CHAP. xxix.

An Act to grant further powers to the Newport Pagnell Railway Company. [20th June 1870.] A.D. 1870.

WHEREAS by "The Newport Pagnell Railway Act, 1863," (in this Act called "the Act of 1863,") the Newport Pagnell Railway Company were incorporated, and were thereby authorised to make a railway from the London and North-western Railway at Wolverton, to Newport Pagnell, in the county of Buckingham, and to raise a capital of forty-five thousand pounds in shares and fifteen thousand pounds by mortgage: 26 & 27 Vict. c. cx.

And whereas in the month of September one thousand eight hundred and sixty-seven the Company completed and opened for public traffic the railway authorised by the Act of 1863, and have since that date worked and are now working the same railway for the carriage of public traffic:

And whereas the whole of the share capital of forty-five thousand pounds by the Act of 1863 authorised to be raised was subscribed for, but the Company have in respect thereof received only twenty-seven thousand three hundred and fifty pounds, leaving seventeen thousand six hundred and fifty pounds of the said capital still to be received:

And whereas by "The Newport Pagnell Railway (Extension to Olney) Act, 1865," (in this Act called "the Act of 1865,") the Company were authorised to extend their railway to Olney in the said county, and to raise additional capital by the creation of new ordinary and new preference shares, or at the option of the Company, by either of those modes, to the amount of eighty thousand pounds, and to borrow on mortgage twenty-six thousand pounds: 28 & 29 Vict. c. lvi.

And whereas a portion only of the railway authorised by the Act of 1865 has been constructed, but possession of the land and property required for the construction of the said railway has been taken by the Company, under the powers of the eighty-fifth section of the

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Lands Clauses Consolidation Act, 1845, and the time limited for the completion of the said railway will expire on the second day of June next:

And whereas the whole of the share capital of eighty thousand pounds authorised by the Act of 1865 was issued as preference capital, but only fifty-eight thousand three hundred and fifty-eight pounds thereof has been paid up:

29 & 30 Vict. c. cccliv.

And whereas by "The Newport Pagnell Railway (Extension) Act, 1866," (in this Act called "the Act of 1866,") the Company were authorised to extend their railway from Olney to join the Northampton and Peterborough Railway at Irchester, in the county of Northampton, and the Bedford and Northampton Railway in Olney aforesaid, and to raise additional share capital by the issue of ordinary or preferential shares or stock to the amount of two hundred and twenty-five thousand pounds, and to borrow on mortgage seventy-five thousand pounds:

And whereas the Company have not as yet exercised any of the powers granted by the Act of 1866, and the powers for obtaining possession compulsorily of the land and property required for the construction of the railways authorised by that Act expired on the tenth day of August last, and the period limited for completion of the said railways will expire on the tenth day of August next:

And whereas the Company have borrowed on mortgage and now owe the whole of the moneys which they were by the Act of 1863 and the Act of 1865 authorised to borrow, amounting together to forty-one thousand pounds:

And whereas the Company have been and are unable to pay any portion of the principal of the said debt or of the interest thereon, and a considerable portion of such principal is now overdue, and the Company are unable to renew the same; and there is, further, an arrear of interest due upon the said mortgage debt, which amounted on the thirtieth day of November one thousand eight hundred and sixty-nine to six thousand nine hundred pounds or thereabouts:

And whereas the Company are indebted to landowners in respect of land taken by the Company for the purposes of their railways, and in respect of costs and expenses in connexion therewith, and also to other persons on simple contracts and otherwise, and the Company are unable to meet any of these liabilities; and it is expedient that they should be empowered to raise the sums necessary to discharge the same:

And whereas a bill has been filed in Her Majesty's High Court of Chancery by William Robert Galbraith, on behalf of himself and all other mortgagees of the Company, to enforce payment of the claims of himself and such other mortgagees against the Company,

and a receiver of the tolls and profits of the Company has been appointed by the said Court in the said cause:

And whereas nearly the whole of the rolling stock now used by the Company is hired, and is inadequate to the existing traffic on the Company's railway, and it would be greatly to the interest of the Company and their mortgagees and creditors, and also of the general public using the Company's railways, and would greatly promote the profitable working of the Company's railways, that a sufficient quantity of sound and suitable rolling stock and other plant and stores for efficiently and economically working the traffic on the Company's said railways should be purchased, and also that such additional rolling stock and plant should be purchased as shall become necessary for the increase of traffic:

And whereas the completion of the Company's railways and works would be of great local and public advantage, and further would be of great benefit and advantage to the creditors and shareholders of the Company:

And whereas it is expedient, in order to the completion of the said railways, that the time granted by the Act of 1865 for the construction of the railways by that Act authorised should be extended, and that the Company should be empowered to alter the levels of so much of the line of railway thereby authorised as is shown upon the plans and sections deposited with reference to this Act:

And whereas it is expedient that the powers granted by the Act of 1866, for the purchase of lands and property compulsorily, and the construction of the railways thereby authorised, should be revived and extended, and that powers should be given to the Company to make such alterations in the levels of so much of the railways authorised by the said Act as is shown upon the said plans and sections, and that the capital authorised to be raised by the Act of 1866 for the purposes of that Act be made a separate capital:

And whereas in the present position of the Company it is impossible for them under their existing powers to raise capital for the completion of the railway and works authorised by the Act of 1865:

And whereas it is expedient that the Company should be authorised, for the purposes herein-after defined, to raise the sum herein-after mentioned by the issue of debenture stock which should have priority over all the mortgage debt and preferential share capital of the Company, and should form and be a first charge upon the undertakings of the Company authorised by the Act of 1863 and the Act of 1865:

And whereas the holders of the Company's mortgages to the extent of forty thousand five hundred pounds in value or thereabouts of the entire mortgage debt of the Company, and the holders of

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the preference shares in the Company to the extent of about forty-one thousand pounds of the entire preferential capital of the Company, have assented to this Act:

And whereas in order to enable the Company to keep their lines so far as they are now and shall be from time to time completed open for public traffic, and also ultimately to fulfil their engagements, it is expedient that during the period herein-after defined all suits, actions, executions, attachments, and other proceedings against the Company or their property, with reference to existing or accruing debts or liabilities, should be stayed, subject to the provisions herein-after contained:

And whereas plans and sections of the alterations of levels herein-before mentioned, with books of reference to the plans, have been deposited with the respective clerks of the peace for the counties of Buckingham and Northampton, and are herein-after referred to as the deposited plans, sections, and books of reference:

And whereas the purposes 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,)

Short title.

