



CHAPTER cxc.

An Act to enable the lord mayor aldermen and citizens of the city of Belfast to construct and work additional tramways in the city to make street improvements to construct works and exercise powers for prevention of flooding to acquire lands to make provisions for the better control of persons practising midwifery in the city to establish a textile testing house to enable the Corporation to raise further money and to confer various further powers upon the Corporation with respect to streets and buildings in the city and in relation to sanitary matters and the health and good government of the city and for other purposes.

A.D. 1911.

[16th December 1911.]

WHEREAS the city of Belfast (in this Act called "the city") is a county borough subject to the Acts relating to municipal corporations in Ireland and the lord mayor aldermen and citizens of the city (in this Act called "the Corporation") acting by the council are the urban sanitary authority for the district thereof:

And whereas the several local Acts and Orders mentioned in the First Schedule to this Act are in force within the city which Acts and Orders are in this Act referred to collectively as "the former Acts" and each of them separately as an Act or Order of the year in which the same was passed or made:

And whereas under powers of certain of the former Acts the Corporation are the owners of and are working the tramway system of the city and it is expedient that the Corporation

A.D. 1911. should be empowered to construct further tramways as by this Act authorised :

And whereas certain areas in the city are subject to floods and it is expedient that the Corporation be authorised to construct works and exercise powers as by this Act provided with a view to the prevention of such floods :

And whereas it is expedient that the Corporation should be authorised to make the street works in this Act described and to exercise in relation thereto the powers by this Act conferred :

And whereas it is expedient that the Corporation should be empowered to acquire hold and deal with lands in connection with such new streets and improvements and to erect buildings upon or grant leases of such lands as may be acquired for or in connection with but shall not be required for the street works :

And whereas it is expedient that powers should be conferred upon the Corporation to extend and enlarge the city cemetery and to acquire lands therefor :

And whereas no powers exist for controlling the persons practising midwifery in the city and it is expedient that the provisions for that purpose contained in this Act should be sanctioned :

And whereas it is expedient and will be of public and local advantage that the Corporation be authorised to institute and carry on a testing and conditioning house for the purpose of the linen and textile fabric industry of the city and to issue certificates in connection with such industry :

And whereas certain obligations were imposed upon the Corporation by the Act of 1899 with respect to the purification of the sewage of the city and such obligations are not now capable of fulfilment and it is expedient that the Corporation should be relieved of such obligations and provisions as in this Act contained be made in lieu thereof :

And whereas it is expedient that further powers be conferred upon the Corporation with respect to the construction and erection of buildings and that the provisions of this Act with respect to sanitary matters and the health good government and management of the city should be made :

And whereas it is expedient that further borrowing powers be conferred on the Corporation for the purposes of this Act

and that the Corporation should be authorised to apply their loans fund in exercise of their powers of borrowing money: A.D. 1911.

And whereas it is expedient that the other provisions in this Act contained should be sanctioned:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas estimates have been prepared by the Corporation of the cost of constructing the works by this Act authorised and of giving effect to other purposes of this Act including the amount necessary for the purchase of such of the lands as are required to be purchased for those purposes and in the case of the street works the amount (hereinafter mentioned) at which the Corporation property to be appropriated therefor has been estimated and such estimates are as follows:—

For and in connection with the tramways and the tramways undertaking one hundred and sixty-three thousand pounds;

For and in connection with the construction of the portion of the Holywood tramways authorised by the Holywood Tramways Act 1909 to be constructed by the Corporation thirty-nine thousand pounds;

For flood prevention works one hundred and nineteen thousand pounds;

For street works one hundred and fifty-six thousand pounds;

For the cemetery extension twenty-two thousand pounds;

For and in connection with the lands at Drumnadrough twenty thousand pounds;

For the gas undertaking one hundred thousand pounds:

And whereas the Corporation property to be appropriated to the street works is of the value of five thousand pounds:

And whereas the several works included in such estimates respectively are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas an absolute majority of the whole number of the council at a meeting held on the twenty-eighth day of November one thousand nine hundred and ten after ten clear days' notice by public advertisement of such meeting and of the purpose thereof in the Belfast News Letter a

A.D. 1911. newspaper published and circulating in the city (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged on the general purposes fund or rate of the city:

And whereas such resolution was published twice in the said newspaper and has received the approval of the Chief Secretary and so far as relates to matters within their jurisdiction the approval of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a similar notice on the second day of January one thousand nine hundred and eleven being not less than fourteen days after the deposit in Parliament of the Bill for this Act:

And whereas the persons qualified to vote at an election of the members of the council of the city have by resolution in the manner provided in the Borough Funds (Ireland) Act 1888 approved of the promotion of the Bill for this Act:

And whereas plans and sections showing the lines situation and levels of the tramways flood prevention works and street works by this Act authorised and plans showing the lands which may be acquired under the powers of this Act and a book of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the clerk of the peace for the county of Antrim and the clerk of the peace for the county of Down and are in this Act referred to as the deposited plans sections and book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

PART I.

