Proof having been given the Certificate of the Justice under that Section shall be sufficient Evidence).

Power to raise additional Capital by new Shares.

11. When the said authorized Share Capital of Twelve thousand Pounds is expended for the Purposes of this Act, and is found insufficient for those Purposes, it shall be lawful for the Company, with the Consent of Three Fifths of the Votes of the Shareholders voting personally or by proxy at any General Meeting of the Company called for the Purpose, to raise, by the Creation and Issue of Ordinary Shares of Ten Pounds each, any further Sum not exceeding Four thousand Pounds.

Power to borrow further Sums.

12. When such further Sum of Four thousand Pounds is subscribed for, and One Half thereof is paid up, the Company may borrow on Mortgage any Sums not exceeding One thousand Pounds in addition to and subject to the same Conditions as are applicable to the Sum of Three thousand Pounds herein-before authorized to be borrowed.

13. The

Arrears may be enforced by Appointment of a Receiver.

13. The Mortgagees of the Company may enforce the Payment of the Arrears of Interest alone, or of Principal and Interest, due on their respective Mortgages, by the Appointment of a Receiver; and the Amount of Principal due to the Mortgagees by whom a Requisition for a Receiver shall be made, shall not be less than Five hundred Pounds in the whole.

Application of Monies.

14. All Monies from Time to Time raised by Shares or borrowing under the Powers of this Act shall be applied only to the Purposes by this Act authorized, and to no other Purpose.

Number and Qualification of Directors.

15. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares at least in the Undertaking.

Directors not to be disqualified by being Commissioners under Local Acts.

16. No Person shall be disqualified as a Director by being a Commissioner or a Trustee under any Act of Parliament, or Member of any Municipal Corporation or Local Board, for any public Purposes within the Limits of this Act; and no Shareholder of the Company shall be disqualified as such Commissioner, Trustee, or Member by reason of any Contract between the Company and the Commissioners, Trustees, Corporation, or Local Board: Provided always, that no Commissioner, Trustee, or Member who is a Director or Shareholder shall act or vote at any Meeting of such Commissioners, Trustees, Corporation, or Board, or at any Committee appointed by such Commissioners, Trustees, Corporation, or Board, on any Question or with reference to any Matter in which such Director or Shareholder has a direct or indirect Interest as a Shareholder.

Quorum of Directors.

17. The Quorum of a Meeting of Directors shall be Three.

Quorum of Committees.

18. The Quorum of every Committee appointed by the Directors shall be fixed by the Directors when they appoint the same.

First Directors.

19. *Thomas Savin*, *William Hayward*, *William Shrimpton*, *David Thomas*, and *Thomas Jones* shall be the First Directors of the Company.

Meetings of Company.

20. The First Ordinary Meeting of the Company shall be held within Nine Months after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held yearly, in the Months of *August* or *September*, or at such other Periods as a General Meeting from Time to Time appoint.

Election of Directors at First Ordi-

21. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting, or any Adjournment thereof, to be

be held after the passing of this Act; and at such Meeting the Shareholders present personally or by proxy may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body. nary Meeting.

22. At the First Ordinary Meeting to be held in every subsequent Year the Shareholders present personally or by proxy shall 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 or disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation Act, 1845." Subsequent Election of Directors.

23. The Quorum of every Meeting of the Company shall be Seven Shareholders, present in person or by proxy, holding in the aggregate not less than Three thousand Pounds in the Capital of the Company. Quorum for General Meetings.

24. The Number of Shareholders on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be not less than Five Shareholders, holding in the aggregate not less than Three thousand Pounds in the Capital of the Company. Number of Shareholders to convene Extraordinary Meeting.