1. This Act may be cited for all purposes as "The Newport Pagnell Railway (Extension of Time and Finance) Act, 1870."

Interpretation clause.

2. In this Act, except where repugnant to the context, the following words have the following meanings:

The words "the Company" mean the Newport Pagnell Railway Company:

The word "mortgage" means and includes the debentures of the Company and any debenture stock created under this Act; and the word "mortgagee" means and includes the holder of any "mortgage" so defined as aforesaid:

The words "general creditor" mean any creditor of the Company other than a mortgagee:

The words "the Court" mean the High Court of Chancery.

Incorporation of general Acts.

3. Part II. of "The Railways Clause Act, 1863," relating to extension of time, and Part III. of "The Companies Clauses Act, 1863," relating to debenture stock, are (except when expressly varied by this Act) incorporated with and form part of this Act.

Extension of time for completion of railway authorised

4. The powers of the Company for the construction of the railway and works authorised by the Act of 1865 may be exercised within three years, but shall not be exercised after the expiration

of three years from the passing of this Act, and that period shall for all purposes be deemed to be the period limited by the Act of 1865 for the completion of such railway and works. by the Act of 1865.

Extension of time for purchase of lands under Act of 1866.

5. The powers conferred on the Company by the Act of 1866 for the compulsory purchase and taking of lands and other property for the purposes of the said Act shall be and are hereby revived, and the same may be exercised by the Company within three years, but shall not be exercised after the expiration of three years from the passing of this Act, and that period shall for all purposes be deemed to be the period limited by the Act of 1866 for the compulsory purchase and taking of lands and other property for the purposes of the said Act.

Extension of time for completion of railways authorised by Act of 1866.

6. The powers of the Company for the construction of the railways and works authorised by the Act of 1866 may be exercised within four years, but shall not be exercised after the expiration of four years from the passing of this Act, and that period shall for all purposes be deemed to be the period limited by the Act of 1866 for the completion of the railways and works by that Act authorised.

Power to alter levels on Olney extension.

7. The Company may alter the levels of so much of the line of railway authorised by the Act of 1865, as according to the deposited plans and sections referred to in that Act would be made and situate between the River Ouse in the parish of Sherrington and the same river in the parish of Emberton, and such alterations of levels shall be as the same are shown and delineated upon the deposited plans and sections.

Power to alter levels on the extension to Wellingborough.

8. The Company may alter the levels of Railway No. 2. authorised by the Act of 1866; firstly, between the turnpike road in the parish of Lavendon, numbered 1 upon the deposited plans referred to in the said Act, and a field in the parish of Bozeat, numbered 10 upon those plans; secondly, between a field in the said parish of Bozeat, numbered 22 upon the said plans, and a field in the parish of Wollaston, numbered 15 upon the said plans, and such alterations shall be as the same are shown and delineated upon the deposited plans and sections.

Stay of proceedings.

9. Save as is herein-after provided, from and after the passing of this Act no actions, suits, executions, attachments, or other proceedings against the Company or affecting the property thereof, except proceedings against the Company as carriers of goods or passengers, or in respect of liabilities contracted after the passing of this Act, shall be continued or commenced during the period herein-after defined and referred to as "the suspense period," unless with the leave of the Court, and upon such terms as the Court may impose: Provided that the costs of any actions, suits, executions,

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attachments, or other proceedings against the Company or affecting the property thereof, which shall be discontinued pursuant to this enactment, shall be in the discretion of the Court, and if allowed shall be added to the debt.

Application of money in Court and in hands of receiver.

10. From and after the passing of this Act the functions of the receiver appointed on behalf of the mortgagees of the Company as herein-before mentioned shall, as regards all tolls or sums of money thereafter accruing, absolutely cease, and upon the application of the directors of the Company, or of the plaintiff on behalf of the mortgagees, the Court may in its discretion in the first place provide out of any sums standing to the credit of the cause or in the hands of the said receiver for all the costs of the cause and such other payments as the Court may direct, and may in its discretion direct the balance of all such sums as aforesaid to be transferred to the Company, and may in its discretion discharge the said receiver upon passing his accounts.

Suspense period defined.

11. The suspense period shall be a period of five years from the passing of this Act.

Cancelling part of Company's capital under Act of 1863, and borrowing powers under Act of 1866.

12. Seventeen thousand six hundred and fifty pounds of the share capital by the Act of 1863 authorised to be raised are hereby cancelled, and the Company shall not borrow any money under the Act of 1866.

The Company may create and issue special debenture stock.

13. The directors of the Company may create and issue in the name of the Company debenture stock, bearing interest at a rate not exceeding five pounds per centum per annum, to the amount of one hundred and ten thousand pounds, and such debenture stock shall be issued at par, and shall have priority over all the existing mortgages, preference shares, and ordinary shares of the Company, and shall form and be a first charge upon such of the undertakings of the Company as are authorised by the Act of 1863 and the Act of 1865; but none of the said debenture stock shall operate as a charge upon any superfluous lands which may at any time hereafter be conveyed by the Company, or shall prejudicially affect any specific lien or charge or incumbrance upon any such lands.

Application of debenture stock.

14. The said debenture stock, or the moneys to be raised by the issue thereof, shall be applied to the following purposes and according to the following priorities; that is to say,

1. In payment of the costs, charges, and expenses of and incident to the preparation and passing of this Act:
2. In payment of the purchase moneys, compensation, interest, and other costs, charges, and expenses in connexion with the acquisition of or negotiations in respect of land, and the cost of constructing accommodation works, now or hereafter

to become due or incurred in respect of the lands taken for the purposes of the railways and works of the Company authorised by the Act of 1863 and the Act of 1865, or either of them:

3. In completing the railway and works authorised by the Act of 1865:

4. In the purchase of rolling stock and plant:

5. In payment of all moneys now due or to become due in respect of principal or interest upon any of the existing mortgages of the Company:

6. In payment of the general creditors of the Company:

Provided that no person shall be bound to accept (unless he has agreed or shall agree to do so) debenture stock in payment of such purchase moneys, compensation, cost of accommodation works, principal, interest, debts, claims, costs, charges, and expenses as aforesaid.

