ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. liv.

An Act for better supplying with Water the Town and Neighbourhood of *Over Darwen* in the County of *Lancaster*, and for affording a more regular and constant Supply of Water to the Mill Owners and others on the River *Darwen*.

[21st *June* 1847.]

WHEREAS an increased and constant Supply of pure and wholesome Water would be of great Advantage to the Inhabitants of the Town and Neighbourhood of *Over Darwen* in the County of *Lancaster*: And whereas it would be of great Advantage to afford in dry Seasons a better and more regular Supply of Water to the Mills and Manufactories upon the River *Darwen*, in the several Places of *Over Darwen*, *Eccleshill*, *Lower Darwen*, *Livesey*, *Tockholes*, *Blackburn*, *Witton*, and *Pleasington*, all in the County of *Lancaster*: And whereas it is ascertained that such a Supply can be obtained; and the several Persons herein-after named, together with others, are willing, at their own Expence, to make and maintain all the necessary Works for affording such Supply to the said Inhabitants, Mill Owners, and others; but such Object 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

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Companies Clauses Consolidation Act, 1845, the Lands Clauses Consolidation Act, 1845, and the Waterworks Clauses Act, 1847, shall be incorporated with and form Part of this Act, and shall be applicable to the Undertaking hereby authorized.

8 & 9 Vict. cc. 16. & 18. and 10 & 11 Vict. c. 17. extended to this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Darwen* Waterworks and Reservoirs Act, 1847."

Incorporation of Company.

III. And be it enacted, That *Charles Swainson*, *Charles Potter*, *Harold Potter*, *Roger Bury*, *Robert John Edmondstone*, *William Hutchinson*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking by this Act authorized, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purposes herein-after mentioned, and for such Purposes shall be incorporated by the Name of "The *Darwen* Waterworks and Reservoirs Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, with the Restrictions herein and in the said Acts contained.

Purposes of the Company.

IV. And be it enacted, That the Company shall be established for the Purpose of making, enlarging, and maintaining Reservoirs, Aqueducts, and Conduits, and for laying down Pipes, and executing all other necessary and convenient Works for supplying the Inhabitants of the Town and Neighbourhood of *Over Darwen* aforesaid with Water, and for the Purpose of affording a better and more regular Supply of Water to the Mills and Manufactories upon the River *Darwen*, in the several Places of *Over Darwen*, *Eccleshill*, *Lower Darwen*, *Livesey*, *Tockholes*, *Blackburn*, *Witton*, and *Pleasington* aforesaid with Water.

Capital.

V. And be it enacted, That Twenty-five thousand Pounds shall be the Capital of the Company.

Shares.

VI. And be it enacted, That the Number of Shares into which the said Capital shall be divided shall be One thousand two hundred and fifty, and the Amount of each Share shall be Twenty Pounds.

Calls.

VII. And be it enacted, That Two Pounds Ten Shillings *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Ten Pounds shall be the greatest aggregate Amount of Calls on each Share in any One Year, and Two Months at least shall intervene between the making of any Two successive Calls.

Qualification of Directors.

VIII. And be it enacted, That the Number of Directors of the Company shall be Six, and the Qualification of a Director shall be the Possession by him in his own Right of Forty Shares at the least in the said Undertaking.

IX. And

Directors named in the Act.

IX. And be it enacted, That *Charles Swainson*, *Charles Potter*, *Harold Potter*, *Roger Bury*, *Robert John Edmondstone*, and *William Hutchinson* shall be the first Directors of the Company.

Rotation of Directors.

X. And be it enacted, That the Directors shall go out of Office in the following Rotation; (that is to say,)

At the End of the First Year Two of those first appointed:

At the End of the Second Year Two of the Remainder of those first appointed:

At the End of the Third Year the Remainder of those first appointed:

And at the End of every subsequent Year Two of the Directors shall go out of Office.

Quorum.

XI. And be it enacted, That a Quorum of a Meeting of Directors shall be Three.

Power to borrow Money on Mortgage.