PRELIMINARY.

1. This Act may be cited as the Belfast Corporation Act 1911 and this Act and the former Acts may be cited as the Belfast Local Acts 1845 to 1911,

Short and
collective
titles.

2. This Act is divided into Parts as follows:—

- Part I.—Preliminary.
- Part II.—Tramways.
- Part III.—Flood Prevention Works.
- Part IV.—Street Works.
- Part V.—General Provisions as to Works.
- Part VI.—Cemetery Extension.
- Part VII.—Lands.
- Part VIII.—Midwives.
- Part IX.—Textile Testing and Conditioning House.
- Part X.—Buildings.
- Part XI.—Sanitary.
- Part XII.—Gas.
- Part XIII.—Financial.
- Part XIV.—Miscellaneous.

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—
Act divided
into Parts.

3. The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845) so far as the same are respectively applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with this Act and for the purposes of such incorporation the Railways Act (Ireland) 1851 and the Acts amending the same shall be read and have effect as if the Corporation were a railway company and the works by this Act authorised were railways.

Incorporation of
general Acts.

4. In this Act unless otherwise expressly provided or the context otherwise requires—

Interpretation.

Terms to which meanings are assigned by the former Acts or by any Act wholly or partially incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction;

“The tramways” means the tramways authorised by this Act;

“The Corporation tramways” includes the tramways and all tramways for the time being belonging to or leased or worked by the Corporation;

“Tramway revenue” means all revenue of the Corporation tramways;

“Mechanical power” includes electrical and every other motive power not being animal power;

“Engine” includes motor;

“The city” means the city and county borough of Belfast;

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“The Corporation” means the lord mayor aldermen and citizens of the city;

“The council” means the council of the city;

“The town clerk” “the treasurer” “the surveyor” “the medical officer” and “the executive sanitary officer” respectively mean the town clerk the treasurer the surveyor (including the assistant surveyor) the medical superintendent officer of health and any executive sanitary officer appointed by the council in pursuance of the powers of any public Act or the former Acts and respectively include any person duly authorised to discharge temporarily the duties of the officers hereinbefore enumerated;

“The Public Health Acts” means the Public Health (Ireland) Act 1878 and any Act or Acts amending the same;

“Daily penalty” means a penalty for every day on which an offence is continued after conviction;

“The Local Government Board” means the Local Government Board for Ireland.

PART II.

TRAMWAYS.

Power to
make tram
ways.

5. Subject to the provisions of this Act the Corporation may construct lay down maintain repair work and use in the lines and situations and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections the tramways hereinafter described with all necessary and proper works appliances apparatus and conveniences connected therewith or for making working and using the same respectively.

The tramways hereinbefore referred to and authorised by this Act are situate wholly within the city and are as follows:—

Tramway No. 1.—A double line of tramway 1 mile 3 furlongs 6·2 chains or thereabouts in length in the parish of Shankill commencing in the townland of Malone Lower in Shaftesbury Square by a junction with the existing tramway in Dublin Road at a point thereon opposite or nearly opposite the northern side of Donegall Pass and

terminating in the townland of Ballymurphy in Falls Road by a junction with the existing tramway in that road at a point thereon about 1 chain southward of the junction of Falls Road and Donegall Road: A.D. 1911.