Holders of debenture stock entitled to vote at Company's meetings.

15. At every meeting of the shareholders of the Company, every holder of the debenture stock by this Act created shall have the like powers of attending the meetings of the Company, and of voting thereat, whether in person or by proxy, as though he were a shareholder of the Company, and he shall, for the purpose of such voting and for all other purposes other than a declaration of dividend, be deemed a shareholder, and he shall be entitled accordingly to receive the like notice of meetings as the shareholders; and at every meeting every such holder of debenture stock shall be entitled to the same number of votes in respect of the stock held by him as he would have been entitled to had he been the holder of a like amount of share capital in the Company.

Powers to trustees and others.

16. All trustees, executors, and administrators, corporations, and married women, holding or being entitled to or interested in any existing mortgage of the Company, or to whom any purchase money for land taken by the Company may be due, and the guardians and committees respectively of any infants and lunatics respectively who may hold or be entitled to or interested in any such mortgage or purchase money, may accept and hold the said debenture stock, and may exercise all or any of the powers of voting or consenting, and other powers and discretions by this Act given to the holders of debenture stock.

Priorities of holders of different preference stocks and mortgages as between themselves.

17. Nothing in this Act contained shall prejudice, affect, or alter the rights or priorities of any class of existing preference stocks or mortgages in the capital of the Company in relation to any other class of such preference stocks or mortgages, but as between themselves the holders of such respective classes of preference stocks or

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mortgages shall retain the same rights and priorities as they had previous to the passing of this Act.

Mortgages, &c. discharged.

18. All mortgages and other liabilities of the Company hereinbefore mentioned, in payment whereof any debenture stock shall be issued under the powers of this Act, shall, upon such issue being made, be absolutely cancelled and extinguished.

Capital under Act of 1866 to be separate.

19. Section twelve of the Act of 1866, as far as it authorises the application of the share capital authorised to be raised under that Act to the purposes of the railways and works by the then existing Acts of the Company authorised, is hereby repealed, and accordingly the capital authorised by the Act of 1866 shall be a separate capital applicable only to the purposes of the railways authorised by the Act of 1866, and the holders of that capital shall alone be interested in the revenues arising from the traffic of the said last-mentioned railways, and shall not be interested in the revenues arising from any other of the Company's lines.

Saving rights of London and North-western Railway Company.

20. Nothing in this Act contained, whether as to the "suspense period" or otherwise, shall affect or be taken to affect any rights, privileges, claims, and demands of the London and North-western Railway Company against the Company, and the prosecution and enforcement thereof, but the same shall remain and be in all respects as if this Act had not passed.

Deposits for future Bills not to be paid *out of* Company's capital.

21. The Company shall not out of any money by this Act authorised to be raised pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any railway, or to execute any other work or undertaking.

Provision for general Railway Acts.

22. Nothing herein contained shall be deemed or construed to exempt the railways of the Company from the provisions of any general Act relating to railways, or to the better and more impartial audit of the accounts of railway companies, now in force, or which may hereafter pass during this or any future session of Parliament, or from any future revision and alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised to be taken by the Company.

Expenses of Act.

23. 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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CHAP. xxx.

An Act to incorporate the Eccleshill and Bolton Gas Company, Limited, and to make further provision for lighting certain parts of the townships of Eccleshill and Bolton with Gas; and for other purposes. [20th June 1870.] A.D. 1870.

WHEREAS in or about the year one thousand eight hundred and sixty-six a company was formed under the provisions of the Companies Act, 1862, with limited liability, and under the name of "The Eccleshill and Bolton Gas Company, Limited," to acquire or construct gasworks and gas apparatus, and to manufacture and supply gas within the townships of Eccleshill in the parish of Bradford in the county of York, and of Bolton in the parish of Calverley in the same county, and any township, parish, or place adjoining or near thereto, and for other the purposes mentioned in the memorandum of association of the said Company:

And whereas the said Company purchased a plot of land in the said township of Eccleshill containing two acres or thereabouts, and bounded on or towards the north-east and south-east by land belonging or reputed to belong to George Stott Stanhope, Esquire, on or towards the south-west by the centre of a certain road called the Furtherlings Road, and on or towards the north-west by property belonging or reputed to belong to Job Ackroyd, and constructed gasworks upon part of the said land, and have supplied and are now supplying gas within parts of the said townships of Eccleshill and Bolton:

And whereas the said Company are desirous of being reconstituted by the name of "The Eccleshill and Bolton Gas Company," and of having further powers granted to them for the purpose of more efficiently lighting with gas parts of the said townships of Eccleshill and Bolton, and of supplying gas to the inhabitants thereof:

And whereas the district comprised within the limits of the said Company, as proposed to be extended, is for the most part a manufacturing and mining district, and the buildings and population

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within the same are rapidly increasing, and a supply of gas thereto would be attended with great public and local benefit:

And whereas the said Company have no land except the land herein-before described, and it is expedient that they should be authorised to purchase land by agreement for the purposes of their undertaking, and that provision should be made for the sale of lands belonging to them and not required for the purposes of their undertaking:

And whereas by the memorandum of association of the said Company the capital of the said Company is fixed at twenty thousand pounds in four thousand shares of five pounds each, and they have allotted three thousand six hundred of such shares, whereof two thousand four hundred and ten shares are paid up and represent a capital of twelve thousand and fifty pounds, and one pound per share has been paid on eleven hundred and ninety more of such shares, and the remaining four hundred shares have not been allotted:

And whereas the whole of the said capital of twelve thousand and fifty pounds has been expended upon the undertaking, and the residue of the said capital of twenty thousand pounds will be inadequate to meet the increasing demands for gas upon the Company, and they have no power to borrow money on mortgage, and it is expedient that the Company should be authorised to raise more money as in this Act mentioned:

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 of the Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for any purpose be cited as The Eccleshill and Bolton Gas Act, 1870.