XII. And be it enacted, That after the whole of the original Capital of the Company shall have been subscribed, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond such Sums of Money as shall from Time to Time be authorized to be borrowed by an Order of a General Meeting of the Company, not exceeding in the whole the Sum of Eight thousand Pounds, and for securing the Repayment of the Money so borrowed, with Interest, to mortgage the Undertaking and the future Calls on the Shareholders of the Company, or to give Bonds in manner prescribed by the said Companies Clauses Consolidation Act, 1845.

Company empowered to take Springs.

XIII. And be it enacted, That, subject to the Restrictions and Provisions in this Act and the said recited Acts contained, it shall be lawful for the Company from Time to Time to divert or alter the Course and take and appropriate the Waters of certain Rivers, Brooks, or Streams of Water called the River *Darwen*, the *Earnsdale Brook*, *Sunnyhurst Brook*, *Smalley's* or *Kabe's Brook*, *Bury Fold Brook*, *Graining's Brook*, *Orrell Nook Brook*, *Hampson's Brook*, *Cornborow* or *Cranberry Brook*, *Lower Barn Brook*, *Bent Brook*, and *Jack Brook*, or some of them, and their respective Tributaries or Feeders, or some of them, in the Parish of *Blackburn* aforesaid, and also from such Springs and other Sources of Water as may be found in constructing and completing the said Undertaking.

Company empowered to construct Waterworks.

XIV. And whereas a Plan and Section, describing the Line and Levels of the intended Reservoirs, Aqueducts, and other Works, and the Lands through or upon which the same are intended to be made, and the Situation of the intended Reservoirs and Works, and a Book of Reference containing the Names of the reputed Owners, Lessees, and Occupiers of such Lands, have been deposited with the Clerk of the Peace for the County of *Lancaster*; be it enacted, That it shall be lawful for the Company, subject to the Restrictions herein contained, from Time to Time to make, construct, lay down, maintain, continue, alter, or discontinue such Waterworks, Reservoirs, Cisterns, Tanks, Aqueducts, Catchwater Drains, Cuts, Conduits, Engines, Waste-

Waste-gates, Stop-gates, Stop-cocks, Sluices, Banks, Roads, Bridges, Pipes, Culverts, Tunnels, Machinery, and other Works, and also such Houses and Buildings, upon the Lands, Brooks, Springs, and Streams delineated on the said Plans and described in the said Books of Reference, as they shall think proper, for supplying the Inhabitants within the Limits of this Act with Water, and for affording a more regular and constant Supply of Water to the Mill Owners and others on the River *Darwen*: Provided always, that nothing herein contained shall extend to authorize the Company to construct the auxiliary Reservoir defined upon the said Plan near to *Feinscowles* in the Townships of *Hoghton* and *Pleasington*, nor to exercise any of the Powers of this Act between the Junction of the Rivers *Roddlesworth* and *Darwen* and the Junction of the River *Darwen* with the River *Ribble*.

Rates at which the Company are to supply Water.

XV. And be it enacted, That the Company shall, at the Request of the Owner or Occupier, furnish to every Occupier of a private Dwelling House or Part of a Dwelling House within Twenty Yards of any Main or other Pipe of the Company a sufficient Supply of Water for the domestic Use of every such Occupier, at a Rate *per Centum per Annum* not exceeding Five Pounds upon the annual Rack Rent or Value of the Premises so supplied with Water: Provided nevertheless, that the Company shall not be entitled to receive from any such Owner or Occupier more than the Sum of Ten Pounds in any One Year for such Supply, nor shall the Company be obliged to furnish such Supply to any Occupier for any less Sum than Six Shillings in any One Year when paid in advance, or Seven Shillings and Sixpence a Year when in arrear; provided also, that a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, Horses, or Cattle, or for washing Carriages, or for any Trade or Business whatsoever.

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

XVI. And be it enacted, That it shall be lawful for the Company to supply any Person with Water for other than domestic Purposes at such Rent and upon such Terms and Conditions as shall be agreed upon between the Company and the Person desirous of having such Supply of Water.

Power to lease the Water Rates.

XVII. And be it enacted, That it shall be lawful for the Company to lease the whole or any of the Water Rates or Rents payable to the Company by virtue of this Act or otherwise for any Term not exceeding Three Years, and upon such Rents, Covenants, and Conditions as the Company shall think fit.

