ANNO TRICESIMO

VICTORIÆ REGINÆ.

Cap. lxxi.

An Act for better supplying with Water the Parishes of *Camborne*, *Crowan*, and *Illogan* in the County of *Cornwall*. [31st *May* 1867.]

WHEREAS the present Supply of Water to the Parishes of *Camborne*, *Crowan*, and *Illogan* in the County of *Cornwall* is insufficient for the Wants of the Inhabitants thereof, and it is expedient to increase and improve such Supply, and for such Purposes to make and maintain the Works herein-after mentioned: And whereas Plans and Sections of the Reservoirs, Aqueducts, or Main Pipes, and other Works proposed to be made for the Purpose of affording a better Supply of Water as aforesaid showing the Line and Levels thereof, with a Book of Reference to such Plans, have been deposited with the Clerk of the Peace for the County of *Cornwall*, and those Plans, Sections, and Book of Reference are in this Act referred to as the deposited Plans, Sections, and Book of Reference: And whereas the Parties herein-after named, and others, are willing at their Expense to provide such increased and improved Supply, and to make and maintain the necessary Works for the Purposes aforesaid on being incorporated into a Company (in this Act called "the Company") for that Purpose: And whereas the Objects aforesaid cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it

enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title.

1. This Act may be cited for all Purposes as "The *Camborne* Water Act, 1867."

Limits of Act.

2. The Limits of this Act shall be the Parishes of *Camborne*, *Crowan*, and *Illogan* in the County of *Cornwall*.

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

3. "The Companies Clauses Consolidation Act, 1845," Parts I. and III. 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," are (except where expressly varied by this Act), incorporated with and form Part of this Act.

Interpretation of Terms.

4. In this Act the several Words and Expressions to which Meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction; the Expression "the Company" shall mean the Company incorporated by this Act, the Expression "the Undertaking" shall mean the Undertaking by this Act authorized or any Part thereof, and the Expression "Superior Courts" or "Court of competent Jurisdiction," or any other like Expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have Effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute.

Company incorporated.

5. *John Francis Basset*, *William Pester Chappel*, *William Bickford Smith*, *Arthur Champion Phillips Willyams*, *John Hoskin Budge*, *Charles Thomas*, *Thomas Hutchinson*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of supplying with Water the Inhabitants, Buildings, Lands, and Premises within the Limits of this Act, and for making and maintaining Waterworks for that Purpose, together with all proper Works and Conveniences connected therewith, and for other the Purposes of this Act, and for those Purposes shall be incorporated by the Name of "the *Camborne* Water Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes of this Act.

6. Subject

Power to make Works according to deposited Plans.

6. Subject to the Provisions of this Act, the Company may make and maintain in the Line and according to the Levels shown on the deposited Plans and Sections the several Works by this Act authorized and herein-after described, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Book of Reference as may be required for that Purpose.

The Works herein-before referred to and authorized by this Act are:—

1. A Reservoir herein-after called the *Cargenwyn* Reservoir, wholly in the Parish of *Crowan* and on the *Cargenwyn* Stream, between a Point about Eighty Yards to the East of the Place at which the Road from *Praze* to *Wendron* crosses the said Stream near to *Lower Cargenwyn* Farm, and a Point about Three hundred Yards to the West of the said Crossing:
2. A Conduit or Line of Pipes in the several Parishes of *Crowan* and *Camborne*, commencing in a Field or Croft in the said Parish of *Crowan* belonging to the Reverend *Hender Molesworth Saint Aubyn*, in the Occupation of *Thoma Thomas*, and numbered 2,809 on the Tithe Map of the said Parish, by a Junction with the said Reservoir, and terminating in the Parish and Town of *Camborne* at the South End of *De Dunstanville Terrace* near a House occupied by *John Rule Daniell*:
3. A Reservoir, herein-after called the *Crowan* Reservoir, wholly in the said Parish of *Crowan* and on the *Crowan* Stream, situated between the Point at which the Road from *Crowan* to *Buscaverran* crosses the said Stream and a Point Two hundred Yards to the East of the said Crossing:
4. A Conduit or Line of Pipes wholly in the said Parish of *Crowan*, commencing at the Source of the *Cargenwyn* Stream in a Field belonging to the Reverend *Hender Molesworth Saint Aubyn*, in the Occupation of *William Berryman*, and numbered 2,957 on the Tithe Map of the said Parish, and terminating at the East End of the said first-mentioned Reservoir on the *Cargenwyn* Stream in a Field belonging to the Reverend *Hender Molesworth Saint Aubyn*, in the Occupation of *Henry Berryman*, and numbered 2,857 on the Tithe Map of the said Parish:
5. An Adit or Driftway about Two hundred Yards long wholly in the said Parish of *Crowan*, commeneing at the above described Point of Commencement of the said last-mentioned Conduit or Line of Pipes at the Source of the *Cargenwyn* Stream, and terminating in a Field belonging to the Reevrend *Hender Molesworth Saint Aubyn*, in the Occupation of *Mary Berryman*, and numbered 2,962 on the Tithe Map of the said Parish.

