ANNO PRIMO

VICTORIÆ REGINÆ.

***

Extending the Powers of recited Act to this Act.

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 the said recited Act, and all the Powers, Provisions, Restrictions, Exemptions, Exceptions, Savings of Rights, Penalties, Forfeitures, Payments, Rates, Remedies, Directions, Articles, Matters, and Things therein contained, shall (except so far as the same or any of them is or are hereby varied, altered, or repealed,) extend and be construed to extend to this Act, and shall operate and be in force for carrying this Act into execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if the same had been herein repeated and re-enacted; and that all and every the Exemptions in favour of the Company of Proprietors of the *Mersey* and *Irwell* Navigation, and their Successors, and in favour of *Ellis Fletcher* Esquire, and his Heirs, Executors, Administrators, and Assigns, contained in the said recited Act, from the Rates thereby authorized, shall extend and apply to this Act, and to the additional Rate hereby authorized, in as full and beneficial a Manner as if the same had been herein repeated and re-enacted.

For raising the Embankment and impounding the Water.

II. And whereas the Embankment of the said Reservoir is now made to such a Height as to enable the said Commissioners to impound in the said Reservoir the Water of the said Brook called *Bradshaw Brook*, and its tributary Streams and Springs, to the Depth of Eighty Feet only above the Bed of the said Brook, at the Centre of the said Embankment, with Safety, and it is expedient that the said Embankment should be raised, in order that a larger Quantity of Water may be impounded in the said Reservoir; be it therefore enacted, That the said Commissioners shall and they are hereby required, within Two Years after the passing of this Act, to raise, construct, and complete the said Embankment to such an additional Height as shall enable the said Commissioners to impound in the said Reservoir the Water of *Bradshaw Brook* aforesaid, and its tributary Streams and Springs, to the Depth of One hundred Feet at the least above the Bed of the said Brook at the Centre of the said Embankment; and the said Commissioners are hereby authorized and empowered to impound in the said Reservoir the Water of *Bradshaw Brook* aforesaid, and its tributary Streams and Springs, to any Height not exceeding One hundred and twenty Feet above the Bed of the said Brook as aforesaid, and also to regulate the Supply of Water from the said Reservoir in such Manner as to the said Commissioners shall seem meet and proper, but subject and without prejudice nevertheless to the Provisions herein-after contained.

Commissioners may levy additional Rates, not exceeding 30*s.* per Foot of Fall.

III. And whereas, in order to raise Money for carrying the Purposes of the said recited Act into execution, the said Commissioners are thereby authorized to make and levy One or more Rate or Rates upon the Occupiers of the said Streams or Rivers as in the said recited Act is mentioned: And whereas it is provided by the said recited Act that no Rate or Rates to be made or levied as aforesaid shall exceed in any One Year the Sum of Fifty Shillings for every Foot of Fall thereby made liable to be rated, except as therein mentioned: And whereas the said Rates granted by the said recited Act are insufficient for the Purposes for which they were intended; be it therefore

therefore enacted, That in order to enable the said Commissioners to carry the Purposes of the said recited Act and this Act into execution One or more additional Rate or Rates shall from Time to Time be made, levied, and assessed by the said Commissioners, if they shall think the same necessary, at yearly or half-yearly Periods, upon all Persons who shall occupy, as in the said recited Act is mentioned, any Part of the said Stream or River called *Bradshaw Boook*, between its Exit from the said Reservoir and its Junction with the River *Eagley* near *Darcy Lever Hall* (including the Occupiers of any Part of the Conduit or Conduits authorized by the said recited Act to be constructed between the said Reservoir and the Bed of *Bradshaw Brook* aforesaid), or shall occupy, as in the said recited Act is mentioned, any Part of the said River *Eagley*, between the Place of its Junction with *Bradshaw Brook* as aforesaid and its Junction with the River *Irwell* at or near *Prestolee*, or shall occupy, as in the said recited Act is mentioned, any Part of the said River *Irwell* between the Place of its Junction with the River *Eagley* aforesaid and its Junction with the River *Irk* in the Township of *Manchester*, (be the said Stream and Rivers respectively best or most usually known by the said or by any other Name or Description,) or shall occupy, as in the said recited Act is mentioned, any Fall above the Junction of the Rivers *Irwell* and *Irk* as aforesaid which shall be supplied with Water from the said Stream, Rivers, and Conduit, or any of them: Provided always, that the additional Rate or Rates to be made, levied, and assessed as aforesaid shall not exceed in any One Year the Sum of Thirty Shillings for every Foot of Fall hereby or by the said recited Act made liable to be rated as aforesaid.