In case Rates reduced, the Reduction to be made in the first instance on Rates in respect of Supply of Water for domestic Purposes.

XVIII. And whereas under the Provisions of the said Waterworks Clauses Act, 1847, the Court of Quarter Sessions may, on the Petition of any Two Water-rate-payers within the Limits of this Act, appoint some Accountant or other competent Person, not being a Proprietor of any Waterworks, to examine and ascertain, at the Expence of the Company, the actual State and Condition of the Concerns of the Company, and make Report thereof to the said Court at the then present or some following Sessions (the Amount of such Expence to be determined by the said Court); and the said Court may examine any

any Witnesses upon Oath touching the Truth of the said Accounts, and the Matters therein referred to; and if it thereupon appear to the said Court that the Profits of the Company for the preceding Year have exceeded the prescribed Rate, the Company shall, in case the whole of the reserved Fund by the said Act required to be formed out of surplus Profits has been and then remains invested as provided by the said Act, and in case Dividends to the Amount by the said Act limited have been paid, make such a rateable Reduction in the Rates for Water to be furnished by them as in the Judgment of the said Court shall be proper, but so as such Rates when reduced shall ensure to the Company (regard being had to the Amount of Profit before received) a Profit as near as may be to the prescribed Rate: And whereas it is expedient that such Reduction should in the first instance take place in the Rates by this Act granted in respect of a Supply of Water for domestic Purposes; be it therefore enacted, That in any Case in which it shall appear to the said Court (under the Provision aforesaid) to be necessary to make any Reduction in the Rates or Assessments by this Act granted, the said Court shall in the first instance cause such Reduction to be made in the Rates or Assessments by this Act granted in respect of a Supply of Water for domestic Purposes, to such Extent as may be necessary, not exceeding the Rate of Five Pounds *per Cent. per Annum* upon the Amount of such last-mentioned Rates or Assessments for the then last preceding Year, before any Reduction shall be made in the Amount of the Rates or Assessments by this Act granted in respect of Falls of Water upon the said Streams and Brooks.

Company to supply Water for Mill Owners.

XIX. And be it enacted, That the said Company shall and they are hereby required to supply Water from the Reservoirs and other Works by this Act authorized to be made, for the Use of the Mills, Manufactories, and other Works situate upon the several Brooks and Streams in this Act mentioned, except such Mills, Manufactories, and other Works as are situated below the Junction of the River *Roddlesworth* with the River *Darwen*, such Supply of Water not being less than Eight Cubic Feet in respect of each such Reservoir, or than Sixteen Cubic Feet in respect of both the said Reservoirs together, *per* Second of Time, during Twelve Hours of every working Day, provided there shall from Time to Time be sufficient Water for that Purpose: Provided always, that in the event of the Supply of Water from such Reservoirs being at any Time less than the Quantity herein-before specified, the Rates or Assessments by this Act granted in respect of Falls of Water shall during the Continuance of such Deficiency be charged proportionably to the Quantity of Water actually supplied from the same respectively.

In case of Deficiency, Water to be first supplied for domestic Purposes.

XX. And be it enacted, That if at any Time there shall from Drought or any other Cause be a Deficiency in the Supply of Water in the said Reservoirs, it shall not be lawful for the Company to supply any Water to the Mills, Manufactories, and other Works on the said Brooks and Streams by means whereof the Supply of Water for domestic Purposes for the Time being required within the Limits of this Act shall be rendered insufficient.

Company to levy Rates.

XXI. And be it enacted, That it shall be lawful for the Company from Time to Time to make, assess, and levy such Rates or Assessments as are herein-after mentioned, to commence at such Time and to be paid at such yearly or half-yearly Periods as the Company shall think proper, upon all Occupiers of Mills, Factories, and other Premises now erected or hereafter to be erected upon or across the Line or Course of the said Brooks or Streams, or any of them, who shall hold, occupy, or employ any Fall of Water now taken up or hereafter to be taken up giving Motion to any Wheel, Engine, or other Machinery, or affording any Benefit or Advantage to such Mills, Factories, or other Premises situate between the Site of the several Reservoirs and Embankments hereby authorized to be made respectively and the Junction of the River *Roddlesworth* with the River *Darwen;* and the said Rates shall, subject to the Provisions herein-after contained, be imposed upon all such Occupiers as aforesaid in proportion to the Measurement or Depth of Fall of Water occupied by them respectively for the Purposes of giving Motion to any Wheel, Machine, or Engine, and such Measurement, in Cases where there shall be any fractional Part of an Inch, shall notwithstanding be reckoned to be as an entire Inch.

