ANNO DECIMO

VICTORIÆ REGINÆ.

****

Cap. xxvi.

An Act for better supplying with Water the Inhabitants of the Town and Borough of *Rochdale*, and of several Townships and Places, all in the Parish of *Rochdale* in the County of *Lancaster*.

[8th *June* 1847.]

WHEREAS an Act was passed in the Second Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to consolidate, amend, enlarge, and extend the* 2 & 3 Vict.
Powers and Provisions of Two Acts of King George *the Third, for* c. 24.
better supplying the Town and Neighbourhood of Rochdale *with Water:* And whereas the Company of Proprietors of the *Rochdale* Waterworks, incorporated by the said Act, are now supplying the Inhabitants of the said Town and Neighbourhood with Water: And whereas the Population and Trade of the Town and Neighbourhood of *Rochdale* have of late Years greatly increased and are still increasing, and it would be of great public Advantage if an additional Supply of Water were obtained and provided for the Health, Comfort, and Convenience of the said Population, and for various useful and important Purposes of Trade and Manufacture: And whereas it would be for the public Benefit that the said Company should be empowered to extend and enlarge their existing Works, and to construct other

and additional Reservoirs and Aqueducts: And whereas the Objects aforesaid might be more conveniently effected if the said recited Act were repealed, and further Powers and Provisions made and granted instead thereof; but the several Purposes aforesaid cannot be effected without the Authority of Parliament: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, That from and after the passing of this Act the said recited Act passed in the Second Year of the Reign of Her present Majesty Queen *Victoria* shall be and the same is hereby repealed, except so far as such Act repeals the Acts thereby repealed: Provided always, that all Offences which shall have been committed, and all Penalties and Forfeitures which shall have been incurred, previously to the Commencement of this Act, shall and may be punishable and recoverable respectively under the said recited Act as if the same had not been repealed: Provided also, that all Acts and Things made, done, or executed under or by virtue of and in accordance with the Provisions of the said Act prior to the Commencement of this Act shall be good, valid, and effectual to all Intents and Purposes.

Recited Act repealed.

Rochdale Waterworks Company re-established under the Provisions of this Act.

II. And be it enacted, That from and immediately after the passing of this Act the several Persons and Bodies Corporate who are at the Time of the passing of this Act Proprietors of Shares in the Joint Stock or Fund of "The Company of Proprietors of the *Rochdale* Waterworks," incorporated by the said recited Act, shall be and they are hereby reunited into a Company for better supplying with Water the Inhabitants of the Town and Borough of *Rochdale*, and of the several Townships or Places of *Hundersfield*, *Spotland*, *Castleton*, *Wardleworth*, *Wuerdle* and *Wardle*, *Blatchinworth* and *Calderbrook*, and *Butterworth* respectively, within the Parish of *Rochdale* in the County of *Lancaster*, and for such Purposes shall be One Body Corporate, by the Name of "The *Rochdale* Waterworks Company," and by that Name shall have perpetual Succession, and shall have a Common Seal, and shall have Power to purchase and hold and sell Lands for the Purposes of this Act, subject to the Restrictions herein contained.

Works vested in the Company.

III. And be it enacted, That from and immediately after the passing of this Act all Springs and Streams of Water, Wells, Feeders, Reservoirs, Aqueducts, Conduits, Works, Pipes, Engines, Weirs, Gauges, Drains, Tunnels, Arches, Bridges, Roads, and all Lands, Tenements, Hereditaments, Buildings, Easements, prescriptive and other Rights, Powers, and Privileges whatsoever, of or to which the Company of Proprietors of the *Rochdale* Waterworks, or any Person in trust for them, were seised, possessed, or entitled at Law or in Equity immediately before the passing of this Act, and all Rates and Monies due or accruing to, and all Securities, Books, Accounts, Documents, and Choses in Action vested in, the Company hereby dissolved, and all their Privileges, Rights, Titles, Estate, or Interest therein, shall be and the same are hereby well and effectually vested in and shall belong to the Company hereby incorporated, for their

absolute Use and Benefit, to hold to them and their Successors for the Purposes of this Act, and for such and the same Estates, Terms, and other Interests as the Company hereby dissolved under the said recited Act, or any Persons in trust for them immediately before the passing of this Act, had or would have continued to have had therein if the said recited Act had not been repealed, subject nevertheless to such Charges, Interests, and Liabilities as at the passing of this Act the same Premises were respectively subject to.

Agreements to remain in force, and Company liable to Debts, &c.

IV. And be it enacted, That all Conveyances, Assurances, Demises, and Grants, Mortgages, Bonds, Covenants, Agreements, Contracts, Awards, and Securities, made, executed, or entered into by any Person to, with, in favour of, or by or for the Company hereby dissolved, or to, in favour of, or by or for the Company dissolved on the Incorporation of the Company hereby dissolved, and all Actions, Suits, Prosecutions, and other Proceedings commenced or pending by or against the Company hereby dissolved, shall not become invalidated, made void, discharged, abated, discontinued, prejudiced, or affected by the Repeal of the said recited Act, but shall continue and remain in full Force and Effect, and the Company hereby incorporated shall be liable to all Debts and Engagements to which the Company hereby dissolved was liable at the Repeal thereof: Provided always, that the Repeal of the said recited Act shall not affect any Remedies which could at the Time of the passing of this Act be exercised by any Mortgagee or Creditor against the Company hereby dissolved.

Rates or Rents now payable to continue till altered.

V. And be it enacted, That all Rates, Rents, or Charges made or imposed under or by virtue of the said Act hereby repealed, and which at the Time of the passing of this Act shall be due and payable, or if this Act had not passed would have been due and payable, or would have accrued due and payable, shall continue to be payable until the same shall be altered under the Authority of this Act, and may be collected and recovered by such Means and under such Restrictions and Regulations as any Rates, Rents, or Charges to be received in pursuance of this Act may be collected or recovered; but such Rates and Rents shall be altered and be made conformable to this Act within Two Years after the passing hereof.

Transfers to remain in force.

VI. And be it enacted, That all Sales, Transfers, and Dispositions before the passing of this Act executed of any Share or Shares in the Joint Stock of the said Company incorporated by the said recited Act shall remain in full Force and Virtue, and shall be and continue available in all respects whatsoever.

Books, &c. made Evidence by former Act to continue Evidence.

VII. And be it enacted, That all Books and other Documents whatsoever by the said recited Act authorized or directed to be kept, and thereby made Evidence, shall still be admitted as Evidence in all Courts whatsoever.