Incorporation of Company.

2. The Eccleshill and Bolton Gas Company, Limited, incorporated under the Companies Act, 1862, is hereby dissolved, and the several persons and corporations who immediately before the passing of this Act were proprietors of shares in such Company, and the several persons and corporations who shall hereafter subscribe to or become proprietors of shares in the undertaking, and their respective executors, administrators, successors, and assigns, shall be united into a company for the purpose of making and supplying gas, coke, tar, gas-lime, and ammoniacal liquor within the limits of this Act, and for continuing, extending, maintaining, and from time to time

renewing gasworks for that purpose on the premises by this Act vested in them, with proper works and conveniences connected therewith, according to the provisions of this Act and of the Acts and parts of Acts therewith incorporated, and for the purposes aforesaid such Company shall be incorporated by the name of The Eccleshill and Bolton Gas Company, and by that name shall be a body corporate, with perpetual succession, and shall sue and be sued, and shall have a common seal and power to hold lands for the purposes of the undertaking. A.D. 1870.

Provisions of General Acts herein named incorporated.

3. "The Companies Clauses Consolidation Act, 1845," Parts "I., II., and III." of "The Companies Clauses Act, 1863," relating respectively to cancellation and surrender of shares, to additional capital, and to debenture stock, as amended by the Companies Clauses Act, 1869, "The Lands Clauses Consolidation Act, 1845," (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement,) "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Gasworks Clauses Act, 1847," shall be and are hereby incorporated with this Act, except in so far as any of the sections or provisions of those Acts may be expressly varied by or be inconsistent with this Act.

Same meanings to words in this Act and in incorporated Acts.

4. Except as in this Act otherwise provided the several words and expressions to which meanings are assigned by the Acts or parts of Acts incorporated herewith, or any of them, shall in this Act have the meanings so assigned respectively, unless there be something in the subject or context repugnant to such construction; and the expression "the dissolved Company" in this Act shall mean the Eccleshill and Bolton Gas Company, Limited; and the expression "the Company" in this and the said incorporated Acts and parts of Acts shall mean the Company incorporated by this Act; and the expression "superior court" or "court of competent jurisdiction," or any other like expression in this or the said incorporated Acts and parts of Acts, 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.

Lands of the dissolved Company vested in the Company.

5. All lands, tenements, and hereditaments which immediately before the passing of this Act were vested in or belonged to the dissolved Company, or any trustee or trustees for them, whether for an estate of freehold or for a term of years, shall in like manner and for the same estate or term respectively vest in or belong to the Company.

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Limits of Act.

6. The limits of this Act shall include so much of the township of Eccleshill in the parish of Bradford as is situate southward of an imaginary line drawn from a point where the public footpath from Idle Green in Idle to Bank Top in Eccleshill crosses the brook called Haigh Beck to but not including a dwelling house occupied by one John Hammond situate on the south-eastern side of a certain road called Eccleshill Bank, and of another line drawn from the said dwelling house along the centre of Eccleshill Bank to where it joins the Dudley Hill and Killinghall turnpike road, thence along the centre of the said turnpike road for a distance of four hundred and fifty-five yards, measured from the Foresters Inn, to near the lodge of Colonel Stanhope, and thence direct east (excluding the house, stables, and garden of the said Colonel Stanhope) to the eastern extremity of the said township of Eccleshill, and so much of the township of Bolton in the parish of Calverley as is situate eastward of the centre line of the public footpath leading from Spinkwell Dyehouse in Bradford to Low Bolton, and of the centre line of the occupation road called New Road, extending from Low Bolton to Delf Hill, and of a line drawn from the point at Delf Hill where the said road called New Road joins Wood Lane to the south-western terminus of Westfield Lane in the township of Idle in the said parish of Calverley: Provided always, that the said dwelling house occupied by the said John Hammond, and (so far as relates to the public lamps) the south-eastern moiety of so much of the said road called Eccleshill Bank as lies between the said dwelling house and the point where the said road joins the Dudley Hill and Killinghall turnpike road shall not be deemed to be within the said limits.

Power to lay down mains and pipes through part of Idle intervening between Eccleshill and Bolton.

7. And whereas in order to enable the Company to supply with gas certain parts of the township of Bolton included within the limits of this Act it is expedient that they should lay down mains and pipes through a portion of the township of Idle in the said parish of Calverley which intervenes between portions of the townships of Eccleshill and Bolton: Be it enacted, that the Company may from time to time lay down, maintain, alter, replace, and repair mains and pipes in and along the following roads and lanes in the township of Idle, that is to say, in and along Norman Lane from the boundary between the townships of Eccleshill and Idle to the Five Lane Ends; in and along Idle Lane from the Five Lane Ends to the road leading from Idle Lane to Bolton Hall; in and along the said road leading from Idle Lane to Bolton Hall; in and along the road or highway from Five Lane Ends to Bolton Outlanes, and in and along the highway called Old Lane leading from Idle Lane to Delf Hill in the township of Bolton; and the said lanes and roads shall for the purpose of laying and of from time to time repairing, renewing,

and maintaining such mains and pipes be deemed to be within the limits of this Act; and the provisions of the Gasworks Clauses Act, 1847, with respect to the breaking up of streets for the purpose of laying pipes shall be applicable to the said lanes and roads accordingly, but it shall not be lawful for the Company, except with the consent of the Airedale Gas Company, to supply gas from any such mains or pipes to any lamps or premises within the township of Idle.

Mains personal property, and choses in action of dissolved Company vested in the Company.

8. All the mains, pipes, and works purchased or provided and laid down or placed in any road, street, or other place or land within the limits of this Act by the dissolved Company, or immediately before the passing of this Act belonging to the dissolved Company, and all the personal estate, effects, and other property of the dissolved Company, of what nature or kind soever, and wherever fixed, laid, situate or being, and all claims and demands, rights, remedies, and choses in action of the dissolved Company, shall be and the same are hereby vested in the Company.

Conveyances, leases, &c. to remain in force.