Rates to be proportioned to the Extent of Fall occupied.

Provisions for concurrent Occupiers of Falls.

XXII. And be it enacted, There where any Two or more Persons shall be concurrent Occupiers for any such Purposes as aforesaid of any Part of the said Brooks or Streams, or the Fall thereof, or the Water derived therefrom, the Proportion in which such Persons shall be liable to be assessed to the Rates hereby authorized to be imposed shall (in case of any Difference of Opinion on the Subject) be determined by a Referee or Referees to be appointed as herein-after mentioned, whose Charges shall be paid and defrayed by such concurrent Occupiers in equal Proportions, the same as if he or they had been retained or engaged by themselves in making such Valuation: Provided always, that in the meantime and until such Proportion shall be either agreed upon by the Parties or determined in manner aforesaid, and shall have been actually notified in Writing to the Company, the Company shall be at liberty to assess the whole of the Rate in respect of the Part of the Brooks and Streams, or the Fall thereof, or the Water derived therefrom, so concurrently occupied, upon any of the Persons so occupying the same, or upon all of them, in such Proportions as the Company shall judge proper.

In case of concurrent Occupation.

XXIII. Provided always, and be it enacted, That in all Cases in which any Part of the said Brooks or Streams, or the Fall thereof, shall be concurrently occupied by any Mill which shall be exempted from being assessed under this Act, and by any Mill or Works which shall be liable to be so assessed, the Proportion at which the Occupier of such last-mentioned Mill or Work shall be so rated and assessed shall be ascertained by a Referee or Referees, to be nominated in manner herein-after mentioned, and at the Expence of the Company.

Appeal.

XXIV. And be it enacted, That the Rate or Assessment to be made upon any such Occupier or Occupiers as aforesaid shall be subject to Appeal, as provided in the said Companies Clauses Consolidation Act, 1845.

For rating Works wherein no Water-wheels are used.

XXV. And whereas it may happen that certain Works may hereafter be erected or established upon the said Streams, the Occupiers of which may derive Benefit from the Supply of Water from the said Reservoirs and Works, although the same may not be used for giving Motion to any Wheel, Machine, or Engine, and it would be reasonable that such Works shall be rated and assessed for the Purposes of this Act; be it therefore enacted, That in every such Case the Company shall rate and assess such Works according to the Benefit and Advantage which may be received by the Occupiers respectively from the said Reservoirs and Works, or any of them, and the Amount of such Rate and Assessment (unless the Parties shall agree upon the same) shall be ascertained by a Referee or Referees, to be appointed in the Manner herein-after mentioned.

Company to agree as to special Rating with Occupier.

XXVI. And whereas there may be Cases in which it would be reasonable to exempt partially from the Rates to be levied under this Act the Occupiers of certain Mills and Works situate upon the said Streams, or which may be hereafter erected thereupon; and for enabling the Company so to do, as well as for saving the Costs of Reference in Cases where the Company and other Parties may be agreed, it is expedient that Effect be given to such Agreements as herein-after provided; be it therefore enacted, That in every Case in which any Mill or Works now erected or which may be hereafter erected or proposed to be erected upon the Streams or any of them shall appear to the Company to be a fair Subject for special Rating under this Act, and in every Case in which the Appointment of a Referee or Referees is provided for by this Act, if the Company shall agree with the Owner or Occupier of any such Mill or Works, or of any Fall of Water upon which any such Mill or Works may be erected or intended to be erected, as to the Proportion in which the said Mill or Works shall be rated and assessed to the Rates and Assessments to be levied under this Act, every such Agreement shall be reduced into Writing, and signed by the Chairman or Deputy Chairman or by any Three Directors of the Company and by such Owner or Occupier, and shall be deposited with the Clerk of the Peace of the County of *Lancaster*, and the true Copy thereof shall be entered amongst the Minutes of the Proceedings of the Company; and every such Agreement shall be binding and conclusive to all Intents and Purposes.