Officers under former Act to account.

VIII. And be it enacted, That all Officers and Persons who on the passing of this Act shall have in their Possession or under their Control any Money, Books, Documents, Papers, Writings, or any Effects under

under or by virtue of any of the Provisions of the recited Act hereby repealed shall account for and deliver up all such Money, Books, Documents, Papers, Writings, or other Effects to the Company hereby incorporated, or to such Person as they shall appoint to receive the same, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Officers or Persons had been appointed and had become possessed of such Money, Books, Documents, Papers, Writings, or other Effects under the Provisions of this Act.

Present Officers continued.

IX. And be it enacted, That all Officers and Persons appointed under the recited Act hereby repealed shall continue in and enjoy their respective Offices and Employments according to the Terms of their Appointments until removed therefrom by the Company hereby incorporated, or the Directors, according to the Provisions herein-after contained; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages, and all such Officers and Persons, and all Sureties, shall be liable to the same Conditions, Penalties, Obligations, Restrictions, and Regulations, as if such Officers and Persons had been appointed and Sureties had become bound under this Act.

Offices of Clerk and Treasurer to be separate.

Penalty.

X. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer, and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,)

If any Person accept both the Office of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Company other than that of Clerk or Treasurer (as the Case may be):

And any Person may sue for such Penalty, either by Action of Debt or on the Case, in any of Her Majesty's Superior Courts, and shall on Recovery thereof be entitled to full Costs of Suit.

Incorporation of 8 & 9 Vict. cc. 16. and 18. and 10 & 11 Vict. c. 17. with this Act.

XI. And be it enacted, That the several Acts of Parliament following, (that is to say,) 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, except so far as the same respectively shall be varied by special Enactments herein contained.

XII. And

Short Title.

XII. 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 *Rochdale* Waterworks Act, 1847."

Capital.

XIII. And whereas the present paid up Capital of the Company is Twenty-seven thousand nine hundred and seventy-two Pounds, and it is expedient that the same shall be increased to Fifty-five thousand nine hundred and forty-four Pounds; be it enacted, That Fifty-five thousand nine hundred and forty-four Pounds shall be the future Capital of the Company, and shall be divided into Shares of Forty-two Pounds each.

As to Shares created under former Act.

XIV. And be it enacted, That every Person possessed of a Share of Eighty-four Pounds under the recited Act shall be entitled in lieu thereof to Two Shares of the Amount of Forty-two Pounds each created by this Act, without making any further Payment in respect of the same.

Old Certificates to be cancelled.

XV. And be it enacted, That in lieu of and on Cancellation of the existing Certificates there shall be granted to the Proprietors of such Shares Certificates of the Shares given to them by this Act in lieu of their Shares under the recited Act, in like Manner as new Certificates of Shares are to be granted by the Company hereby incorporated.

Shares to be held under the same Trusts.

XVI. And be it enacted, That the Shares given in lieu of Shares held under the recited Act shall immediately after the passing of this Act go, be, remain, and enure, and be held and enjoyed, and the several Persons to whom the same shall be granted or allotted by virtue of this Act shall thenceforth hold and stand possessed thereof respectively to and upon such and the same Trusts, if any, and for such and the same Interests, and under and subject to such and the same Disposition, and subject to such and the same Judgments, Charges, Liens, and Incumbrances, if any, as the Shares in respect whereof such Shares in the Company hereby incorporated were allotted under this Act are, or should or would have remained to, for, upon, under, and subject to in case this Act had not been passed.

Shares to be created by this Act.

XVII. And be it enacted, That the Company may create such Number of new Shares of the Amount of Forty-two Pounds each as they may find necessary for the Purpose of completing the additional Capital by this Act authorized to be raised.

Distribution of new Shares.

XVIII. And be it enacted, That the new Shares so to be created as last herein-before mentioned shall vest in and belong to the several Proprietors and Persons who have already agreed to accept the same, and such several Proprietors and Persons shall pay to the Company the Sum of Forty-two Pounds for each such Share at the Times and by the Instalments which shall be fixed by the Directors.

Calls.

XIX. And be it enacted, That Six Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on

on the new Shareholders, and Two Months at the least shall be the Interval between successive Calls.

Power to borrow Money.

XX. And be it enacted, That after the whole of the Capital of the Company shall have been subscribed for, and One Half thereof shall have been paid up, it shall be lawful for the Company to borrow on Mortgage or Bond any Sum of Money, so that the Sums due by the Company on Mortgage or Bond do not at any One Time exceed in the whole the Sum of Eighteen thousand six hundred and forty-eight Pounds.

Ordinary Meetings to be held half-yearly.

XXI. And with respect to General Meetings of the Company, be it enacted, That the first General Meeting of the Shareholders of the Company shall be held at some convenient Place in *Rochdale*, and on such Day and Hour within Two Months next after the passing of this Act as shall be fixed by the Directors appointed by this Act, and shall then and there proceed to carry this Act into execution; and from and after such first General Meeting of the Company there shall be a General Meeting of the Company on the First *Thursday* in the Month of *May* in each Year, and another General Meeting of the Company on the First *Thursday* in the Month of *November* in each Year, or within Fifteen Days of each of such Days in each Year; and the Meetings so appointed to be held as aforesaid shall be called "Ordinary Meetings;" and all Meetings of the Company, whether ordinary or extraordinary, shall be held in *Rochdale* aforesaid.

Quorum for a General Meeting.

XXII. And be it enacted, That in order to constitute a Meeting of the Company (whether ordinary or extraordinary) there shall be present, either personally or by Proxy, Nine or more Shareholders in Number, or Five or more Shareholders holding in the aggregate Capital Stock amounting to the nominal Value of Three thousand Pounds, and entitled to vote in respect thereof.

Number of Shareholders requisite to convene an Extraordinary Meeting.

XXIII. And be it enacted, That the Number of Shareholders on whose Requisition an Extraordinary Meeting of the Company may be required to be convened shall be Three or more, and such Shareholders shall hold in the aggregate not less than One thousand Pounds of the Capital Stock of the Company.

Votes of Shareholders.

XXIV. And be it enacted, That at all Meetings of the Company every Shareholder shall have One Vote in respect of each Share of the nominal Value of Forty-two Pounds held by him: Provided also, that no Shareholder shall be entitled to vote at any Meeting in respect of any Share until One Half at least of the Amount of such Share shall have been paid up, nor shall any Shareholder vote at any such Meeting upon any Question in which such Shareholder shall be interested in any other Way than being a Shareholder of the Company.

No Shareholder to hold more than Five Proxies.