9. All purchases, sales, conveyances, leases, mortgages, bonds, debentures, contracts, agreements, securities, orders, resolutions, proceedings, and other acts and things before the passing of this Act made, done, entered into, executed, or instituted by, from, with, to, for, or on behalf of the dissolved Company, shall be good, valid, and effectual to all intents and purposes whatsoever for, against, or with reference to the Company in like manner and to the same extent as but for the passing of this Act they would have been good, valid, and effectual for, against, or with reference to the dissolved Company, and may be enjoyed, proceeded on, and enforced accordingly.

Continuing liability of dissolved Company.

10. The Company shall with reference to every act done or left undone, and with respect to every liability of what nature or kind soever incurred by the dissolved Company prior to the passing of this Act, or which would have been incurred by them if they had not been dissolved by this Act, be considered as identical with the dissolved Company in like manner in all respects as if this Act had not been passed and the Company were the dissolved Company.

Actions not to abate.

11. No action, suit, prosecution, or other proceeding commenced either by or against the dissolved Company before the passing of this Act shall abate or be discontinued or prejudicially affected by or in consequence of the dissolution of such Company, but on the contrary the same respectively shall continue and take effect in favour of or against (as the case may be) the Company in like manner in all respects as they would have continued or taken effect in favour of or against the dissolved Company if this Act had not been passed; and

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all offences committed or penalties incurred before the passing of this Act may be prosecuted, enforced, or sued for by or against the Company in like manner as but for the passing of this Act they might have been prosecuted, enforced, or sued for by or against the dissolved Company.

Judgment in respect of existing liabilities may be enforced against individual shareholders.

12. If any judgment, decree, or order be at any time after the commencement of this Act obtained against the Company in respect of any debt or liability owing or incurred, or in respect of any contract made or tort committed by the Company before the commencement of this Act, and be not fully satisfied out of the property of the Company, then and in every such case the judgment, decree, or order may be enforced and execution thereon issued against the property and effects of any person who was a member of the Company immediately before the commencement of this Act, or at the time when the contract was made or the tort was committed in respect of which the debt or liability accrued or was incurred, and legally responsible in respect of such debt or liability to the same extent as if this Act had not been passed.

Reimbursement of shareholders in such case.

13. Every person against whom or against whose property or effects any such judgment, decree, or order is enforced shall be entitled to recover against the Company all loss, damage, costs, and charges which he incurs by reason of the execution, and shall be entitled to contribution for so much thereof as remains unsatisfied from the several other persons against whom execution on the judgment, decree, or order might in accordance with this Act have been issued, and the contribution may be recovered in like manner as contribution in ordinary cases of copartnership.

Debts due to or by the dissolved Company to be paid to or by the Company.

14. All persons who immediately before the passing of this Act owed any sum of money to the dissolved Company, or to any person on their behalf, shall pay the same, with all interest (if any) due or to accrue 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 dissolved Company, or for the payment of which the dissolved Company were or but for the passing of this Act would have been liable, shall be paid, with all interest (if any) due or to accrue thereon, by or be recoverable from the Company.

Rates or rents to be recovered.

15. All rates, rents, and sums of money which but for the passing of this Act would have been due and payable to the dissolved Company shall be paid to the Company, and shall be recoverable as rates or rents under this Act.

Trustees of the dissolved

16. Every trustee or other person in whom or in whose name any lands, works, erections, buildings, or property belonging to the

dissolved Company were or was vested immediately before the passing of this Act, and who, being duly authorised so to do, shall have entered into any bond, covenant, contract, or engagement in respect of or with reference to such lands, works, erections, buildings, or property, or shall have entered into any other contract on behalf of the dissolved Company, shall be indemnified and saved harmless out of the funds or property of the Company from all liability and against all loss, costs, charges, and expenses which he may sustain, incur, or be put unto by reason or in consequence of his having entered into any such bond, covenant, contract, or engagement.

Company to be indemnified.

17. The secretary, clerk, and every other officer and servant appointed previous to the passing of this Act shall hold and enjoy his office and employment, together with the salary or emoluments thereunto annexed, and be deemed an officer or servant of the Company, until he shall resign or be removed from such office or employment; and such secretary, clerk, officer, or servant shall have the like power and authority for the purposes of this Act and for carrying the same into execution, and shall be subject and liable to the like power of removal, and the like pains and penalties, and to the like rules and regulations, in all respects whatsoever as if he had been appointed under the authority of this Act.

Officers to continue until removed.

18. All certificates of shares in the undertaking of the dissolved Company (until cancelled under the powers of this Act), and all sales, transfers, and dispositions heretofore made or executed of or relating to such shares, shall remain in full force and continue and be available in all respects as if this Act had not been passed.

Certificates are to remain in force.

19. It shall be lawful for the Company, subject to the provisions contained in this Act and the Acts and parts of Acts incorporated herewith, to erect, continue, extend, maintain, and from time to time renew such gasworks, apparatus, erections, and buildings, with approaches thereto respectively, upon the lands by this Act vested in them as aforesaid, or which they may acquire under the provisions of this Act, as they may think proper, and to maintain and continue all mains, pipes, and other works and apparatus already laid down or constructed by the dissolved Company for the purposes of conveying gas within the limits of this Act, and to repair and renew the same from time to time, and to lay down and maintain such other mains, pipes, and other apparatus as may be necessary for the purposes aforesaid, and to do all such other acts as they may consider necessary or proper for supplying the inhabitants, and all public and private buildings, and all public and private lamps, within the limits of this Act, with gas, and also to manufacture or purchase and to contract for gas and for the supply thereof, and to sell gas, and to

Power to the Company to continue and carry on works.

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demand and take rents and charges for the supply thereof, and to manufacture, sell, provide, supply, and deal in coal, coke, tar, pitch, gas-lime, asphaltum, ammoniacal liquor, oil, and other matter the residuum or product of any coal or other material which may be used by them in the manufacture of gas, and also to make or convert tar, pitch, ammoniacal liquor, and any other residuum or product into dyewares or other material, and to deal in the same, and also to make and sell or deal in gas fittings, tubes, meters, pipes, and all other articles and things in any way connected with gasworks or with the supply of gas to the consumers thereof, in such manner as the Company may think proper; but it shall not be lawful for the Company to erect any works for the manufacture of gas or to manufacture gas upon any land except the land in and by this Act described and vested in the Company, and it shall not be lawful for the Company to store gas except upon the said land without the previous consent in writing of the owner, lessee, and occupier of every dwelling house situate within three hundred yards of the limits of the site where such gas is intended to be stored; and nothing in this Act contained shall prevent the Company from being liable to an indictment for nuisance, or to any other legal proceeding to which they may be liable in consequence of any such operations as aforesaid.