Exempting certain Persons.

IV. And be it further enacted, That the present Occupiers of the Mills called respectively *Nicodean Works*, having a Fall of Nine Feet or thereabouts, and *Nicodean Holmes*, having a Fall of Seven Feet or thereabouts, both in the Township of *Turton*, and *Stone Mill*, having a Fall of Seventeen Feet or thereabouts, in the Township of *Bradshaw*, shall be and they are hereby exempted from the Payment of any Part of the additional Rate of Thirty Shillings hereby imposed, beyond the Sum of Fifteen Shillings *per* Foot Fall, during the Continuance of their present Tenancy, provided that this Exemption shall not extend in any Case to a longer Term than Eight Years.

Regulating the Supply of Water.

V. And be it further enacted, That the said Commissioners shall and they are hereby required to cause a Supply of Water to be drawn from and to flow out of the said Reservoir at the Rate of Twelve Cubic Feet of Water at the least *per* Second of Time during Twelve Hours of every Working Day; that is to say, during Twelve of the Hours between Half past Five of the Clock in the Morning and Half past Eight of the Clock in the Evening of every such Day: Provided always, that there shall be a sufficient Quantity of Water in the said Reservoir for the Purposes of the said Supply.

Power of Distress by Justice's

VI. And be it further enacted, That if any Person rated and assessed in any Rate made in pursuance of the said recited Act or

Warrant on Nonpayment of Rates.

or this Act shall, for the Space of Ten Days after Demand thereof in Writing or in Print, or partly in Writing and partly in Print, signed by the Clerk to the said Commissioners, or by the Collector or Receiver of such Rate, made on him either personally or left at the Mill, Machinery, Manufactory, Building, or other Works in respect of the Fall of Water supplying which such Demand shall be made, refuse or neglect to pay any Sum of Money which shall be rated or imposed on him under the Provisions of the said recited Act or this Act, it shall be lawful for the said Commissioners, or their Collector or Receiver, or any other Person appointed in that Behalf, by Warrant under the Hand and Seal of any Justice of the Peace for the County or Place where such Defaulter shall reside, or where such Mill, Machinery, Manufactory, Building, or other Works, or any of them, shall be situate, (and which Warrant such Justice is hereby empowered and required from Time to Time to grant as Occasion shall require,) to levy such Sum of Money so rated and imposed, and all Arrears thereof, by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to pay the same, returning the Surplus (if any), on Demand, to the Owner of such Goods and Chattels, after first deducting the Costs, Charges, and Expences of and attending the said Warrant, and of taking, keeping, and making such Distress and Sale; and in case sufficient Goods and Chattels belonging to such Person cannot be found to make Payment of such Rates, Costs, Charges, and Expences as aforesaid, and the same or any Part thereof shall remain unpaid, then and in every such Case it shall be lawful for the said Commissioners to recover such Rate and Arrears, and the said Costs, Charges, and Expences, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Form of Warrant of Distress for Rates.

VII. And be it further enacted, That every Warrant which shall be issued or granted under or by virtue of the said recited Act or this Act to levy any Sum or Sums of Money which shall be rated, assessed, imposed, or owing under the Provisions of the said recited Act or this Act, may be in the following Form of Words, or in any other Form of Words to the same Effect; (that is to say,)

'WHEREAS by a Rate made the [*Date of Rate*] by the Commissioners of the *Turton* and *Entwisle* Reservoir, under an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*set forth the Title of the recited Act*], and another Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled [*set forth the Title of this Act*] [*Name of Defaulter*] an Occupier of a Fall of Water at a Place called [*Name or Situation of Fall as described in the Rate*] was duly rated at the Sum of [*Rate*]: And whereas the said Sum of [*Rate*] hath been lawfully demanded by the Collector of the said Rate, and the said [*Defaulter*] hath refused and neglected to pay the same, [*or* the Sum of Pounds, Part of the same]: These are therefore to authorize you [*Name of Collector or Receiver or other Person authorized or appointed*] to make Distress of the Goods and Chattels of the said [*Defaulter*];