XXV. And be it enacted, That no Shareholder shall be allowed in any Case to hold more than Five Proxies.

XXVI. And

Company to appoint a Clerk and Treasurer, and in case of Death, &c. of Clerk or Treasurer, Directors may temporarily fill up Office.

XXVI. And be it enacted, That at any General Meeting the Company may remove from Office any Clerk or Treasurer, and if any Clerk or Treasurer die or resign, or be removed, another Clerk or Treasurer shall be elected in his Place at the next Ordinary Meeting, and from Time to Time any such Meeting may fix the Salary or other Emoluments to be allowed to such Clerk or Treasurer respectively as they may think proper; but in case of the Death or Resignation of any Clerk or Treasurer, the Directors may appoint some Person to fill the Office of Clerk or Treasurer so vacant, with such Salary as they shall think fit, until the next Ordinary Meeting of the Company.

Suspension of Clerk or Treasurer.

XXVII. And be it enacted, That the Directors may at any Time suspend either the Treasurer or the Clerk from his Office, and may appoint some Person temporarily to fill the Office of the Treasurer or the Clerk so suspended, with such Salary as they think fit, but in any such Case they shall forthwith call an Extraordinary Meeting of the Company for the Purpose of taking into consideration the Propriety of removing from his Office any Treasurer or any Clerk so suspended, and of electing a new Treasurer or a new Clerk, as the Case may require.

Number of Directors.

XXVIII. And be it enacted, That the Number of Directors shall be Twelve, and the Qualification of a Director shall be the Possession by him of Four Shares at least in the said Undertaking.

First Directors.

XXIX. And be it enacted, That *Abraham Barlow*, *Thomas Booth*, *Abraham Boswell*, *Henry Cartwright*, *John Chadwick* of *Broadfield*, *John Chadwick* of *Heights*, *John Hoyle*, *William Littlewood*, *James Petrie*, *Thomas Shaw*, *Thomas Wilkinson*, and *James Woods* shall be the first Directors of the Company.

Rotation of Directors.

XXX. And be it enacted, That the above-named Directors shall continue in Office until the first Ordinary Meeting to be held in the next Year after the passing of this Act, and then Four of such Directors shall retire from Office, the Individuals to retire being in each Instance determined by Ballot amongst the Directors, unless they shall otherwise agree, and thereupon Four Directors shall be elected as provided for by the Companies Clauses Consolidation Act, 1845.

Minutes to be made of the Attendance of Directors.

XXXI. And be it enacted, That there shall be an Entry made in the Company's Books of the Names of the Directors attending at each Meeting of Directors, and such Books shall be laid before the Ordinary Meeting of Shareholders to be held in the Month of *May* in each Year, at which Meeting Persons are to be elected to supply the Places of the Directors then retiring from Office.

Quorum.

XXXII. And be it enacted, That the Quorum of a Meeting of Directors shall be Five.

Committee of Directors.

XXXIII. And be it enacted, That the Number of Directors of which Committees appointed by Directors shall consist shall not be less

less than Two nor more than Seven, and the Quorum of such Committee shall be Two.

Remuneration of Directors.

XXXIV. And be it enacted, That the Remuneration of the Directors shall from Time to Time be fixed by a General Meeting of the Company, and shall be paid out of the Rents, Rates, or Sums receivable under this Act.

Company hereby established authorized to maintain the Works already made.

XXXV. And be it enacted, That it shall be lawful for the Company hereby incorporated, and they are hereby authorized and empowered, to maintain, support, alter, and complete the several Reservoirs, Aqueducts, Waterworks, Conduits, Bridges, Embankments, Feeders, Drains, Soughs, Sluices, Wastegates, Stopgates, Weirs, Gauges, Roads, Engines, Mains, Pipes, and other Works which at the Time of the passing of this Act were vested in, or possessed, placed, or provided by, the Company hereby dissolved, together with the several Erections, Buildings, Tenements, and Works belonging thereto.

Powers of former Acts respecting Noon Sun Well, &c. to be executed by Company hereby incorporated.

XXXVI. And be it enacted, That it shall be lawful for the Company hereby incorporated, by themselves, their Managers, Servants, Workmen, and Assistants, to resort unto, enter, view, examine, open, and cleanse a Spring or Well called *Noon Sun Spring* or *Noon Sun Well*, and such Spring or Springs or Streams or Wells as were vested in the Company hereby dissolved, and are hereby vested in the Company hereby incorporated, and such other Springs or Streams the Right to use which shall be acquired under the Powers and Provisions of this Act by the Company hereby incorporated, and to take and use and enjoy the Waters thereof and arising in such Springs or flowing therefrom for the Purposes of this Act.

Landowners &c. supplied with Water as accustomed.

XXXVII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to deprive or hinder the Landowners or Tenants of the Lands or Grounds through which the Water of the said *Noon Sun Spring* or *Noon Sun Well* had been used to flow from using the Water of the said Spring or Well in such Manner and for such Purposes as they had by Law been before the passing of an Act passed in the Forty-ninth Year of
49 G. 3. c. 25. the Reign of King *George* the Third, intituled *An Act for better supplying the Inhabitants of the Town of* Rochdale *and the Neighbourhood with Water*, entitled and accustomed to do, but that proper Pipes and Cocks shall be laid and placed for the Use of all Persons entitled to use the Water of the said Spring or Well, and from Time to Time repaired by the said Company hereby incorporated, without requiring any Compensation for the Use thereof from such Persons as aforesaid.

Company empowered to continue to use the surplus Water of Fanny Brook.

XXXVIII. And be it enacted, That it shall be lawful for the Company hereby incorporated, by themselves, their Managers, Servants, Workmen, and Assistants, to take and use the surplus Water of the Spring or Brook called *Fanny Brook* or *Fanny Stream*, mentioned in the said recited Act, which exceeds a Gauge fixed up and

erected upon the said Spring or Stream at or near a Place called *Mundas Bridge*, and the Opening of which said Gauge is Eleven Inches and Three Eighth Parts of an Inch in Width horizontally, and Five Sixteenth Parts of an Inch in Depth.

Rules, &c. made under former Acts as to Gauges to remain in force.

XXXIX. Provided always, and be it enacted, That the Repeal of the recited Act shall not extend or be construed to extend to annul or make void any Determination, Rules, Orders, and Directions made and established by any Engineers duly appointed for ascertaining and determining where a Gauge shall be placed upon the said Spring or Stream, and the Nature, Construction, Dimensions, and Level of such Gauge, or the Means of guarding and protecting the same; but such Determination, Rules, Orders, and Directions shall remain, continue, and be as valid and of the same Force and Effect as the same is at the Time of the passing of this Act, notwithstanding the Repeal of the said recited Act.