25. And whereas Plans and Sections of the Works by this Act authorized showing the Situation, Line, and Levels thereof respectively, and also a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the Lands in or through which the same respectively are intended to be made or pass, have been deposited with the Clerk of the Peace for the County of *Montgomery*: Therefore, subject to the Provisions and Restrictions in this Act and the incorporated Acts contained, the Company may enter upon, take, and use all or any of the Lands shown on the deposited Plans, and described in the deposited Book of Reference, and may make and maintain the Works herein-after described, together with all proper Mains, Conduits, Sluices, Weirs, Drains, Cuts, Catchwater, and other Bye-channels, Tanks, Valves, Pipes, Approaches, Embankments, Filter Beds, Culverts, and other Works, Buildings, and Conveniences connected therewith, in the Lines and Situations, according to the Levels, and upon the Lands delineated on those Plans and Sections, and described in such Book of Reference, and may divert, collect, and impound in the intended Reservoirs, and thence distribute and supply, the Power to make Works.

the Waters of the Stream called *Dingle Brook*, and also the Stream flowing past the Farmhouse called and known as *Caeheilyn Farmhouse*, herein-after particularly described, and all such other Streams, Springs, and Waters as flow into and through the Site of the Reservoirs herein-after described, and as shall be found within the Limits of Deviation marked upon the said deposited Plan: Provided always, that the Company may acquire, take, and use any Right, Easement, Privilege, Power, or Authority in, over, or affecting the said Lands, or any of them, without purchasing any other Estate or Interest therein.

Works authorized.

26. The Works authorized by this Act are:

1. A Reservoir upon a Stream called the *Dingle Brook*, and upon Land upon the East and West Sides thereof, about Four hundred Yards South-west of the Place where that Brook is joined by the Stream flowing past the Farmhouse called and known as *Caeheilyn Farmhouse*, which intended Reservoir will be situated partly in the Southern Division of the Parish of *Newtown*, and partly in the Townships of *Graig* and *Weeg Dolfor* in the Parish of *Kerry* in the County of *Montgomery*:
2. A Reservoir upon the aforesaid Stream called *Dingle Brook*, and Lands adjoining the same at or near the Confluence of that Brook with the said Stream flowing past *Caeheilyn Farmhouse*, which last-mentioned Reservoir will be wholly situated in the Southern Division of the said Parish of *Newtown* in the County of *Montgomery*:
3. A Catchwater, Cut, or Conduit wholly in the Southern Division of the said Parish of *Newtown*, commencing from and out of the said Stream flowing past *Caeheilyn Farmhouse* at a Point on that Stream about Two hundred and fifty Yards South-east of the Place where the same joins the *Dingle Brook*, and terminating on the East Side of the intended Reservoir firstly before described:
4. A Conduit or Main Pipe commencing on the West Side of the intended Reservoir firstly described in the Southern Division of the said Parish of *Newtown*, thence passing from, in, through, or into the Townships, Parishes, and Places of *Newtown* Southern Division, *Newtown* Upper Division, *Newtown* Lower Division, *Newtown Streets*, *Hendidly*, *Gwestydd*, and *Llanllwchaiarn*, in the County of *Montgomery*, and terminating in the Township of *Gwestydd* in the Parish of *Llanllwchaiarn* at a Point on the *Newtown and Aberbechan* Turnpike Road near the Toll Gate thereon, about Three Quarters of a Mile Eastward of *Newtown*.

Limits of vertical Deviation.

27. In constructing the Waterworks the Company may deviate laterally from the Lines thereof laid down on the deposited Plans to any

any Extent within the Limits of Deviation shown thereon, and vertically from the Levels of such Works, as shown on the deposited Sections, to any Extent not exceeding Three Feet for Reservoirs, and for other Works Five Feet.

Provision as to Supply of Water to Lands of W. Brisco, Esq.

28. In order to secure a Supply of Water to the Lands of *Wastel Brisco* Esquire, on the Line of the *Dingle Brook* below the Site of the Reservoir secondly herein-before described, the Company shall, after the Completion of that Reservoir, permit the Water of the Stream now flowing past *Caeheilyn Farmhouse* known as the *Caeheilyn Brook*, and forming the South-eastern Branch of the said *Dingle Brook* West of the Waterfall, to flow direct into the said Reservoir whenever the Water therein shall be lower than Ten Feet below the top Waterline or Sill of the Waste Weir of such Reservoir.