Tramway No. 1A.—A junction tramway double line 1 chain or thereabouts in length wholly in the said townland of Malone Lower commencing by a junction with the existing tramway in Great Victoria Street at a point thereon $1\frac{1}{2}$ chains or thereabouts measured in a northerly direction from the intersection of Dublin Road and Donegall Road and terminating by a junction with Tramway No. 1 at a point thereon about 1 chain measured in a south-westerly direction from the point hereinbefore described as the commencement of Tramway No. 1:

Tramway No. 2.—A double line of tramway 6 furlongs 1·15 chains or thereabouts in length wholly in the said townland of Malone Lower commencing by a junction with the existing tramway in Dublin Road at a point thereon about 1 chain southward from the southern side of Fulton Street and terminating in Ormeau Road by a junction with the existing tramway in that road at a point about 1 chain southward from the junction of University Avenue with that road:

Tramway No. 2A.—A junction tramway double line 2·4 chains or thereabouts in length wholly in the said townland of Malone Lower commencing by a junction with the existing tramway in Great Victoria Street at a point thereon about $3\frac{1}{2}$ chains measured in a northerly direction from the intersection of Dublin Road with Donegall Road and terminating by a junction with Tramway No. 2 at a point thereon about $2\frac{1}{2}$ chains from the point hereinbefore described as the commencement of that tramway:

Tramway No. 3.—A double line of tramway 3 furlongs 6·73 chains or thereabouts in length wholly in the said townland of Malone Lower commencing by a junction with the existing tramway in Stranmillis Road at the termination of that tramway and terminating in Lockview Road at a point about 2 chains south-eastward from the eastern side of Wansbeck Street:

Tramway No. 4.—A double line of tramway 1 mile 2 furlongs 3·4 chains or thereabouts in length in the parish of Knockbreda commencing in the townland of Ballymacarret by a

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junction with the existing tramway in Mountpottinger Road at a point thereon 1 chain or thereabouts south-eastwards of the southern side of Cluan Place and terminating in the townland of Multyhogy in Castlereagh Road at a point opposite or nearly opposite the eastern side of the lodge at the entrance to Orangefield:

Tramway No. 4A.—A junction tramway double line 1·5 chains or thereabouts in length wholly in the said townland of Ballymacarret commencing by a junction with the existing tramway in Albertbridge Road at a point thereon $\frac{1}{2}$ chain or thereabouts westward from the eastern side of the Mount and terminating by a junction with Tramway No. 4 at a point thereon about $1\frac{1}{2}$ chains from the point hereinbefore described as the commencement of that tramway:

Tramway No. 4B.—A junction tramway double line 1·2 chains or thereabouts in length situate wholly in the said townland of Ballymacarret commencing by a junction with Tramway No. 4 in Castlereagh Street at a point thereon 1 chain or thereabouts east of the junction of Castlereagh Street and Clandeboye Street and terminating by a junction with Tramway No. 5 in Beersbridge Road at a point thereon 1 chain or thereabouts westward from the junction of Beersbridge Road and Kenbaan Street:

Tramway No. 5.—A double line of tramway 1 mile 0 furlongs 6·9 chains or thereabouts in length commencing in the parish of Knockbreda and townland of Ballymacarret by a junction with the existing tramway in Woodstock Road at a point on that tramway about 1 chain north of the junction of Woodstock Road with Beersbridge Road and terminating in Bloomfield Road in the townland of Ballyhackamore in the parish of Holywood at a point in that road opposite the northern side of North Road:

Tramway No. 5A.—A junction tramway double line 1·7 chains or thereabouts in length wholly in the said townland of Ballymacarret commencing by a junction with Tramway No. 5 in Beersbridge Road at a point thereon opposite or nearly opposite the eastern side of Frankfort Street and terminating by a junction with Tramway No. 4 in Castlereagh Road at a point thereon about 1 chain or thereabouts southward from the junction of Castlereagh Road and Beersbridge Road.

6.—(1) The Corporation shall not in or for the purpose of constructing Tramway No. 1 or Tramway No. 2 by this Act authorised alter or interfere with the structure of the bridges the property of the Great Northern Railway Company (Ireland) respectively carrying Donegall Road over the railway of that company near Utility Street and carrying Botanic Avenue over the said railway near Lower Crescent except so far as may be necessary for the purpose of strengthening the said bridges.

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As to bridges over Great Northern Railway.

(2) The Corporation shall not commence to construct so much of the said tramways as will respectively be situate on the bridges referred to in the preceding subsection of this section or on the bridge constructed by the Corporation over the railway of the said company under the powers of the Act of 1899 unless or until they shall have strengthened the said bridges respectively to such extent (if any) as may be required to carry the tramways.

7. The tramways shall be constructed on a gauge of four feet eight and a half inches and carriages or trucks adapted to run on railways shall not be used thereon.

Gauge of tramways.

8. If the tramways be not completed and opened for public traffic within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for constructing the same or otherwise in relation thereto shall cease except as to so much of the tramways as shall then be completed.