Company not to take more than the surplus Water from Fanny Brook.

XL. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to authorize and empower the Company hereby incorporated to take or use or suffer to be taken or used (otherwise than in impounding the same under the Provisions of this Act) any Part of the said Spring or Stream called *Fanny Brook* or *Fanny Stream*, except the surplus Water thereof which shall exceed the aforesaid Gauge so fixed up and erected as aforesaid.

Company empowered to continue to use the surplus Water of Syke Brook.

XLI. And be it enacted, That it shall be lawful for the Company hereby incorporated, by themselves, their Managers, Servants, Workmen, and Assistants, to take and use the surplus Water of a Spring or Brook called *Syke Brook*, mentioned in the recited Act, at or near a Place called the *Syke*, which exceeds a Gauge fixed up and erected upon the said Brook, and the Opening of which said Gauge is in Length horizontally Nine Inches and Seven Eighth Parts of an Inch, and in Depth One Inch and One Eighth Part of an Inch.

Company may contract for the Purchase of Lands where Water may be obtained, &c.

XLII. And be it enacted, That it shall be lawful for the Company hereby incorporated at any Time hereafter to contract and agree with the Proprietors and Occupiers of any Lands or Grounds wherein any Springs or Streams now are or may hereafter be found, discovered, or flow for the Purchase of such Lands or Grounds as may enable the Company to convey the Water of such Springs or Streams to any Reservoirs or Drains or other Works of the Company, or for the Purchase of any Springs or Streams, or the Use of any Springs or Streams, or any Interest therein, or Claim or Demand of any Person or Persons, Bodies Politic or Corporate thereto, or to the exclusive or other Use of any such Springs or Streams, or of any Rights, Interests, or Easements necessary to enable the Company to have and enjoy the Use and Benefit of any such Springs and Streams for the Purpose of increasing the Supply of Water to the Inhabitants within the Limits of this Act, and for the Improvement of the said Waterworks for the Purposes of this Act.

Company empowered to construct

XLIII. And be it enacted, That it shall be lawful for the Company, subject to the Restrictions herein contained, from Time to Time

new Works, &c.

Time to make, construct, lay down, maintain, alter, or discontinue such Waterworks, Engines, Water-wheels, Reservoirs, Cisterns, Tanks, Aqueducts, Cuts, Drains, Culverts, Conduits, Engines, Wastegates, Stopgates, Stopcocks, Sluices, Banks, Bridges, Pipes, Tunnels, Wells, Machinery, and other Works, and also such Houses and Buildings upon the Lands and Streams vested in the Company or hereby authorized to be taken or used, as they shall think proper for supplying the Inhabitants within the Limits of this Act with Water.

Company empowered to take Lands, &c. according to deposited Plans.

XLIV. And whereas Plans and Sections describing the Lines and Levels of the intended Conduits, Mains, Aqueducts, Cuts, and Drains, and the Lands in or through which the same are intended to be carried, and the Situation of the intended Reservoirs and Works proposed to be made for the Purpose of affording a better Supply of Water as aforesaid, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands in or upon which the same are intended to be made, have been deposited at the Office of the Clerk of the Peace of the County of *Lancaster;* be it enacted, That, subject to the Provisions in this and the "Lands Clauses Consolidation Act, 1845," contained, it shall be lawful for the Company to take, appropriate, and use such of the Land and Water delineated on the said Plans, and described in the said Books of Reference, as shall be necessary for the Purposes of the Works by this Act authorized.

Company empowered to take Water off certain Common Lands.

XLV. And be it enacted, That it shall be lawful for the Company to make and complete the several Aqueducts, Cuts, or Catchwater Drains mentioned and described on the said Plans and Sections so deposited as aforesaid, and from Time to Time to search for, collect, obtain, divert, and alter the Course of, and to take, impound, use, and appropriate, the several Streams, Springs, and Surface Waters issuing or flowing upon, over, or from the Common Moor and Waste Lands situate in the said Townships of *Spotland* and *Wuerdle* and *Wardle*, and shown on the said Plans.

Power to construct Reservoirs, &c.

XLVI. And be it enacted, That it shall be lawful for the Company to make, construct, and maintain the Reservoirs described on the said Plans and Sections on certain Lands at or near *Hamer Pasture*, in the said Townships of *Spotland*, *Wardleworth*, and *Wuerdle* and *Wardle*, and at or near a Place called the *Brown House Wham* in the said Township of *Wuerdle* and *Wardle*, for the Purpose of storing up the Surface Water from the said Common Moor and Waste Lands, and the Springs, Streams, and Drains which unite themselves therewith respectively, or which flow through or spring up or may spring up in the Sites of the said intended Reservoirs or either of them, together with all Cuts, Watercourses, Sluices, Weirs, Aqueducts, Conduits, Pipes, and other Works necessary for the Completion of the said Reservoirs, and for connecting the said Reservoirs with and impounding the Water of the said Stream or Brook called *Fanny Brook* or *Fanny Stream* above the said Gauge fixed near the said Place called *Mundas Bridge;* and in making the said Reservoirs and Works the Company are hereby empowered to alter and divert all such

such Footpaths and Roads as may be necessary for effecting the Purposes aforesaid.

Limits of Deviation from the Line of Catchwater Drains.

XLVII. And be it enacted, That, notwithstanding any thing in the Waterworks Clauses Act, 1847, contained, it shall be lawful for the Company in the Construction of the Catchwater Drains upon the said Common Moor or Waste Lands within the said Townships of *Spotland* and *Wuerdle* and *Wardle* to deviate from the Line of such Drains as delineated on the said Plans deposited as aforesaid to the Extent of the Limits of Deviation defined thereon, provided that no such Deviation shall extend to a greater Distance than Fifty Yards.

Water supplying Company's Works not to be diverted.