Power to purchase additional lands.

20. The Company may from time to time purchase by agreement and hold for any of the purposes of this Act, except the manufacture of gas or the erection of buildings for the manufacture of gas, any lands within the limits of this Act: Provided that they shall not hold at any one time a greater quantity of land than two acres in addition to the lands in and by this Act described and vested in the Company: Provided also, that they shall not store gas upon any such additional lands without the previous consent in writing of the owner, lessee, and occupier of every dwelling house situate within three hundred yards of the limits of the site where such gas is intended to be stored.

Sale of superfluous lands.

21. The Company may at any time hereafter sell and dispose of any lands belonging to them or which they may hereafter acquire, and which are not required for the purposes of the Company, and the provisions of the Lands Clauses Consolidation Act, 1845, sections 128 to 132 (both inclusive), shall apply to any such sale; and the Company may also from time to time sell and dispose of any works, buildings, or erections on any lands belonging to them which are not required for the purposes of the Company.

Capital.

22. The capital of the Company shall be twenty thousand pounds, subject to augmentation as herein-after mentioned, and shall be divided into two thousand shares of ten pounds each, subject to

the provisions herein-after contained as to the creation of half shares of five pounds each.

Application of new capital.

23. Subject to the provisions of this Act, eighteen thousand pounds of the said capital shall be appropriated to the several persons and corporations who immediately before the passing of this Act were proprietors of or interested in the capital of the dissolved Company in proportion to their respective shares or interest at that time in the capital of the dissolved Company, and so much of the said eighteen thousand pounds as is equal to the nominal value of all the shares in the said capital of the dissolved Company (other than shares held singly or odd shares remaining after dividing by two any odd number of shares held by the same person or persons) is hereby vested in the several persons and corporations who immediately before the passing of this Act were proprietors of or interested in the shares of the capital of the dissolved Company (other than the shares so held singly and such odd shares as aforesaid) in proportion to their respective shares or interests at that time in the capital of the dissolved Company, and subject to all calls and other payments to which the shares so held by them in such capital were liable at the passing of this Act.

Half shares to be created for certain purposes.

24. And whereas divers of the shareholders in the capital of the dissolved Company are the holders of one share only or of an odd number of shares in that capital: Be it enacted, that the Company may and shall at the first ordinary general meeting held after the passing of this Act create such number of shares (to be called half shares) of five pounds each in the capital of the Company as shall be equal to the number of single shares in the capital of the dissolved Company which shall at the time of the passing of this Act be held separately as aforesaid, and of the single shares which will remain after dividing by two every odd number of shares held by the same shareholder or shareholders in the capital of the dissolved Company; and upon the creation of such half shares one of such half shares shall be appropriated to and be vested in the proprietor or proprietors respectively of each such single share as aforesaid, or his or their then legal representative or representatives: Provided always, that every two such half shares shall be deemed to represent and be in lieu of one of the shares of ten pounds each of which the capital of the Company is by this Act declared to consist, and all such half shares shall form part of the twenty thousand pounds of that capital by this Act appropriated to the proprietors of the dissolved Company: Provided also, that if at any time after the creation of such half shares two of such half shares shall become vested in the same person or persons or corporation, such two half shares shall immediately thereupon become ipso facto

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consolidated into one share of ten pounds, and shall for ever thereafter be dealt with accordingly.

Half shares to be numbered.

25. Such half shares shall be numbered consecutively, beginning with number one, and every such share shall be distinguished by its appropriate number; and after the consolidation of any half shares into shares of ten pounds each the last-mentioned shares shall be numbered consecutively next after the then existing shares of ten pounds each, and shall thenceforth be distinguished by their appropriate numbers.

As to the word "share" in incorporated Acts.

26. In construing this Act and 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 when necessary include "half share."

Company to call in and cancel existing shares.

27. The Company shall call in and cancel the existing certificates of the shares of the dissolved Company, and issue in lieu thereof certificates of the substituted shares 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 Company the loss or destruction thereof.

Existing trusts, &c. attached to new shares.

28. Every share so appropriated as aforesaid shall vest in the person or corporation entitled thereto upon the same trusts, and subject to the same powers, provisions, declarations, agreements, charges, liens, and incumbrances as immediately before the passing of this Act affected the then existing shares or share in the capital of the dissolved Company for which it is substituted, and so as to give effect to and not revoke any will or testamentary disposition of or affecting such then existing shares or share.

For enforcing payment of calls upon the unpaid shares.

29. The Company shall have the same rights, powers, and remedies for enforcing the payment of calls made or which hereafter may be made upon the proprietors of the unpaid shares in respect of the unpaid parts thereof respectively as they may have for enforcing the payment of calls upon any shares which may be created under the powers of this Act.

Power to raise additional capital by new shares.

30. In addition to the said capital of twenty thousand pounds it shall be lawful for the Company from time to time to raise by creation and issue of new ordinary or new preference shares or stock, or, at the option of the Company, partly by new ordinary and partly by

new preference shares or stock, such further sum or sums of money as they may think proper, not exceeding in the whole ten thousand pounds; but the amount of profits which the Company may divide in respect thereof shall not exceed the rate of seven pounds per centum per annum upon the amount for the time being paid thereon in the case of ordinary shares or stock, or six pounds per centum per annum upon the amount for the time being paid thereon in the case of preference shares or stock.

One fifth part of the shares to be paid on issue.

31. It shall not be lawful for the Company to issue any share, 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.

Receipt of guardians, &c. to be sufficient discharge.