Powers for compulsory Purchases limited.

29. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period within which Waterworks to be made.

30. The Works hereby authorized shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for the Construction of those Works respectively, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Work as shall then be completed: Provided always, that nothing in this Act contained shall extend or be construed to extend to restrain the Company from enlarging and extending their Mains, Pipes, and Works from Time to Time whenever it shall be necessary for the Purpose of supplying Water within the Limits of this Act.

Certain Provisions of 10 & 11 Vict. c. 17. to extend to Turnpike Roads, &c.

31. The Clauses and Provisions of "The Waterworks Clauses Act, 1847," with respect to the breaking up of Streets for the Purpose of laying Pipes, shall extend and apply to the opening and breaking up by the Company of any Turnpike Roads or other public Highways or Footways within the Limits of this Act, and also to the laying down and placing of Pipes, Conduits, and other Works in and under the said Roads, Footways, and Highways respectively.

Land for extraordinary Purposes.

32. The Company may from Time to Time by Agreement purchase or acquire for the Purposes of this Act any Lands not exceeding in Quantity Two Acres, in addition to the Lands which they are by this Act authorized to take by Compulsion.

Parties may grant Easements.

33. The Persons empowered by "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment

Amendment Act, 1860," to convey Lands in consideration of a Rentcharge, may, if they think fit, but subject to the Provisions contained in those Acts with respect to Land, grant to the Company for the Purposes of this Act any Lands, Streams, or Waters which by this Act they are authorized to take, or the Right of User thereof, or any other Easement, Liberty, Privilege, Power, or Authority in or over any such Lands, Streams, or Waters, in consideration of an annual Rentcharge.

Grant by Persons under Disability to be at best Rent.

34. The Amount of the Rentcharge or Compensation for any such Grant to be made by any Party under any Disability or Incapacity to sell and convey Lands as defined by "The Lands Clauses Consolidation Act, 1845," shall be ascertained and settled in manner provided by "The Lands Clauses Consolidation Acts Amendment Act, 1860," and be subject to all the Provisions with respect to Land granted or conveyed under the Provisions of the last-mentioned Act.

Rents to be First Charge.

35. Every such yearly Rent shall be charged on the Water Rates or Water Rent payable under this Act, or if the Rates be leased, then on the Rent reserved by the Lease, in preference to any other Charge whatsoever; and if at any Time any such Rent be not paid within Thirty Days after the same becomes payable, and after Demand thereof in Writing, the Person to whom such Rent is payable may either recover the same from the Company, with Costs of Suit, by Action of Debt in any Court of competent Jurisdiction, or may levy the same by Distress of the Goods and Chattels of the Company.

Restrictions may be imposed upon the Sale of superfluous Property.

36. Upon any Sale by the Company under the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to superfluous Lands, or any Lands or Hereditaments purchased by them under the Powers of this Act, the Company may reserve to themselves all or any Part of the Water or Water Rights and other Easements thereunto belonging and may sell such Lands and Hereditaments subject to such Reservations, and also subject to such special Conditions, Restrictions, and Provisions with reference to the Use of Water, and for preventing the Exercise of noxious Trades or Businesses upon the Premises, and for preventing or regulating the Discharge and Deposit of Manure, Sewage, and other impure Matter and Liquids, as they may think fit.

Rates at which Water is to be supplied for domestic Purposes.

37. The Company shall, at the Request of the Owner or Occupier of any 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 any Act incorporated therewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner

Owner or Occupier or other Person a sufficient Supply of Water for domestic Uses at any Rate which may be agreed upon between the Company and such Owner, Occupier, or other Person, not exceeding Six Pounds Five Shillings *per Centum per Annum* upon the rateable Value of any such House as appears by the Poor Rate Assessment for the Time being: Provided always, that the Company shall not be compelled to supply any House for less than Seven Shillings *per Annum*, or for a less Period than Six Months.