XLVIII. And be it enacted, That after the Brooks, Streams, Springs, or Supplies of Water hereby authorized to be appropriated or otherwise taken by the Company shall have been so appropriated or taken, it shall not be lawful for any Person other than the Company to divert, alter, or appropriate any of the Waters now supplying or flowing from the same, or to sink any Well or Pit, or do any Act, Matter, or Thing whereby the said Waters may be drawn off or diminished in Quantity; and if any Person shall divert, alter, or appropriate the said Waters or any Part thereof, or any other Waters vested in the Company by virtue of this Act, or any Part thereof, or sink any Well or Pit, or shall do any Act, Matter, or Thing whereby the said Waters or any of them may be drawn off or diminished in Quantity, and shall not, immediately on being required so to do by the Company, repair the Injury done by him so as to restore the said Waters to the State in which they were before any such Act as aforesaid, they shall forfeit to the Company any Sum not exceeding Five Pounds for every Day during which the said Supply of Water shall be diverted or diminished by reason of any Work done or Act performed by or by the Authority of such Person, in addition to the Damage which the Company may sustain by reason of their Supply of Water being diminished.

Certain Springs not to be taken or interfered with, but to be allowed to flow under Catchwater Drains.

XLIX. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize or empower the Company in the Execution of any of the Works by this Act authorized to take, divert, or otherwise interfere with any Springs (to be ascertained as herein-after mentioned) upon the Common Moor or Waste Lands shown on the said Plans, within the Townships of *Spotland* and *Wuerdle* and *Wardle*, which are not now or which have not already been appropriated or used by the Company, but the Company shall permit and suffer all the Water of such Springs to flow under their several Catchwater Drains which may be made by them under the Authority of this Act, and for that Purpose the Company shall and they are hereby required, at their own Costs and Charges, to construct and make, and for ever to maintain and keep under their several Catchwater Drains, such and so many proper and sufficient Conduits and Passages, of such Sizes, Forms, and Dimensions as shall be requisite and necessary, and to be determined as herein-after mentioned, for the free Passage of the Waters of such Springs under such Catchwater Drains.

Number and Situation of such Springs to be determined by Arbitration.

L. And inasmuch as Disputes may hereafter arise as to the Number and Situation of the several Springs on the said Common Moor or Waste Lands which the Company are not to take, divert, or interfere with, but are to allow to flow freely and uninterruptedly under their several Catchwater Drains, be it enacted, That the Number and Situation of such Springs unmixed with Surface Water shall be ascertained and determined by Arbitration in the Manner following; (that is to say,) the Directors for the Time being of the Company shall, by Writing under their Hands or the Hands of their Clerk, appoint some one of the Directors of the Company, or such other Person as they may think proper, to be one of the Arbitrators, and *James Schofield* of *Heybrook* in *Rochdale* aforesaid, Flannel Manufacturer, *John Elliott* of *Rochdale* aforesaid, Flannel Manufacturer, *James Stott Milne* of *Burnedge* in *Rochdale* aforesaid, Gentleman, *James Whitaker* of *Wardle* in *Rochdale* aforesaid, Flannel Manufacturer, *Jacob Tweedale* of *Healey Hall* in *Rochdale* aforesaid, Flannel Manufacturer, *Thomas Holland* of *Tunnicliffe* in *Rochdale* aforesaid, Flannel Manufacturer, *James Sutcliffe* of *Rochdale* aforesaid, Gentleman, *John Whitworth* of *Facit* in *Rochdale* aforesaid, Cotton Spinner, and *John Howarth* of *Facit* aforesaid, Gentlemen, or any Five of them, shall, by Writing under their Hands, appoint some one of their Number, or such other Person as they may think proper, to be another of the Arbitrators; and the Two Arbitrators so appointed shall, before proceeding to Business, appoint an Umpire, and the Arbitrators and Umpire so appointed shall and may exercise all such and the same Powers and Authorities, and may act in the same Manner in all respects, as if they had been appointed under the Provisions of the Companies Clauses Consolidation Act, 1845; and all Vacancies in the Office of Arbitrator or Umpire, either by Neglect or Refusal to appoint, or by Death, Resignation, or otherwise, shall be supplied and dealt with in the Manner directed by the same Act, save only and except that in case the Arbitrators shall at any Time neglect or refuse to appoint an Umpire, such Umpire shall, on the Application of either Party to such Arbitration, be appointed by Two Justices, and that the Costs of such Arbitration and incident thereto, to be settled by the Arbitrators, and also the Costs of the Arbitrators, shall be borne by the Company, and save also and except that the Umpire (if one be appointed) shall sit and act with the Arbitrators, and that the Decision of such Arbitrators, if they agree, but if not, then the Decision of such Umpire, shall be final and conclusive; and such Arbitrator or Arbitrators and Umpire (as the Case may be) shall and they are hereby required between the Twentieth Day of *June* and Twentieth Day of *September* One thousand eight hundred and forty-seven, or between the same Periods of Time in the Year One thousand eight hundred and forty-eight, to proceed to ascertain the Number and Situation on the said Common Moor or Waste Lands of the said Springs unmixed with Surface Water which have not been been already appropriated or used by the Company, and which the Company are not to take, divert, or interfere with, but are to allow to flow freely and uninterruptedly under their several Catchwater Drains; and the said Arbitrator or Arbitrators or Umpire shall determine and direct by what Means or in what Way such

such Springs or Spring Water shall be conveyed to and under the several Catchwater Drains of the Company; and the said Arbitrator or Arbitrators or Umpire shall mark the said Springs so ascertained on a Map or Plan, and shall sign and verify the same Map or Plan; and one Copy of such Map or Plan shall be delivered to the Company, another Copy to the said *James Schofield* of *Heybrook* aforesaid, and another Copy thereof shall be deposited in the Office of the Clerk of the Peace of the County of *Lancaster*, and be there preserved; and the Decision of such Arbitrator or Arbitrators or Umpire (as the Case may be) shall be final and conclusive; and all such Springs on the said Common Moor or Waste Lands as shall not be marked on such Map or Plan shall and may be taken and used by the Company for the Purposes of this Act.

Penalty on Company neglecting to repair, &c. Conduits, and remove Obstructions, after Notice.

LI. And be it enacted, That if the Company shall at any Time fail or neglect to repair and maintain any of the Conduits or Passages under their several Catchwater Drains which shall be directed to be made as herein-before mentioned, or to remove and carry away any Obstruction or Impediment which may have formed in or fallen or been carried into such Conduits or Passages, or shall knowingly or wilfully suffer or cause any other Act, Matter, or Thing whereby or in consequence whereof any Hindrance or Interruption shall be caused to the full and free Passage of all or any of the Water of such Springs through the same Conduits or Passages, then and in every such Case, and as often as the same shall happen, it shall and may be lawful for any Person who or whose Lands or Property may be damnified or injured by such Obstruction or Stoppage of the Water, by Notice in Writing to be served on the Clerk or other chief Officer of the Company, or to be left for such Clerk or Officer at the Office of the Company, to require such Repairs to be done or such Obstruction or Impediment to be removed by the Company; and in case the Company shall for the Space of Three Days after such Notice shall have been so served upon such Clerk or Officer, or left for him at the Office of the Company as aforesaid, neglect or refuse to begin to do such Repairs, or to begin to remove such Obstruction or Impediment, or to complete such Removal, within a reasonable Time thereafter, unless prevented by Frost or other unavoidable Cause or Accident, or by the necessary Repairs of such Drains, Culverts, or Conduits, then and in every such Case the Company shall forfeit and pay the Sum of Ten Shillings for each and every Spring for each and every Day during which such Impediment or Obstruction shall continue after the Expiration of the said Period of Three Days.