32. If any money be payable to a 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.

33. 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 seven thousand five hundred pounds, but no more than three thousand pounds of that money shall be borrowed until the whole of the said original capital of twenty thousand pounds shall have been bonâ fide subscribed and issued, and one half of that amount shall have been actually paid up; and when the said original capital of twenty thousand pounds shall have been bonâ fide subscribed and issued, and one half of that amount shall have been paid up, then no more than five thousand pounds of that money shall be borrowed until the whole of the said additional capital of ten thousand pounds shall have been bonâ fide subscribed and issued, and one half of that amount shall have been actually paid up; and the Company shall not borrow more than the said sum of three thousand pounds until the Company shall 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 all the said original capital of twenty thousand pounds so far as relates to the said sum of five thousand pounds, or that all the said additional capital of ten thousand pounds so far as relates to the said sum of seven thousand five hundred pounds, has been issued and accepted, and that one half of the said amount of twenty thousand pounds or ten thousand pounds, as the case may be, has been paid up, and that not less than one fifth part of each separate share has been paid up on account thereof before or at the time of 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

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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.

Power to issue debenture stock.

34. The Company may create and issue debenture stock at any rate of interest not exceeding the rate of five pounds per centum per annum.

For appointment of a receiver.

35. 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 authorise 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 five hundred pounds in the whole.

Application of moneys.

36. All moneys raised under this Act by the Company, whether by shares or by borrowing, shall be applied only to the purposes by this Act authorised.

Number of directors.

37. Subject to the provisions herein-after contained for reducing the number of directors, the number of directors shall be nine, of whom four shall be a quorum.

Qualification of directors.

38. No person shall be capable of being a director unless he be possessed in his own right of ten paid-up shares in the capital of the Company, and shall have been possessed thereof for three calendar months at least previously.

Disqualification of directors.

39. If any director of the Company shall be declared bankrupt, or shall suspend payment, or shall make any general composition with his creditors, or shall be declared lunatic, then and in any such case he shall forthwith cease to be and shall become disqualified to act as a director.

First directors.

40. The persons who immediately before the passing of this Act were directors of the dissolved Company shall be the directors of the Company until the general meeting to be held in the month of February after the passing of this Act.

Power to vary the number of directors.

41. It shall be lawful for the Company from time to time to reduce the number of directors, but so that the whole number of directors shall not be less than three, and if at any time the number shall not exceed three the quorum of a meeting of directors shall be two.

First and other general meetings.

42. The first general meeting of the shareholders of the Company shall be held within three months of the passing of this Act, and a general meeting shall be held in the months of February and August in every succeeding year, and all meetings of the Company, whether

ordinary or extraordinary, shall be held at some place within the limits of this Act, to be appointed by the directors: Provided always, that the books of the Company need not be balanced before the thirty-first day of December one thousand eight hundred and seventy, unless the Company shall so direct.

Quorum of general meetings.

43. The quorum for a general meeting shall be ten proprietors, holding in the aggregate one thousand pounds at the least of the capital of the Company.

Number of shareholders who may convene a meeting.

44. The number of shareholders who may convene extraordinary meetings of the company shall be twenty, holding in the aggregate one thousand pounds at least of the capital of the company.

Meetings of the Company convened by directors to be so convened by letter to each proprietor.

45. All meetings of the Company, whether ordinary or extraordinary, which shall be convened by the directors shall be so convened by letter delivered or sent by the post to each proprietor, addressed to his place of abode as described in the register of proprietors, five days at least before the day appointed for such meeting.

Printed copy of balance sheet and auditor's report to be sent to proprietor.

46. The directors shall, five days at least before each ordinary meeting of the Company, send a printed copy of the balance sheet and auditor's report to every proprietor according to his registered address, and shall at such meeting of the Company cause such report to be read, together with the report of the directors.

Limiting price of gas.

47. It shall not be lawful for the Company to charge within the limits of this Act a higher price for gas than five shillings per thousand cubic feet.

Company may require consumers to use meters.

48. Every consumer of gas supplied by the Company shall, upon the request of the Company, consume the gas so supplied by a meter approved by the Company.

Consumer to keep his meter in proper order.

49. Every consumer of gas of the Company shall at all times, at his own expense, keep all meters belonging to or used by him, whereby any gas of the Company is registered, in proper order for correctly registering such gas, in default whereof the Company may cease to supply gas through such meter, and the Company shall have access to and be at liberty to take off, remove, test, inspect, and replace the same at all reasonable times, such taking off, removal, testing, inspecting, and replacing to be done at the expense of the Company if the meter be found in proper order, but otherwise at the expense of the consumer.

Power to the Company to let meters.

50. The Company may let for hire any meter for ascertaining the quantity of gas consumed or supplied, and any fittings thereto,

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for such remuneration in money and on such terms, with respect to the repair of such meter and fittings and for securing the safety and return to the Company of such meter, as may be agreed upon between the hirer and the Company, and such remuneration shall be recoverable in the same manner as the rents or sums due to the Company for gas; and such meters and fittings shall not be subject to distress for rent of the premises where the same may be used, nor to be taken in execution under any process of a court of law or equity, or any proceedings in bankruptcy, against the persons in whose possession the same may be.

Meters not liable to distress for rent or to executions.

Register of gas meters to be primâ facie evidence.

51. The register of the meter shall be primâ facie evidence of the quantity of gas consumed by any customer of the Company, and in respect of which any rent is charged and sought to be recovered by the Company: Provided always, that if any meter becomes defective, or if in any case the Company has reason to believe that the quantity of gas appearing by the register to have been consumed is not the quantity actually consumed, the Company may charge and recover in respect of the quantity actually consumed; and if the Company and the customer differ as to the quantity, such difference shall be determined upon the application of either party by two justices, who may also order and direct by which of the parties the costs of and relating to the proceedings before them shall be paid.

Incoming tenants not liable to pay arrears of gas rents, &c.

52. In case any consumer of the gas of the Company shall leave the premises where such gas has been supplied to him without paying to the Company the gas rent or meter rent due from him, the Company shall not be entitled to require from the next tenant of such premises the payment of the arrears left unpaid by the former tenant, unless such incoming tenant shall have undertaken with the former tenant to pay or exonerate him from the payment of such arrears.

Penalty for injuring meters.