7. The

Capital.

7. The Capital of the Company shall be Twelve thousand Pounds, in One thousand two hundred Shares of Ten Pounds each.

Shares not to issue until One Fifth paid up.

8. The Company shall not issue any Share created under the Authority of this Act, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth of the Amount of such Share shall have been paid in respect thereof.

Calls.

9. One Fifth of the Amount of a Share shall be the greatest Amount of a Call, and Three Months at least shall be the Interval between successive Calls, and Three Fourths of the Amount of a Share shall be the utmost aggregate Amount of the Calls made in any Year upon any Share.

Power to borrow on Mortgage.

10. The Company may from Time to Time borrow on Mortgage any Sum not exceeding in the whole Three thousand Pounds, but no Part thereof shall be borrowed until the whole Capital of Twelve thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such Capital has been subscribed for, issued, and accepted, and that One Half thereof has been paid up, and that not less than One Fifth Part of the Amount of each separate Share in such Capital has been paid on account thereof, before or at the Time of the Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, and upon Production to such Justice of the Books of the Company and of such other Evidence as he shall think sufficient, he shall grant a Certificate that the Proof aforesaid has been given, which shall be sufficient Evidence thereof.

Arrears may be enforced by Appointment of a Receiver.

11. The Mortgagees of the Company may enforce Payment of Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of a Receiver in respect of Principal, or Principal and Interest, the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than Three hundred Pounds in the whole.

Debenture Stock.

12. The Company may create and issue Debenture Stock.

Monies borrowed on Mortgage

13. All Monies to be borrowed on Mortgage under this Act, from the Time when the said Monies shall be advanced, and the Interest for

for the Time being due thereon, shall have Priority against the Company and the Property from Time to Time of the Company over all other Claims on account of any Debts incurred or to be incurred or Engagements entered into or to be entered into by them: Provided always, that such Priority shall not prejudice or affect any Claim against the Company or their Property in respect of any Rent-charge to be granted by them in pursuance of the Provisions of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained prejudice or affect any Claim or Lien in respect of any Land taken, used, or occupied by the Company for the Purposes of the Undertaking, or injuriously affected by the Construction thereof, or by the Exercise of any of the Powers by this Act conferred on the Company. to have Priority.

14. All Monies raised under this Act, whether by Shares, Debenture Stock, or borrowing, shall be applied for the Purposes of this Act only. Application of Monies.

15. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act. First Ordinary Meeting.

16. At all the Meetings of the Company every Holder of Three Shares and under shall be entitled to One Vote, and every Shareholder shall be entitled to an additional Vote for every Three Shares held by him beyond the First Three. Manner of voting at Meetings.

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

18. The Number of Directors shall be Seven, but it shall be lawful for the Company from Time to Time to reduce the Number, provided that the Number be not less than Five. Number of Directors.

19. The Qualification of a Director shall be the Possession in his own Right of not less than Ten Shares. Qualification of Directors.

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

21. *John Francis Basset*, *William Pester Chappel*, *William Bickford Smith*, *Arthur Champion Phillips Willyams*, *John Hoskin Budge*, *Charles Thomas*, and *Thomas Hutchinson*, shall be the First Directors of the Company, and shall continue in Office until the First Ordinary Meeting held after the passing of this Act; at that Meeting the First Directors. Election of Directors.

the Shareholders present in person or by proxy may either continue in Office the Directors appointed by this Act, or any of them, or may elect a new Body of Directors or Directors to supply the Place of those not continued in Office, the Directors appointed by this Act being, if qualified, eligible for Re-election; and at the First Ordinary Meeting to be held in every Year after the First Ordinary Meeting the Shareholders present in person or by proxy shall (subject to the Power herein-before contained for reducing the Number of Directors) elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained, and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by the same Act.

Lands for extraordinary Purposes.

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

Powers for compulsory Purchases limited.