and

'and if within the Space of Four Days next after such Distress 'by you taken the said Sum of [*Rate due*], together with the Sum 'of [ ] the Costs and Charges of and attending this 'Warrant, and also together with the further Costs, Charges, and 'Expences of taking, keeping, and making the said Distress, shall 'not be paid, that then you do sell the said Goods and Chattels so 'by you distrained, and out of the Money arising by such Sale 'you do detain the said Sum of [*Rate due*], and also the Sum of '[ ], the Costs and Charges of and attending the said 'Warrant, and also your further Charges of taking, making, 'keeping, and selling the said Distress, rendering the Overplus, if 'any, on Demand, to the said [*Defaulter*]. Given under [ ] 'Seal, the [*Date*].'

Power to borrow a further Sum of Money, not exceeding 5,000*l.*, on Security of the Rates.

VIII. And whereas by the said recited Act it is enacted, that it shall be lawful for the said Commissioners from Time to Time to borrow and take up at Interest, on the Credit of the Rates to be raised and levied by them by virtue of the said recited Act, in such Manner as they shall think proper, any Sum or Sums of Money which they shall think necessary to be borrowed, not exceeding in the whole the Sum of Twenty-five thousand Pounds, to be applied in or towards making and maintaining the said intended Reservoir and Works, and for the general Purposes of the said Act: And whereas the Sum of Twenty-five thousand Pounds will not be sufficient for the completing of the whole of the Works of and connected with the said Reservoir, and for the general Purposes of the said Act and this Act; it is therefore expedient that the said Commissioners should be empowered to raise a further Sum in addition to the said Sum of Twenty-five thousand Pounds; be it therefore enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow and take up at Interest, upon the Credit of the Rates to be raised and levied by virtue of the said recited Act and this Act, and the said Reservoir, and the Lands, Works, Hereditaments, and Premises belonging to the said Commissioners, in such Manner as they shall think proper, any further Sum or Sums of Money (over and above the said Sum of Twenty-five thousand Pounds), not exceeding the Sum of Five thousand Pounds, to be applied in and towards the making and maintaining the said Reservoir and Works, and for the general Purposes of the said recited Act and this Act; and the said Commissioners are hereby empowered from Time to Time to assign by way of Mortgage the said Rates to be raised and levied by them under or by virtue of the said recited Act and this Act, and the said Reservoir, and the Lands, Works, Hereditaments, and Premises belonging to the said Commissioners, or any Part or Proportion, Parts or Proportions thereof, as a Security to any Person or Persons who shall have advanced or shall advance any Part or Parts of the said several Sums of Twenty-five thousand Pounds and Five thousand Pounds, or to his or their Trustee or Trustees, and his or their respective Executors, Administrators, and Assigns, for the Repayment of the Principal Money so advanced or to be advanced, with such lawful Interest for the same as shall have been or shall be agreed upon

in that Behalf ; and every such Mortgage shall be made by Deed in Writing under the Common Seal of the said Commissioners, duly stamped, in which the Consideration for the same shall be truly stated, and may be made in the Manner and Form or to the Effect following ; that is to say,

Form of Mortgage.

'BY virtue of an Act passed in the Second Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act for making and maintaining a Reservoir upon* Bradshaw Brook *in the Townships of* Turton *and* Entwisle *in the Parish of* Bolton-le-Moors *in the County of* Lancaster, *for providing a more regular Supply of Water in* Bradshaw Brook *aforesaid, and in certain Rivers connected therewith*, and of a certain other Act passed in the First Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], we, the Commissioners of the *Turton* and *Entwisle* Reservoir, under and by virtue of the said Acts, in consideration of the Sum of of lawful *British* Money to us paid by of in the County of , do hereby grant and assign unto the said Executors, Administrators, and Assigns, such Proportion of the Rates to be raised, levied, and collected by virtue of the said Act, and the Reservoir, Lands, Works, and Hereditaments belonging to the said Commissioners, as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed or become due and owing on the Security thereof; to have, hold, receive, and take the said Proportion of the said Rates, Reservoir, Lands, Works, and Premises, with the Appurtenances, unto the said Executors, Administrators, and Assigns, until the said Sum of , together with Interest for the same after the Rate of *per Centum per Annum*, shall be fully paid and satisfied. Given under our Common Seal this Day of in the Year of our Lord .'

or in any other Form or to any other Effect which may be better adapted to the Circumstances under which any such Sum of Money shall be borrowed; and Copies of all such Mortgages shall be entered in a Book to be kept for that Purpose by the said Commissioners, which Book shall and may, at all seasonable Times, be perused and inspected without Fee or Reward by any Person interested therein.