53. Every person who shall wilfully, fraudulently, or by culpable negligence injure or suffer to be injured any meter or fittings belonging to the Company, or shall fraudulently alter the index to any meter, or shall prevent any meter from duly registering the quantity of gas supplied, or shall fraudulently consume or use the gas of the Company, shall (without prejudice to any other right or remedy for the protection of the Company or the punishment of the offender) for every such offence forfeit and pay 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; and in any case in which any person shall have wilfully or fraudulently injured or suffered to be injured any meter or fittings belonging to

the Company, or shall have fraudulently altered the index to any meter, or prevented any meter from duly registering the quantity of gas supplied, the Company may also discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing) for the space of six months from the commencement of such discontinuance; and the existence of artificial means for causing such alteration or prevention when such meter shall be under the custody or control of the consumer shall be primâ facie evidence that such alteration or prevention, as the case may be, has been fraudulently, knowingly, and wilfully caused by the consumer using such meter.

Power to remove meter and fittings.

54. In all cases in which the consumer shall cease to require a supply of gas, and in all cases in which the Company are authorised to take away and cut off the supply of gas from any land or house under the provisions of this Act, it shall be lawful for the Company, their officers or workmen, after forty-eight hours notice in writing under the hand of the secretary of the Company to the occupier, or if unoccupied then to the owner or lessee, of any land, house, or building in which any pipes, mains, meters, fittings, or apparatus belonging to the Company are laid or fixed, and through or in which the supply of gas shall from any cause be discontinued, to enter such land, house, or building between the hours of nine in the morning and four in the evening for the purpose of removing and to remove such pipes, mains, meters, fittings, or apparatus, repairing all damage caused by such entry or removal; and every such notice shall be served by being delivered to the person for whom it is intended, or by being left at his usual or last known place of abode, or sent by post addressed to such person, or if such person or his address be not known to the Company, and cannot after due inquiry be found or ascertained, then by being affixed for three days to some conspicuous part of such land, house, or building.

Power of the Company to contract for lighting streets.

55. It shall be lawful for the Company or their directors from time to time to enter into or make any contract or agreement with any local board of health, surveyors, or other person or persons having the control, direction, or management of any highway, street, or bridge within the limits of this Act, for lighting and supplying the same or any part thereof with gas, or for providing the same with lamp pillars and posts, lamp brackets, lamps and glasses, and for the repair thereof respectively, in such manner, under such conditions, and upon such terms as shall be agreed upon between the Company and such local board, surveyors, or persons respectively.

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As to quality of gas.

56. All the gas supplied by the Company shall be of such quality as to produce from an argand burner having fifteen holes and a seven-inch chimney, and consuming five cubic feet of gas per hour, a light equal in intensity to the light produced by fourteen sperm candles of six in the pound, burning one hundred and twenty grains per hour.

Test meters to be erected.

57. The Company shall within six months after the passing of this Act cause to be erected in some convenient part of their works an experimental meter, furnished with an argand fifteen-hole burner and a seven-inch chimney, or other approved burner and chimney capable of consuming five cubic feet of gas per hour, and so placed as to test all the gas produced or consumed by the Company, with other necessary apparatus for testing the illuminating power of the gas.

Consumers may appoint inspector of gas.

58. Any consumers of gas of the Company, not being less than five, may by order in writing appoint some competent person to proceed to the works of the Company for the purpose of testing the illuminating power of the gas supplied by the Company, and the person so employed may at any reasonable hour in the daytime, on producing such order, enter on the premises of the Company, and in the presence of the superintendent or other officer of the Company make experiment of the illuminating power of the gas passing through such experimental meter as aforesaid; and if it shall be proved to the satisfaction of any two justices acting for the petty sessional division of Bradford aforesaid, and not being proprietors of shares of the Company, after hearing the parties, that the gas supplied by the Company did not when so tested equal the illuminating power required by this Act, or that the Company or their officers hindered or prevented such experiment being made, in any such case the Company shall forfeit such sum not exceeding twenty pounds for each offence as the justices shall determine.

Costs of experiment.

59. The costs and expenses attending any such experiment shall be ascertained by the said justices, and shall be paid by the Company in the event of their being convicted in any such penalty as aforesaid, but otherwise shall be paid by the consumers who appointed the person to test the gas.

Power to place pipes against buildings.

60. The Company, with the consent of the owner or occupier of any building, may lay any pipe, branch, or other necessary apparatus from any main or branch pipe into, through, or against any building for the purpose of lighting such building, or any street, road, or public building or place, and may provide and set up any

apparatus necessary for securing to such building, street, road, public building, or place a proper and complete supply of gas, and for measuring and ascertaining the extent of such supply, and may from time to time repair, replace, alter, or discontinue and remove any such pipe, branch, or apparatus.

Recovery of rents.

61. If any person supplied with gas, or any gas meter or fittings, by the Company neglect to pay to the Company the rent due for the same, or the money due to the Company for the hire or fixing thereof, or any expenses lawfully incurred by the Company in cutting off the gas from the premises of such person, it shall be lawful for the Company or the directors, or any person acting under their authority, to summon the party in default before a justice, and the justice may order that the sum so due, or any part thereof, together with the costs of the summons, order, and warrant of distress, may be levied by distress and sale of the goods and chattels of the person neglecting to pay the same, wherever such goods and chattels may be found, the surplus (if any) being rendered to the person so neglecting to pay, after deduction of the necessary charges for such distress and sale, and the justice shall ue his warrant accordingly.

Recovery of sums by action.

62. Whenever any person neglects to pay any rent or sum due to the Company, the Company may recover the same, with full costs of suit, in any court of competent jurisdiction, and the remedy of the Company under this enactment shall be in addition to their other remedies for the recovery of such rent or sum.

Contents of warrant.

63. Any summons or warrant 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.

Warrant shall include costs.

64. Any justice who issues a warrant of distress for any of the purposes of this Act may order that the costs of the proceedings for the recovery of the money to be levied shall be paid by the person liable to pay such money, and such costs shall be ascertained by the justice and shall be included in the warrant of distress for the recovery of such money.

Penalties not accumulative.

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

Liability to gas rate not to disqualify justices.

66. No justice shall be disqualified from acting in the execution of this Act by reason of his being liable to the payment of any gas rent, rate, or other charge under this Act.

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Expenses of Act.

67. All the costs, charges, and expenses of and incident to the passing of this Act and preparatory thereto shall be paid by the Company.

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