23. The Powers of the Company for 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 for Completion of Works.

24. The Works by this Act 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 executing the Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed: Provided that nothing in this Act shall restrain the Company from extending their Reservoirs, Aqueducts, Mains, Pipes, Works, and Conveniences from Time to Time whenever they find it requisite for the Purposes of increasing their Supply of Water or supplying Water within the Limits of this Act.

Power to take Lands and Waters for Purposes of Act.

25. Subject to the Provisions of this Act, the Company may enter upon, take, and use for the Purposes of this Act such of the Lands, Streams, Reservoirs, and Waters shown on the deposited Plans and specified in the deposited Book of Reference as they think fit.

Power to take Water.

26. The Company from Time to Time, for the Purposes of their Undertaking, may intercept, take, and use the Waters from the Streams and Springs called or known as the *Cargenwyn* Stream, *Boswyn* Stream, and the *Crowan* Stream, and their Tributaries, Sonrces, and Springs, and divert into the intended Reservoirs, Aque-

ducts,

ducts, and Pipes the Waters of such Streams and Springs: Provided always, that, notwithstanding anything in this Act contained, the Company shall not at any Time intercept, take, use, or interfere with the Water of the *Crowan* Stream so as to diminish the present Supply of Water obtained by the *Creaver and Wheal Abraham United* Mining Company, Limited, from that Stream without the previous Consent in Writing of that Company, their Successors or Assigns, first had and obtained.

Owners may grant Easements.

27. Subject to the Provisions of "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," the Persons by that Act authorized to sell and convey or release Lands shall have full Power to grant to the Company any Easement, Liberty, or Privilege in or over or affecting any Lands, Streams, or Waters authorized to be taken by this Act; and the Provisions of "The Lands Clauses Consolidation Act, 1845," as amended by "The Lands Clauses Consolidation Acts Amendment Act, 1860," with reference to the Purchase of Lands by Agreement, shall extend to the Purchase by Agreement of Easements, Liberties, and Privileges in or over Lands.

Deviations.

28. In making the Works by this Act authorized the Company may deviate laterally to any Extent not exceeding the Limits of Deviation shown on the deposited Plans, and vertically to any Extent in case of Reservoirs not exceeding Three Feet, and in case of any other Work to any Extent not exceeding Five Feet: Provided that where any Work is to be made in any Road the Limits of lateral Deviation, if not otherwise shown on the deposited Plans, are the Boundaries of the Road.

Regulating Supply of Water from Crowan Stream.

29. The Supply of Water from the *Crowan* Stream shall be under the Conditions herein-after specified:

First. The Company shall not take or use the Waters of the said Stream or its Tributaries, Sources, and Springs, or any Water which now flows into the said Stream, until they have constructed and completed to the reasonable Satisfaction of the Engineer for the Time being of *John Heywood Hawkins* Esquire, his Heirs, Executors, Administrators, and Assigns, and of *Christopher Henry Thomas Hawkins* Esquire, as Tenant for Life under the Will of Sir *Christopher Hawkins*, deceased, and his Successors under the said Will, the *Crowan* Reservoir, with all proper Works and Conveniences connected therewith, and the Company shall thenceforth at their own Expense maintain the same to the like Satisfaction:

Second. The said Reservoir shall be of a Capacity of not less than Eight Millions of Gallons, and shall be provided, to the like

Satisfaction,

Satisfaction, with all proper Machinery, Apparatus, and Appliances for regulating the Passage of the Water contained therein in a suitable and convenient Manner down to the said Stream:

Third. After the said Reservoir is completed as aforesaid the Company shall once in each Year between the First Day of *January* and the First Day of *June* cause the same to be filled to its greatest Capacity:

Fourth. The Flow of Water from the said Reservoir down the said Stream shall not at any Time be less than Twenty Cubic Feet *per* Minute, and Gauges shall be placed and maintained by and at the Expense of the Company for measuring the Quantity of Water passing down the said Stream below the said Reservoir:

Fifth. If the Company shall make default in any of these Requirements, they shall, for every Day during which such Default shall be made, forfeit to the said *John Heywood Hawkins*, his Heirs, Executors, Administrators, and Assigns, and *Christopher Henry Thomas Hawkins* as Tenant for Life aforesaid, and his Successors, the Sum of Five Pounds, and such Forfeiture shall be recoverable as and for liquidated Damages, and not as Penalty, with Costs, in any Court of competent Jurisdiction, and that without Proof of special Damage:

Sixth. If the Company shall hereafter abandon their Works, it shall be lawful for the said *John Heywood Hawkins*, his Heirs, Executors, Administrators, and Assigns, and *Christopher Henry Thomas Hawkins* as Tenant for Life aforesaid, and his Successors, after Fifteen Days Notice in Writing to the Company or their Representative, to enter upon such Works, and to remove any Obstruction to the Flow of Water from the *Cargenwyn* Stream into the said Stream in like Manner as it has heretofore flowed, doing no more Damage than need be.