Rates under this Act liable to Mortgages under recited Act.

IX. And be it further enacted, That the said additional Rates granted by this Act shall be and the same are hereby made subject and liable, together and in like Manner with the Rates granted by the said recited Act, to the Payment of the Monies which have been borrowed and are now due and owing on the Credit or Security of the Rates granted by the said recited Act, and to all Interest now due or hereafter to grow due thereon, as fully and effectually, to all Intents and Purposes, as if the said Monies had been originally borrowed and become due under the Provisions of the said recited Act and this Act.

X. And

Commissioners may cancel former Mortgages.

X. And be it further enacted, That the said Commissioners may and they are hereby authorized to receive in and cancel all or any of the Mortgages granted under the said recited Act, and instead and in lieu thereof grant and execute another Mortgage or other Mortgages in manner and form as herein-before mentioned.

Falls on the Mersey exempted from Rates.

XI. And whereas the Occupiers of Falls of Water on the said River *Mersey* below the Point of its Junction with the River *Irwell* in the Township of *Flixton* have not derived and are not likely to derive any Benefit whatever from the said Reservoir; be it therefore enacted, That the Power to rate the Occupiers of any Fall of Water upon or adjoining to or leading out of the said River *Mersey* below the said Point of Junction of the Rivers *Mersey* and *Irwell*, under the said recited Act, shall, from and after the passing of this Act, be and the same is hereby repealed, and that from thenceforth no Rate or Rates whatever shall be made, for the Purposes of the said recited Act or this Act, upon any Occupier of any Fall of Water upon or adjoining to or leading out of the said River *Mersey* below the Point of its Junction with the said River *Irwell*, any thing in the said recited Act or this Act contained to the contrary thereof notwithstanding.

Repealing Clause in recited Act for Application of Rates.

XII. And be it further enacted, That so much of the said recited Act as directs the Application of the Sums of Money rated, assessed, and imposed, raised, levied, and received by the said Commissioners by virtue of that Act, shall be and the same is hereby repealed.

Application of Rates.

XIII. And be it further enacted, That all Monies now in the Hands of the said Commissioners, and which shall be rated, assessed, and imposed, raised, levied, and received, by the said Commissioners, by virtue of the said recited Act and this Act, shall be applied, in the first place, in Payment of all Costs, Charges, and Expences incurred or in any Manner incident to the applying for, obtaining, and passing of this Act, and in the next place, in carrying into execution the several Purposes of the said recited Act and this Act, and in paying from Time to Time the Interest of the Principal Money now due and owing and to be borrowed by the said Commissioners under and by virtue of the said recited Act and this Act; and the Residue thereof shall from Time to Time be applied in paying off the Principal Money now due and owing and to be borrowed by the said Commissioners as aforesaid.

Referees to ascertain Surplus.

XIV. And whereas the Company of Proprietors of the *Manchester*, *Bolton*, and *Bury* Canal Navigation are desirous of obtaining Water from the said Brook called *Bradshaw Brook*, for the Purpose of supplying the said Canal, and the said Commissioners are willing that the same shall be afforded by means of the aforesaid Reservoir, provided there is a sufficient Quantity of surplus Water over and above what is requisite for the Supply of the Occupiers of the Stream, River, and Falls herein-before mentioned: And whereas it is not ascertained whether the said Reservoir, when completed so that Water may stand therein to the Height of One hundred Feet