Rates for Watercloset and Baths.

38. If there be a private Bath or more than One Watercloset in any such House, then, in addition to the Rates before specified, the Company may demand in respect of such Bath the Sum of Ten Shillings *per Annum*, and in respect of every Watercloset or Bath beyond the first the Sum of Five Shillings *per Annum*, and such additional Sums may be received with and as Part of or recovered by the same Means as the Rate for the Supply of Water for domestic Purposes: Provided always, that for Baths containing, as usually filled for Use, a greater Quantity of Water than Fifty Gallons, the Company may charge an increased Rate in proportion to the Size of such Baths: Provided also, that the Company shall not be compelled to supply any Watercloset or Bath unless the same and the Apparatus and Pipes connected therewith shall be so constructed and used as to prevent the Waste and undue Consumption of the Water of the Company.

Company may contract with local Bodies as to Supply of Water.

39. Any present or future Local Board of Health, Town Commissioners, or Town Council within the Limits of this Act shall, for the Purposes of "The Public Health Act, 1848," have Power to contract with the Company, and the Company may contract with such Bodies, for the Supply of Water, in Bulk or otherwise, for any of the Purposes of the said Act, and the Water supplied by the Company for those Purposes by the Order of the Local Board, Town Commissioners, or Town Council shall be deemed to be supplied by such Board, Commissioners, or Council for the same Purposes, and the said Local Board, Commissioners, or Council may appropriate and apply Funds and raise additional Funds, by Rates or otherwise, for such Purposes.

Consumers to have Option of Supply by Meter.

40. Every Person entitled to have a Supply of Water under this Act, or under any of the Provisions of "The Waterworks Clauses Act, 1847," shall be entitled, if he thinks fit, to have such Water supplied for other than domestic Purposes by Meter, and such Meters and all necessary Fittings shall be provided and fixed by the Company at the Expense of the Party requiring such Supply.

Penalty for Injury to and fraudulent

41. Every Person who shall wilfully, fraudulently, or by culpable Negligence injure or suffer to be injured any Meter, Pipes, or Fittings belonging

Use of Meters.

belonging to the Company, or who shall fraudulently alter the Index to any Meter, or shall knowingly and wilfully prevent any Meter from duly and properly registering the Quantity of Water supplied, shall for every such Offence forfeit to the Company a Sum not exceeding Five Pounds, and the Company may in addition thereto recover the Amount of any Damage by them sustained.

Meters to be repaired by the Company.

42. No Meter shall be altered or repaired except under the Direction or with the Consent of the Company, or the Surveyor or other Officer of the Company, and the Company shall keep all Meters in repair, at the Cost of the Consumer, at such moderate Rate of Remuneration as may be agreed on between the Company and the Consumer, or, in case of Dispute, as may be fixed by the Justices.

Water for other Purposes may be supplied by Agreement.

43. The Company may from Time to Time supply any Person with Water for any Purpose for which such Supply may be required for such Remuneration and upon such Terms and Conditions as shall be agreed upon between the Company and the Persons desirous of having such Supply of Water under a special Agreement.

Extent of Pressure.

44. With reference to the Thirty-fifth Section of "The Waterworks Clauses Act, 1847," the Water of the Company need not be laid on or supplied to Houses within the Limits of this Act in the Cases in which the Supply cannot be afforded from the Pipes laid down by the Company by its own residual Pressure or Gravitation, nor need the Water to be supplied by the Company be constantly laid on under Pressure.

Consumer to provide Stopcocks, &c.

45. The Company shall not be compelled to supply Water for any Purpose whatever, or to lay on a Supply of Water to any House or Premises, until a good and sufficient Stopcock shall be placed on the Outside of such House or Premises, with a good and sufficient Box over the same, at the Cost of the Owner or Occupier, who shall thereafter keep the same in good Order and Repair.

Connexion with Mains, &c. to be made by Company.