As to Cost of Land for Reservoir.

30. Whereas the *Cargenwyn* Reservoir is proposed to be constructed wholly on Lands now belonging or reputed to belong to the Reverend *Hender Molesworth Saint Aubyn* as Tenant for Life under the Will of the Reverend *John Molesworth Saint Aubyn* deceased, and the *Crowan* Reservoir is proposed to be constructed partly on Lands now belonging or reputed to belong to the said *Hender Molesworth Saint Aubyn*, and partly on the Glebe Lands of the Parish of *Crowan*, and the Construction of those Reservoirs will injure the Estates of which those Lands form Part: Therefore the Purchase Money which the Company shall pay for the Lands to be taken for the Construction of the said Reservoirs, or in connexion therewith, shall not be less than a Sum equal to One and a Half Times the Agricultural Value of those Lands, such Sum to be determined in accordance with the Provisions of "The Lands Clauses Consolidation Act, 1845."

31. Whereas

Annual Payment for Use of Water.

31. Whereas certain valuable Springs and Streams of Water on the said Lands now belonging or reputed to belong to the said Reverend *Hender Molesworth St. Aubyn* as Tenant for Life as aforesaid will be intercepted and diverted into the *Cargenwyn* Reservoir, and other Works by this Act authorized: Be it enacted, That the Compensation in respect thereof shall be a perpetual Rentcharge, to commence from the Time when the last-mentioned Reservoir is completed, such Rentcharge to be determined in accordance with and to be subject to the Provisions of "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," but not to be less than Fifty Pounds a Year.

As to Supply of Water for Clowance Manor Mill.

32. Whereas for the Purposes of the *Crowan* Reservoir, it is proposed to appropriate and use the Leat supplying *Clowance Manor* Mill, now belonging or reputed to belong to the said Reverend *Hender Molesworth St. Aubyn*: Therefore the Company shall, as Compensation, provide and cause to flow in a constant and uniform Stream from the said Reservoir to the said Mill a Quantity of Water sufficient for the due working of the same.

Free Supply of Water to the Village of Praze.

33. The Company shall erect and maintain at their own Expense a public Tap to provide a constant and sufficient Supply of Water free of Charge to the Inhabitants of *Praze* Village in the Parish of *Crowan*.

Company to construct Bye-waste.

34. The Company shall construct and for ever thereafter maintain at their own Expense, and to the reasonable Satisfaction of the Owner for the Time being of the Estate of *Cargenwyn*, a Bye-waste in connexion with the *Cargenwyn* Reservoir sufficient to carry off the surplus Waters of that Reservoir, and to protect the Lands of the said Estate from any Overflow or Leakage from the said Reservoir or the Works connected therewith, or the Surface Waters of the Lands above the said Reservoir.

Company to lay down Pipe for Village of Crowan Church Town.

35. And whereas the Inhabitants of the Village of *Crowan Church Town* now have, without Charge, a Supply of Water by means of a Watercourse from the *Cargenwyn* Water to the said Village, which Supply may be cut off by the Works by this Act authorized, and it is expedient to make Provision for a free Supply of Water to the said Village: Therefore the Company shall, when and so soon as the said *Cargenwyn* Reservoir is completed, lay down and for ever thereafter maintain in good Condition, in or near the Course of the said Watercourse, a Two-inch Pipe from and out of the said Reservoir to the said Village, for the Purpose of affording such Supply to the said Village, and with such Appliances and Conveniences connected therewith in the said Village, as will afford a constant and sufficient Supply of Water therefrom, for the free Use

of the Inhabitants of the said Village; and in lieu of the Water now supplied by means of the said Watercourse to Lands on either Side thereof, the Company shall in every Field on the Line of the said Pipe make and for ever maintain and keep filled with Water from the said Pipe a Trough or Cistern for the Use of Cattle, and the Company shall not make any Charge for the Water supplied by the said Pipe.

Regulating Supply of Water from Boswyn Stream.

36. The Company shall not for the Purpose of their Undertaking intercept, take, or use the Waters of the *Boswyn* Stream or its Tributaries, Sources, and Springs, without the Consent of the Trustees under the Will of the late *Edward William Wynne Pendarves*, and of the Tenant for Life of his Estates in *Cornwall*, who are herein-after called "the Owners."