Company to construct a Byewash for surplus Water in the Hamer Pasture Reservoir, and also on the Brown House Wham Reservoir, when completed.

LII. And be it enacted, That the Company shall and they are hereby required, at their own Costs and Expences, to make and construct, and for ever to maintain and keep, in the *Hamer Pasture* Reservoir, a Byewash for surplus Water, so that all the surplus Water shall run or flow into and down the same Stream as the Water which passes through the Gauge at *Mundas Bridge* now flows into, and then when and immediately on the *Brown House Wham* Reservoir being made and completed the Company shall in like Manner make, construct, maintain, and keep in such Reservoir a Byewash over or through which the whole of the surplus Water shall run or flow from the

the said Reservoir; and for the Purpose of preventing any Dispute as to the Meaning of this Enactment it is hereby declared that the Words "surplus Water" mean the surplus Water of the Company after supplying the above-mentioned Reservoirs, and the other Reservoirs, Works, Pipes, and Purposes of the Company for the Time being.

Gauge on Fanny Brook to be kept constantly full so long as Supply of Water sufficient.

LIII. And be it enacted, That the Company shall keep the Gauge on *Fanny Brook* at *Mundas Bridge* constantly full so long as there shall be a sufficient Supply of Water for this Purpose in the intended *Hamer Pasture* Reservoir and *Brown House Wham* Reservoir, or either of them, or any of the Feeders supplying the same respectively, and for this Purpose, and independently of any Byewash to be erected as aforesaid, to put and place a Conduit or Pipe in some proper Place in the said *Hamer Pasture* Reservoir.

Plattings or Covers for Cattle, &c. to be provided for Accommodation of certain Owners and Occupiers of Lands.

LIV. And be it enacted, That the Company at the Time of the making of the Catchwater Drains shall, at their own Expence, make and at all Times thereafter maintain such and so many safe and convenient Plattings or Covers for Cattle and Carts to pass over the several Catchwater Drains which may be made by them, under the Authority of this Act, as shall be necessary for the Accommodation of the Owners and Occupiers of the Lands adjoining the said Catchwater Drains, in addition and besides those required to be made where the present Roads or Ways pass and are situated.

Company to make additional Plattings over Catchwater Drains;

LV. And be it enacted, That if at any Time hereafter *James Dearden* Esquire, the present Lord of the Manor of *Rochdale*, who claims to be entitled as Lord of the said Manor to the Mines and Minerals in and under such of the said Lands mentioned in the said Plan and Book of Reference deposited as herein-before mentioned as are surrounded by the said Catchwater Drains hereby authorized to be made, shall have occasion to open within or upon the said last-mentioned Lands any Shafts, Breast-eyes, or other Openings for the getting of the said Minerals, and shall require for the Conveyance of the said Minerals, when gotten off and from the said Lands, any further or additional Plattings or Covers across the said Catchwater Drains or any of them than the said Plattings and Covers which the Company are hereby required to make, such further or additional Plattings or Covers shall be made by and at the Expence of the Company.

and to divert Catchwaters.

LVI. And be it enacted, That in the event of its being necessary for the said *James Dearden* in the getting or Conveyance of the said Minerals as aforesaid to make a Break in or temporarily to move the said Catchwater Drains, the Company shall, upon due Notice thereof, carry the said Drains by Trough or otherwise, as to them shall seem best, at their own Expence, over such temporary Break as aforesaid.

Lord of Manor to take Water for Steam Engines.

LVII. And be it enacted, That if at any Time hereafter the said *James Dearden* shall require Water for the Use of any Steam Engine employed by him for the working of any Mines upon any of the said Lands

Lands surrounded by the said Catchwater Drains, the said *James Dearden* shall be at liberty to take and apply from off the said last-mentioned Lands so much only of the Surface Water as may be necessary for the supplying of the said Steam Engine, and shall not be liable to pay for the same, or to make any Compensation to the Company in respect thereof; and the said Water so to be taken shall be kept as pure and free from Injury as is consistent with the said Use thereof, and shall, after the same shall have been used for supplying the said Steam Engine, be permitted to flow into the said Catchwater Drains, or into the Aqueducts or Reservoirs of the Company, for the Use of the Company; and the said *James Dearden* shall also give to the Company, and discharge and make to flow into the said Catchwater Drains, or into the Aqueducts or Reservoirs, all such Water as shall be drawn or raised, or shall drain or flow, from any of the said Mining Shafts or Breast-eyes of the said *James Dearden* to or at an Elevation not lower than the lowest Part of the said Catchwater Drains, Aqueducts, or Reservoirs, provided that the said *James Dearden* be not put to any Expence in discharging and making such Water to flow into the said Catchwater Drains, Aqueducts, or Reservoirs: Provided always, that if any of the said Water so to be taken by the said *James Dearden* as aforesaid, or of the said Water so to be drawn and raised or discharged, or which shall run or flow, from the said Mines of the said *James Dearden*, shall be foul, muddy, noxious, bad, or offensive Water, the Company may and they are hereby required, at their own Expence, to construct or cause to be constructed upon any of the said Lands in the Plan or Book of Reference mentioned, or upon any other Lands where they lawfully may, all such Drains, Sewers, and Watercourses as may be necessary or proper for carrying off and conveying all such foul, muddy, noxious, bad, or offensive Water from or past the said Catchwater Drains, Aqueducts, and Reservoirs of the Company, or any of them, or from any Lands near to them or any of them; and in case the Company shall neglect to make and provide such Drains, Sewers, and Watercourses, the said *James Dearden* shall be exempt from all such Penalties as by this Act or the said Waterworks Clauses Act, 1847, are imposed upon Persons offending in this Behalf, any thing herein or in the said last-mentioned Act to the contrary notwithstanding.

Arbitration in case of Dispute.