above the Bed of the Brook at the Centre of the said Embankment, will or will not afford any such Surplus; be it therefore further enacted, That within Six Months after the passing of this Act the said Company of Proprietors shall, on their Part and Behalf, nominate and appoint some Person to act as their Referee for the Purposes herein-after mentioned, and shall give Notice thereof in Writing to the said Commissioners, or their Clerk, specifying in such Notice the Christian and Surname and Address of such Person; and that thereupon the said Commissioners shall, within Thirty Days after Service of such Notice, cause an extraordinary General Meeting of the Occupiers of the said Stream, Rivers, and Falls, who are rateable in respect of the said Reservoir, to be convened in the Manner prescribed in the said recited Act; and that at such extraordinary General Meeting the said Occupiers shall nominate and appoint some Person to act as their Referee for the like Purposes, and shall, within Fourteen Days after the holding of such extraordinary General Meeting, give a Notice in Writing to the said Company of Proprietors, or their Clerk, specifying in such Notice the Christian and Surname and Address of such Person; and thereupon it shall be lawful for such Two Referees and they are hereby required, before they shall proceed to act, to appoint by Writing under their Hands some Third Person to be Umpire in all Matters referred to them by virtue of this Act where any Difference of Opinion shall arise or exist between such Referees; and it shall be lawful for such Two Referees to proceed to inquire and ascertain whether the said Reservoir, when completed so that Water will stand therein to the Height of One hundred Feet above the Bed of the Brook as aforesaid, will or will not afford any surplus Water over and above the Quantity which will be necessary to give an Average Supply of Eighteen Cubic Feet of Water *per* Second for Three hundred and Ten Days in the Year for the Space of Twelve Hours in each Day to the Mills and other Works situate upon the said Stream and Rivers.

Determination to be reduced into Writing.

XV. And be it further enacted, That in case the said Referees or the said Umpire shall determine that the said Reservoir, when so completed as aforesaid, will afford any surplus Water over and above the Quantity herein-before mentioned, they shall further inquire and ascertain whether such Surplus will be equal to Two Cubic Feet *per* Second, flowing constantly for Three hundred and ten Days of Twenty-four Hours in each Day in the Year, or whether there will be a Surplus of any other and what Amount *per* Second; and the Opinion and Decision of the said Referees or the said Umpire herein shall be reduced into Writing and signed by them, or by such of them as shall determine the same; and such Writing, so signed, shall be conclusive upon the said Commissioners and Occupiers, and also upon the said Company of Proprietors, as to the Question of the said supposed surplus Water, and the Amount thereof.

Canal Company to draw surplus Water.

XVI. And be it further enacted, That in case the said Referees or the said Umpire shall determine that there will be a Surplus as aforesaid it shall and may be lawful for the said Company of Proprietors and they

they are hereby authorized to draw and take from and out of any Part of the said Brook called *Bradshaw Brook*, from Day to Day, a Quantity of Water equal to Two Cubic Feet *per* Second, flowing constantly during Three hundred and ten Days in the Year for Twenty-four Hours each Day, provided the said Referees or the said Umpire shall have determined that there will be surplus Water to that Amount, the said Company paying for the same to the said Commissioners such Sum or Sums of Money as herein-after mentioned; and in case the said Referees or the said Umpire shall have determined that the surplus Water as aforesaid will amount to any Quantity less than sufficient to supply Two Cubic Feet of Water *per* Second as aforesaid, then it shall and may be lawful to and for the said Company of Proprietors and they are hereby authorized to draw and take from the said Brook such less Quantity *per* Second, and no more, paying for the same as aforesaid.

Commissioners to let out surplus Water.

XVII. And be it further enacted, That in case the said Referees or the said Umpire, as the Case may be, shall determine that there will be such Surplus as aforesaid, the said Commissioners shall and they are hereby required to permit and suffer to flow from and out of the said Reservoir, from Day to Day, a Quantity of Water equal to Two Cubic Feet *per* Second, flowing constantly during Three hundred and ten Days in the Year for Twenty-four Hours each Day, over and above the Quantity of Water they are by this Act directed to allow to flow for the Use of the Occupiers of the said Streams, Rivers, and Falls, provided the said Referees or the said Umpire shall have determined that there will be surplus Water to that Amount; and in case the said Referees or the said Umpire shall have determined that the surplus Water aforesaid will amount to any Quantity less than sufficient to supply Two Cubic of Water *per* Second as aforesaid, then the said Commissioners shall and they are hereby required to permit and suffer such less Quantity *per* Second to flow from and out of the said Reservoir, over and above the aforesaid Quantity, and no less, so long as there shall be a sufficient Quantity of Water in the said Reservoir for the Purposes of the said several Supplies.

Referees to determine Gauges.