46. The Connexion between the Service Pipe of any Inhabitant and any Main or Service Pipe of the Company shall in all Cases be provided and fixed by the Company, who shall be entitled to make and recover a reasonable Charge in respect of the same, and no Person shall on any Pretence be authorized to tap, break into, or interfere with any Main or Service Pipe of the Company unless the Company shall have neglected to make such Connexion after Five Days Notice in Writing left at their principal Office requiring such Connexion to be made.

Persons using Water for Water-

47. Every Person supplied with Water under the Provisions of this Act for the Purpose of a Watercloset shall, when required by the

the Company, provide a Cistern, with Stop or Ball Cock, or such other Apparatus as the Company may deem proper, to receive and retain the Water with which he shall be supplied for such Purpose, and shall keep such Cistern, Stop or Ball Cock, or other Apparatus in good Repair so as effectually to prevent the Water from running to waste, and to prevent the Escape of foul Air into the Company's Pipes; and in case any such Person shall neglect to provide, when required by the Company, such Cistern, Stop or Ball Cock, and other Apparatus as aforesaid, or to keep the same in good Repair, it shall be lawful for the Company, or for any Person acting under their Authority, to cut off the Pipe or turn off the Water from the Premises of such Person until such Cistern, or Stop or Ball Cock, and other Apparatus shall be provided or repaired, as the Case may require.

closets to provide Cisterns, &c.

48. When several Houses or Parts of Houses in the Occupation of several Persons shall be supplied by One common Pipe, the several Owners or Occupiers of such Houses or Parts of Houses shall be liable to the Payment of the same Rates for the Supply of Water as they would have been liable to if each of such several Houses or Parts of Houses had been separately supplied with Water from the Works of the Company by a distinct Pipe: Provided always, that the Company shall not be compelled to supply Water to the Occupier of any Part of a Dwelling House, or for any Premises occupied with a Dwelling House, unless the Water Rate is paid for the whole of such Dwelling House and Premises.

Where several Houses supplied by One Pipe each to pay.

49. Every Person supplied with Water by the Company who shall wilfully suffer any such Pipe, Cock, Cistern, or other Apparatus to be out of repair, so that the Water supplied to him by the Company shall be wasted, shall forfeit to the Company for every such Offence a Sum not exceeding Five Pounds.

Penalty for suffering Pipes, &c. to be out of repair.

50. The Company may in any such Case require such Person, by Three Days Notice in Writing under the Hand of the Surveyor or other duly authorized Officer of the Company, to repair any such Pipe, Cock, Cistern, or other Apparatus so as to prevent any such Waste of Water; and in case of Default so to do within the said Three Days the Company may repair the same, and in such Case the Expenses of such Repair shall be repaid to them by the Person so allowing the same to be out of repair, and may be recovered as Damages.

Company may repair Pipes, &c.

51. All Water Rates, Meter Rents, or other Rents due to the Company, and all Damages, Costs, and Expenses by this Act or any Act incorporated herewith directed to be paid, and the Amount whereof

Undisputed Rates may be recovered by Distress.

whereof shall not be disputed, may be levied by Distress, provided that the Amount so to be levied from any One Person or Body Corporate shall not exceed Twenty Pounds, and any Justice, on Application, may issue his Warrant accordingly: Provided, that if it be shown to the Satisfaction of the Justice that there is reasonable Ground to dispute the Amount due for such Rates and Rents, then such Justice shall refuse to adjudicate, and the Amount due shall be recoverable in any other Court of competent Jurisdiction.

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.

Justice or Judge not disqualified.

54. No Justice or Judge of any Court shall be disqualified from acting in the Execution of this Act by reason of his being liable to any Rate, Rent, or Charge under this Act, or of his being a Shareholder in the Company.

Penalties not cumulative.

55. 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 with this Act shall be deemed several Acts.

Expenses of Act.

56. The Costs, Charges, and Expenses of and incident to the Application for and passing of this Act shall be paid by the Company.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.