LVIII. And be it enacted, That if the said *James Dearden* and the Company shall at any Time hereafter disagree, or shall not agree as to the Places where or the Manner in which the said further or additional Plattings or Covers shall be made over or across the said Catchwater Drains, or as to the temporary Breaks, or as to the Quantity of the said Water to be taken by the said *James Dearden* for the Use of the said Steam Engine under the Provisions hereinbefore contained, or as to the Places where or the Manner in which the same Water shall be taken as aforesaid, or as to the Manner of keeping and using the same Water, or as to the Places where or the Manner in which the same Water, or the Water which shall be drawn or raised, or shall drain or flow, from the said Mines, Shafts, or Breast-eyes of the said *James Dearden*, shall be discharged or made to flow into the said Catchwater Drains, Aqueducts, or Reservoirs of the Company, the said several Matters and Things as to which the said

James

James Dearden and the Company shall disagree or shall not agree shall be settled and determined by Arbitration in the Manner provided by the Lands Clauses Consolidation Act, 1845, with respect to the Settlement of Disputes by Arbitration.

Lands for additional Works.

LIX. And be it enacted, That it shall be lawful for the Company, in addition to the Lands authorized to be compulsorily taken by them under the Powers of this Act, to contract with any Party willing to sell the same for the Purchase of any Land not exceeding in the whole Ten Acres, to be taken and used in such Places as shall be deemed eligible for the Purpose of obtaining Water from Springs, or of protecting such Springs from Injury or Deterioration, or of making and providing additional Reservoirs, Tanks, Aqueducts, and other Buildings and Conveniences, or for making convenient Roads or Ways to the said Works, or for any other Purposes connected with the said Works which the Company may think beneficial to the Undertaking.

Lord of the Manor enabled to convey certain Common Land.

LX. And be it enacted, That all Contracts, Agreements, Bargains, and Sales of all such Lands as aforesaid as shall be of the Tenure of Copyhold or Customaryhold shall be executed and completed by Surrender or Surrenders in the usual Way, and according to the Custom of the Manor of which the same shall be holden, to the Use of One or Two Persons to be nominated and appointed by or on behalf of the Company, and his or their Heirs, as Trustees for the Company for the Purposes aforesaid, by, under, and subject to the Rents, Suits, and Services thereby due and of right accustomed according to the Custom of such Manor, so that the Lord or Lords of such Manor may receive or sustain no Prejudice or Loss of Fines, Suits, or Services in consequence of the Conveyance and Appropriation of Lands of the Tenure of Copyhold or Customaryhold for the Purposes aforesaid; and it shall be competent to the Lord or Lords or Lady or Ladies of the Manor where any Common or Waste Lands situate within such Manor or any Road over the same may be required, or any Privileges wanted to be exercised therein for the Purposes of this Act, or any of them, to make such Agreements, Contracts, Surrenders, Conveyances, and Grants of such last-mentioned Lands and Grounds, or the Privileges required therein for the Purposes aforesaid, without any Commoner or Commoners, or other Person or Persons interested in such Roads or Common or Waste Lands, joining therein; and the Receipt or Receipts of such Lord or Lords, Lady or Ladies, for the Purchase Money or Satisfaction, or other Compensation to be made in respect thereof, shall be good and sufficient Discharges to the Company: Provided always, that the Lord or Lords, Lady or Ladies, of the Manor for the Time being shall be entitled or empowered to exercise the Powers aforesaid, although he or she may be only Tenant in Tail or Tenant for Life of such Manor, or entitled thereto or possessed thereof for any other limited Estate.

Purchase of Land on Lease for Years on Chief Rents.

LXI. And be it enacted, That if any Person seised in Fee of, or entitled to dispose of absolutely for his own Benefit, any Lands authorized to be purchased for the Purposes of this Act shall be willing to sell

sell such Lands for a perpetual annual Rent-charge, in lieu of a Sum in gross, or shall be willing to demise and lease such Lands for the Term of One thousand Years, or for any other Term or Number of Years, such Person may lawfully sell and convey such Lands or any Part thereof, or may lawfully demise and lease such Lands or any Part thereof, for the Term of One thousand Years, or for any other Term or Number of Years, unto the Company, in consideration of an annual Rent-charge or Rent payable by the Company to the Person so selling and conveying or demising and leasing, and to his Heirs and Assigns.

Payment of Rent of Lands to be charged on Rents for Water.

LXII. And be it enacted, That the yearly Rent reserved by any such Conveyance, Demise, and Lease shall be charged on the Rents or Sums of Money payable for Water under this Act, and shall from Time to Time be paid by the Company as such yearly Rent becomes payable; and if at any Time any such yearly Rent be not paid within Thirty Days after it so becomes payable, and after Demand thereof in Writing, the Person to whom any such yearly Rent shall be payable may either recover the same from the Company, with Costs of Suit, by Action of Debt in any of the Superior Courts, or it shall be lawful for him to levy the same by Distress of the Goods and Chattels of the Company.

Dimensions of Airways, &c.

LXIII. And be it enacted, That no Airway, Headway, Gateway, or Water Level to be made under the Lands of the Company under the Provisions of this Act, or the Waterworks Clauses Act, 1847, shall be of greater Dimensions than Five Feet wide and Four Feet Six Inches high.

Enfranchisement of Copyholds.

LXIV. And whereas the Company will, on the passing of this Act, be seised and possessed of certain Copyhold Lands held of the Manor of *Rochdale*, the Surrender of which Copyhold Lands has been made, pursuant to the Directions of the said recited Act, to the Use of Two Persons appointed by the Company thereby incorporated, and their Heirs, as Trustees for the said Company, for the Purposes of the said last-mentioned Act, by, under, and subject to the Rents, Suits, and Services due and of right accustomed, and the said Surrender thereof has been entered in the Rolls of the said Manor; be it enacted, That the Provisions contained in the "Lands Clauses Consolidation Act, 1845," with respect to the Enfranchisement of Copyhold Lands, shall be carried into effect with respect to the said Copyhold Land hereby vested in the Company hereby incorporated, or in Trustees for their Benefit; but the Application for Enfranchisement directed to be made to the Lord of the Manor shall be made within Three Months after the passing of this Act, in lieu of within Three Months after the Enrolment of the Conveyance as directed by the said "Lands Clauses Consolidation Act, 1845."

Period within which Lands are to be purchased.

LXV. And be it enacted, That the Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act, except as regards the said Common Moor or Waste Lands, with

with respect to which such Powers may be exercised for a Period of Five Years after the passing of this Act.

Period for Completion of Works.