As to Appointment of Referees and Umpire.

XXVII. And be it enacted, That in all Cases in which the Appointment of a Referee or Referees is provided by this Act, if the Company and the Party or Parties interested in the Matter in respect of which such Referee or Referees is or are to be appointed shall not agree upon one Person to act as such Referee, one such Referee shall be nominated by the Company and another by such Party or Parties; and such Two Referees shall have Power to appoint an Umpire to decide between them in case they shall disagree; and if either Party shall neglect to appoint a Referee for the Space of Seven Days after having been required in Writing so to do by the other Party, then the Referee to be appointed by such last-mentioned Party shall be competent to act alone.

XXVIII. And

Falls unoccupied, &c. when Assessment imposed to be afterwards assessed.

XXVIII. And whereas there are Falls on the said Brooks or Streams, which being now wholly unoccupied will not be assessed by the Company by virtue of this Act, and there are or hereafter may be other Falls which will not be assessed to the full Extent, but it is just and reasonable, if such Falls are subsequently occupied, that the same shall be also assessed for the Expences of making and maintaining the Works constructed by virtue of this Act; be it therefore enacted, That it shall be lawful for the Company in every such Case to proceed from Time to Time in ascertaining such Fall and imposing such Assessment in the same Manner as they are herein-before directed to proceed in ascertaining the Height of the Falls now occupied, and assessing them accordingly.

Limiting Amount of Rates.

XXIX. And be it enacted, That no Rate or Rates to be imposed or assessed as aforesaid shall exceed in any One Year the Rate of Thirty-five Shillings in respect of each Reservoir for every Foot of Fall hereby made liable to be rated or assessed as aforesaid.

Certain Persons exempt from Rates.

XXX. And whereas certain Persons occupying as aforesaid Part of the said Brooks and Streams, and the Falls thereof, allege that their present Supply of Water from the said Brooks and Streams is sufficient for the Purposes of their respective Works "in all Seasons," and on that account claim to be exempted from such Rates as aforesaid; be it therefore enacted, That all such Occupiers as aforesaid whose present Supply of Water from the said Brooks or Streams shall be sufficient at all Times for the Purposes of their Works respectively shall be exempt from any Rates to be imposed under this Act in respect of such Part of the said Brooks or Streams, and the Falls thereof, respectively occupied by them, on account whereof such Exemptions shall be justly claimed as aforesaid, but so long only as more than the usual Supply of Water from the said Brooks or Streams shall not be required at such Works respectively, and until the additional Supply to be derived from the said Reservoirs or any of them shall be used at such Works respectively; and for ascertaining the present and future Supply of Water used by the Persons claiming such Exemption as last aforesaid it shall be lawful for the Company, and they are hereby empowered, if they shall think fit, to cause Gauges to be fixed and maintained in proper Situations at or near the Place or Places respectively where the Water of the Brooks or Streams shall be diverted, taken, or used by the Person claiming such Exemption as aforesaid, and also at or near the said Reservoirs; and for the Purpose of fixing, keeping in repair, and examining such Gauges respectively, the Company, their Engineers, Servants, and Workmen, are hereby authorized and empowered from Time to Time to enter upon the Lands and Works of the Person claiming such Exemption as aforesaid, doing as little Damage as may be, and making Compensation for all Damage (if any) done thereby; and all such Gauges shall be fixed and maintained at the Expence of the Company: Provided always, that no such Claim of Exemption shall be allowed unless Notice thereof in Writing, signed by the Persons respectively making the same, be given to the Company within Six Months from the passing of this Act.

XXXI. Pro-

Exemption from Rates.

XXXI. Provided always, and be it enacted, That the Rates and Assessments herein-before authorized shall not be payable in respect of any Mill at the Time of the passing of this Act upon any of the said Streams or Brooks used solely for the Purpose of grinding Corn, until or unless, by reason of some Alteration in or Addition to such last-mentioned Mills, the same shall be used for other Purposes than grinding Corn, or unless or until a greater Supply of Water than is now requisite shall be used therein or required in giving Motion thereto.