As to Supply of Water to Pendarves.

37. The Company shall, if required by the Owners, within a reasonable Time provide a constant Supply of Water in a Two-inch Pipe to keep all the Tanks on the Top of the Mansion House of *Pendarves*, and elsewhere in *Pendarves*, full of Water for drinking and all other domestic Purposes, whether for the House, Stables, Out-offices, or Home Farm, including the washing of Carriages and the watering of Gardens, and the Company shall not supply any Person with Water for other than domestic Purposes unless the Company at all Times preserve such constant Supply.

Penalty in case of Default.

38. If the Company shall make Default in the last above-mentioned Requirement, they shall for every Day during which such Default shall be made forfeit to the Owners the Sum of Five Pounds, and such Forfeiture shall be recoverable as a Debt to the Owners.

Supply of Water under Pressure.

39. The Company shall not be compelled to carry Water to a higher Level than can be reached by the Pressure afforded by their Reservoirs.

Supply of Water to Tenements in a Row.

40. Where there are several Tenements in a Row, no Tenant or Occupier of any one of the Tenements, nor any Person on his Behalf, shall take or use the Water laid on by the Company to any other such Tenement unless the Tenant or Occupier be, in respect of the Tenement so occupied by him, rated under this Act for a Supply of Water, and every Person so taking or using Water or allowing the same to be used contrary to the Provisions of this Act shall for every such Offence forfeit and pay to the Company any Sum not exceeding Five Pounds.

Rates for Supply of Water for domestic Purposes.

41. The Company shall, at the Request of every Person entitled under this Act to demand a Supply of Water, furnish to the Occupier of

of every Dwelling House or Part of a Dwelling House to which the Request relates within the Limits in that Behalf of this Act a sufficient Supply of wholesome Water for the domestic Purposes, including One Watercloset, of every such Occupier, at any Rate not exceeding the following Rates; (that is to say,)

Where the yearly Value of the Premises supplied does not exceed Five Pounds, at a Rate not exceeding One Penny *per* Week:

Where the annual Value of a House or Part of a House shall exceed Five Pounds and not exceed Twenty Pounds, a yearly Rate not exceeding Seven Pounds *per Centum* on the annual Value of such House or Part of a House:

Where such annual Value shall exceed Twenty Pounds, a yearly Rate not exceeding Six Pounds *per Centum* on the Amount of such annual Value.

Rates for Water-closets and Baths.

42. The Company may charge in any One Year in respect of the First Bath supplied with Water in or belonging to any private Dwelling House the Sum of Ten Shillings, and in respect of every Watercloset beyond the first, and of every Bath beyond the first, the Sum of Five Shillings.

Rates payable quarterly in advance.

43. The Rates for a Supply of Water for domestic Purposes shall be payable in advance by equal quarterly Payments on *Lady Day*, *Midsummer Day*, *Michaelmas Day*, and *Christmas Eve* in every Year.

Water for other than domestic Purposes to be supplied by Agreement.

44. The Company may supply any Person with Water for other than domestic Purposes for such Remuneration and on such Terms and Conditions as are agreed on between the Company and the Persons desirous of having the Supply.

Regulation for Supply of Water.

45. The Company shall not be obliged to supply any Water unless the Pipes and Cocks and other Apparatus necessary for the Supply are constructed of such Strength, Material, and Size, and on such Principle as are required or approved by the Company, and are used so as to prevent the Waste or undue Consumption of the Water of the Company, and the Return of foul Air and other noisome or impure Matter into the Pipes belonging to or connected with the Mains or Pipes of the Company.

Incoming Tenant not liable to pay Arrears of Water Rate.

46. In case any Consumer of the Water of the Company shall leave the Premises where such Water has been supplied, without paying to the Company the Rate 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 agreed with the former Tenant to pay or exonerate him from the Payment of such Arrears.

47. All

Undisputed Rates may be recovered by Distress.

47. All Rates and Sums due to the Company, and all Damages, Costs, and Expenses by this Act directed to be paid, and the Amount whereof respectively is not disputed, may be levied by Distress after the Defaulter has been duly summoned, and any Justice, on Application by the Company, may and shall issue his Warrant accordingly.

Costs of Distress.

48. Any Justice who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of the Rate or Sum shall be paid by the Person liable to pay the Rate or Sum, and the Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of the Rate or Sum.

Several Names in One Warrant.

49. 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.

Liability to Rates not to disqualify Justices.

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

Penalties not cumulative.

51. 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 each of the several Acts incorporated therewith, shall be deemed a separate Act.

Expenses of Act.

52. All the Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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