LXVI. And be it enacted, That the additional Waterworks described on the said Plans and hereby authorized shall be completed within Ten Years after the passing of this Act, and on the Expiration of such Period the Powers of this Act, and of the Lands Clauses Consolidation Act, 1845, granted to the Company for erecting such Waterworks, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Works as shall be then completed: Provided always, that nothing in this Act contained shall extend or be construed to extend so as to restrain the Company from extending their Mains and Pipes from Time to Time whenever it shall be necessary for the Purpose of supplying the Inhabitants within the Limits of this Act with Water.

Constant Supply to be provided pursuant to Requirements of 10 & 11 Vict. c. 17. and this Act.

7 & 8 Vict. c. 104.

LXVII. And in order to satisfy the Requirements of the Waterworks Clauses Act, 1847, as to a constant Supply of Water being laid on under Pressure, be it enacted, That the Company shall and they are hereby required to afford a constant Supply of Water, as provided by the last-mentioned Act and this Act, to a Height of not less than One hundred and fifty Feet above the Surface of the Street at the Centre of the Town or Borough of *Rochdale*, which Centre is defined in an Act passed in the Session of Parliament held in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for better lighting, paving, cleansing, watching, regulating, and improving the Town of* Rochdale *and the Environs thereof in the County Palatine of* Lancaster.

Company within Ten Years to afford Supply of Water at a certain Pressure.

LXVIII. And be it enacted, That the Company shall, within Ten Years from the passing of this Act, afford a constant Supply of Water at a Pressure which will make the Water reach a Height of Sixty Feet at the least above the Ground in such Part or Parts of the Town or Borough of *Rochdale* as will not have a Pressure of Sixty Feet from the Supply herein-before provided to be afforded.

Rates at which the Company are to supply Water.

LXIX. 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, in any Street within the Limits of this Act, in which any Pipe of the Company shall be laid, a sufficient Supply of Water for the domestic Use of every such Occupier at a Rate *per Centum per Annum* not exceeding Seven Pounds Ten Shillings 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 in respect of any One Dwelling House, or Part of a Dwelling House, 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 Seven Shillings and Sixpence in any One Year; provided also, that a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, Water-closets, Horses, or Cattle, or for washing Carriages, or for any Trade or Business whatsoever.

LXX. And

Limiting Amount of Charge for Water-closets.

LXX. And be it enacted, That the Company shall not charge more in any One Year than the several Rates herein-after specified in respect of Water-closets in or belonging to any private Dwelling House; (that is to say,)

When the annual Rack Rent shall not exceed Six Pounds *per Annum*, the Sum of Six Shillings for each such Water-closet:

When the annual Rack Rent shall exceed Six Pounds and shall not exceed Ten Pounds *per Annum*, the Sum of Eight Shillings for each such Water-closet:

When the annual Rack Rent shall exceed Ten Pounds and shall not exceed Twenty-five Pounds, the Sum of Ten Shillings for each such Water-closet:

When the annual Rack Rent shall exceed Twenty-five Pounds and shall not exceed Fifty Pounds, the Sum of Twelve Shillings for each such Water-closet:

When the annual Rack Rent shall exceed Fifty Pounds and shall not exceed One hundred Pounds, the Sum of Fifteen Shillings for each such Water-closet:

When the annual Rack Rent shall exceed One hundred Pounds, the Sum of Twenty Shillings for each such Water-closet:

Provided always, that the Company shall not be compelled to supply any Water-closet, or the Apparatus or Pipes connected therewith, which shall not be constructed in manner approved of by the Company.

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

LXXI. 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.

Appointment of Auditor.

LXXII. And be it enacted, That the Company shall at their Ordinary Meeting in *May* annually appoint an Auditor for the Purpose of auditing the Accounts of the Company; and in case the Office of such Auditor shall, before such Accounts have been audited by him, be vacant by Death, or from any other Cause, the senior Magistrate for the Time being acting in and for the Borough of *Rochdale* shall from Time to Time appoint an Auditor to supply such Vacancy.

Delivery of Balance Sheet, &c., by Directors to Auditors.

LXXIII. And be it enacted, That the Directors shall deliver to such Auditor the half-yearly Accounts and Balance Sheet Fourteen Days at the least before the ensuing Ordinary Meeting at which the same is required to be produced to the Shareholders.

Duty of Auditor.

LXXIV. And be it enacted, That it shall be the Duty of such Auditor to audit the Accounts of the Company half-yearly, and to receive from the Directors the half-yearly Accounts and Balance Sheet required to be presented to the Shareholders, and to examine the same.

Powers of Auditor.

LXXV. And be it enacted, That for the above Purposes such Auditor may examine the Accounts of the Company at any Time during Fourteen Days previous to each Ordinary Meeting, and may either

either make a special Report on the said Accounts, or simply confirm the same and such Report or Confirmation shall be read, together with the Report of the Directors, at the Ordinary Meeting.

Remuneration of Auditor.

LXXVI. And be it enacted, That the Remuneration of such Auditor for each such half-yearly Audit shall not exceed the Rate of One Guinea *per* Day, nor the Sum of Two Guineas in the whole, and the same shall be paid to him by the Company.

Penalty for taking the Company's Water without Agreement.

LXXVII. And be it enacted, That if any Person not having agreed to be supplied with Water by the Company shall take any Water from any Reservoir or Aqueduct belonging to the Company, or from any Pipe, Tap, or Cock affixed or leading to or communicating with any such Aqueduct or Reservoir, or from any Cistern or other like Place containing Water supplied by the Company, he shall forfeit for every such Offence a Sum not exceeding Five Pounds, and shall also pay and make Recompence to the Company for the Water so taken.

Saving Rights of Vicar of Rochdale.

LXXVIII. And be it enacted, That nothing in this Act contained shall prejudice, affect, or interfere with any Rights, Powers, or Privileges which at the Time or immediately before the passing of this Act were vested in or belonged to the Vicar of *Rochdale* in respect of his Vicarage in or to any Brooks, Streams, or Springs arising upon or flowing through the Lands belonging to the said Vicarage.

Interpretation of Act.

LXXIX. 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:

The Expressions "the Directors" and "the Clerk" shall mean the Directors and Clerk respectively of such Company:

The Expression "*James Dearden*" shall include any Person for the Time being entitled to work any Mines to which the said *James Dearden* now is or claims to be entitled:

The Expressions "the recited Act" and "the said recited Act" shall mean the Act passed in the Second Year of the Reign of Her present Majesty Queen *Victoria* herein-before mentioned and hereby repealed.

Public Act.

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1847.