Rates not to be made in respect of the Construction of either Reservoir until same completed.

XXXII. Provided always, and be it enacted, That no Rate or Assessment shall be made in respect of the Expences incurred in the Construction of either Reservoir until the same shall have been completed to the Extent delineated and described in and upon the said Plan and Book of Reference deposited with the said Clerk of the Peace of the County of *Lancaster;* but when either of the said Reservoirs shall have been completed, and a Certificate of Two Justices under their Hands that the same is constructed in a safe, secure, and sufficient Manner shall have been deposited with the Clerk of the Peace of the County of *Lancaster*, it shall be lawful for the Company to demand and receive the Rates or Assessments by this Act granted in respect of the Reservoir which shall have been so completed as aforesaid; provided also, that in the meantime and until such Rate or Assessment shall be laid and assessed the Interest accruing from Time to Time upon or in respect of the Principal Sum expended in or about the Construction of such Reservoir shall be added to and form Part of the Principal Sum to be borrowed and taken up on Security of the same; provided always, that before the Company shall apply to such Justices for such Certificate they shall give Ten Days Notice in Writing of their Intention so to do to the several Occupiers of Mills, Manufactories, and other Works occupying Falls of Water upon the said Streams respectively.

As to the making and maintaining Gauges.

XXXIII. And be it enacted, That the Company shall, at their own Expence, immediately after the Completion of the said Reservoirs, erect and set up, and for ever maintain, within Two hundred Yards of the Embankment of such Reservoirs, Gauges of suitable Materials and Construction, through or over which all the Water from Time to Time drawn from the said Reservoirs into the said Streams, for the Use of the Mills and Manufactories, shall pass; and it shall be lawful for the respective Owners and Occupiers of Falls on the Streams below the said Reservoirs to have free Access at all Times, by themselves, their Agents or Servants, to the said Gauges, for the Purpose of measuring or testing the Quantity of Water from Time to Time passing through or over the same, and for the Purpose of examining into the State of the Reservoirs and Watercourses.

Gauges to be set up across certain Streams.

XXXIV. And be it enacted, That the Company shall and they are hereby required, at their own Expence, immediately after the Completion of the Works by this Act authorized, to erect and set up, and at all Times maintain, across the said Streams called *Bury Fold Brook*, *Smalley's Brook*, *Earnsdale Brook*, and *Jack Brook*, Gauges of such Size and Dimensions as shall be sufficient to secure to the Occupiers

of any Mills, Manufactories, or other Works now erected upon the said Streams, and using the Waters thereof, the present ordinary available Flow of Water down such Streams respectively; and in case of any Difference respecting the same, then the same shall be of such Size and Dimension as shall be settled by Arbitration in manner provided by the Companies Clauses Consolidation Act, 1845, with reference to the Settlement of Disputes by Arbitration; and it shall not be lawful for the Company to take or use any of the Waters of the said Brooks or Streams until the said Gauges respectively shall have been supplied.

Company to appoint a Person to survey and ascertain the Height of the Falls.

XXXV. And be it enacted, That the Company shall, at their First Meeting, or as soon after as conveniently may be, and also after the Reservoirs or Embankments, or any of them, or any Part thereof respectively, shall be begun or completed, so often as Circumstances may render it necessary, from Time to Time, and they are hereby authorized and required, to appoint some Person or Persons, not being Owner or Owners, Occupier or Occupiers of any Mills or Works liable to be rated or assessed by virtue of this Act, as Surveyor or Surveyors, to survey the whole or any Part of the said Brooks and Streams, and to measure and ascertain the Height of the Falls existing thereon respectively, and to determine the Levels of the said Brooks, Streams, and Falls respectively, to the end that the Company may from the Report of such Surveyor or Surveyors be the better enabled fairly and equitably to make and assess the said Rates or Assessments; and for such Purposes it shall be lawful for such Surveyors and their Assistants from Time to Time to enter into and upon the Lands and Works adjoining or near the said Streams or Brooks.

Interpretation of Act.

XXXVI. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Expression "the Company" shall mean the Company incorporated by this Act; and

The Expression "the Directors" and the "Clerk" shall mean the Directors and Clerk respectively of such Company.

Public Act.

XXXVII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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