XVIII. And be it further enacted, That the said Referees or the said Umpire are hereby required to determine, by their Award in Writing under their Hands, with proper Plans and Sections to be thereunto annexed, the Plan, Situation, Nature, and Construction of a proper Gauge or Gauges or other Contrivance to be placed at the Point upon or near to the said Brook at which the said Company of Proprietors shall determine to draw and take such surplus Water as aforesaid, for the Purpose of regulating the Quantity of Water so to be taken by the said Company from the said Brook, the said Gauge or Gauges or Contrivance to be limited to a Capacity for discharging Two Cubic Feet *per* Second as aforesaid; and in case the said Two Referees shall not within Six Calendar Months after the said Company shall have determined upon the Point aforesaid upon or near to the said Brook, and shall have given Notice thereof in Writing to such Referees, agree and determine upon the Plan, Situation, Nature, and Construction of such Gauge or Gauges or other

other Contrivance, and the Means of managing the same, then the said Umpire to be appointed as aforesaid shall and he is hereby required to determine and settle the same within Three Calendar Months next after the Expiration of such Six Calendar Months.

Company not to take surplus Water till the Gauges are determined.

XIX. And be it further enacted, That nothing herein contained shall authorize the said Company of Proprietors to take or draw any Water from the said Brook until the said Gauge or Gauges or other Contrivance to be determined upon by the said Referees or Umpire, for regulating the Quantity of Water to be taken by the said Company therefrom, shall be completed; and also that nothing herein contained shall be construed to require the said Commissioners to permit and suffer any such surplus Water as aforesaid to flow from and out of the said Reservoir until the said Gauge or Gauges or other Contrivance shall be completed, such Completion to be certified to the said Commissioners by the said Referees or Umpire in Writing under their or his Hands or Hand.

Company to pay Expence of Gauges.

XX. And it is hereby further enacted, That all such Gauge or Gauges or other Contrivance, and all Works connected therewith, which may be by the said Referees or the said Umpire deemed necessary for regulating the said Supply of Water to the said Company, shall be constructed, erected, and maintained at the sole Cost and Charges of the said Company.

Referees to determine the Sums to be paid by the Company.

XXI. And be it further enacted, That the said Referees or Umpire shall and they are hereby required, within the same Period respectively, to determine upon and settle, by their Award in Writing under their Hands, the Sum or Sums of Money to be paid by the said Company of Proprietors to the said Commissioners for and in respect of the said surplus Water which they are herein-before authorized to take and draw from the said Brook, and the Time and Times of the Payment thereof; and the said Company of Proprietors shall and they are hereby required to pay to the said Commissioners such Sum and Sums of Money as shall become due and payable by them, and at such Time and Times as shall be so settled and determined upon by the said Referees or Umpire: Provided always, that nothing herein contained shall subject the said Company of Proprietors to any Payment whatever in respect of such surplus Water until they shall have provided the Means and shall commence taking the said surplus Water.

Power of Distress.

XXII. And be it further enacted, That in case the said Company of Proprietors shall, for the Space of Ten Days after Demand thereof from the Clerk and Treasurer of the said Company, refuse or neglect to pay any Sum of Money which shall be payable by them by virtue of this Act, or of the Award or Determination to be made by the said Referees or the said Umpire as aforesaid, then it shall be lawful for the said Commissioners, or their Collector or Receiver, or any other Person appointed by them, by Warrant under the Hand and Seal of any Justice of the Peace for the County of *Lancaster*, and which Warrant such Justice is hereby empowered and required from

Time to Time to grant as Occasion shall require, to levy such Sum of Money so payable by them as aforesaid by Distress and Sale of the Goods and Chattels of the said Company within the said County; or the said Commissioners may recover such Sum of Money so payable as aforesaid by Action of Debt or on the Case in any of Her Majesty Courts of Record at *Westminster*.

Providing for further Supplies of Water.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time, with the Consent of Five Sixths of the Owners and Occupiers of Falls upon the said Stream and Rivers between the Point where such Supply shall be agreed to be taken out of the said Brook and the Point where the same shall again fall into the River near *Manchester*, to contract and agree with the said Company of Proprietors for a further Supply of Water from the said Reservoir, over and above the surplus Water herein-before mentioned; provided nevertheless, that all such Contracts and Agreements shall be confirmed at an extraordinary General Meeting of the Occupiers of the said Stream, Rivers, and Falls who are rateable in respect of the said Reservoir, to be convened in the Manner in the said recited Act provided.

Public Act.

XXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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