Period for completion of tramways.

9. Subject to the provisions of this Act the tramways shall for all purposes be deemed to form part of the tramway undertaking of the Corporation and of the Corporation tramways.

Tramways to form part of tramway undertaking of Corporation.

10. No part of the tramways shall be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Inspection by Board of Trade.

11. No post or other apparatus for working the tramways shall be erected on the carriageway of any street or road except with the consent of the Board of Trade.

As to erection of posts &c. on carriageway.

12. The sections of the Belfast Street Tramways Act 1872 of which the numbers and marginal notes are set out in the First Part of the Second Schedule to this Act shall extend and apply to the tramways as if the same had been re-enacted in this Act with respect thereto and the sections of the said Act

Application of certain provisions of Belfast Street Tramways Act 1872.

A.D. 1911. the numbers and marginal notes whereof are set out in the Second Part of the Second Schedule to this Act shall extend and apply to the tramways and the Corporation in respect thereof and shall be read and have effect as if the same had been re-enacted in this Act and the Corporation had been named therein instead of the company.

For protection of Belfast City and District Water Commissioners.

13. The provisions for the protection of the Belfast City and District Water Commissioners contained in section 5 of the Belfast Street Tramways Act 1884 shall notwithstanding anything to the contrary contained in this Act extend and apply to the tramways and works referred to in this Act and in the application of section 5 of the Belfast Street Tramways Act 1884 to this Act the expression "the company" in the said section shall be taken as meaning the Corporation and the expression "the water commissioners" shall be taken as meaning the Belfast City and District Water Commissioners:

Provided that if any difference shall arise under the provisions of the said section 5 in respect of such tramways and works the same shall be settled as if it were a difference arising under the section of this Act of which the marginal note is "For further protection of Belfast Water Commissioners."

Incorporation of certain sections of Act of 1904.

14. The following sections of the Act of 1904 (that is to say):—

- Section 17 (Tramways to be kept on level of surface of road);
- Section 18 (Cross-overs to be constructed in certain cases);
- Section 19 (Power to make additional cross-overs and to double tramway lines);
- Section 20 (Plan of proposed mode of construction);
- Section 21 (Penalty for not maintaining rails and roads);
- Section 22 (Temporary tramways to be made where necessary);
- Section 23 (Corporation may reduce width of footway for constructing tramways);
- Section 24 (Corporation may take up lines for purpose of constructing others);
- Section 25 (Provisions as to motive power);
- Section 26 (Special provisions as to use of electrical power);
- Section 27 (Power to attach brackets &c. to buildings);
- Section 28 (Waiting rooms or sheds);

- Section 29 (Alteration of telegraph lines of Postmaster-General); A.D. 1911.
- Section 30 (For protection of Post Office telegraph lines);
- Section 33 (Power to Corporation to work tramways);
- Section 36 (Traffic upon tramways);
- Section 37 (Rates for passengers);
- Section 38 (Corporation may appoint stages on the tramways);
- Section 39 (Corporation not bound to carry goods);
- Section 40 (Provision as to carriage of goods &c. in separate carriages);
- Section 41 (Goods);
- Section 42 (As to use of tramways for carriage of goods &c.);
- Section 43 (Passengers' luggage);
- Section 44 (As to fares on Sundays and holidays);
- Section 45 (Cheap fares for labouring classes);
- Section 46 (Byelaws);
- Section 47 (Penalty for malicious damage);
- Section 48 (Orders &c. of Board of Trade);
- Section 49 (Recovery of penalties);
- Section 50 (Power to lease);
- Section 52 (Power to enter into working agreements);

shall so far as the same are applicable in that behalf and are not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the tramways.

15. The Corporation may on any tramway routes fixed by them appropriate any car or cars for the use of passengers travelling for more than one stage on such routes and may charge for cars so appropriated a special fare or special scale of fares different from that which the Corporation charge in respect of cars not so appropriated. Provided that the Corporation shall not in respect of any such cars so appropriated charge a higher fare than would have been payable by a passenger travelling upon such car along the whole route over which such car is to be run. Special cars.

16. As from the passing of this Act the provisions of the schedule to the Belfast Street Tramways Act 1896 regulating Speed of cars on tramways.

A.D. 1911. the speed at which carriages may be driven or propelled shall be and the same are hereby repealed and the Corporation may run carriages upon the Corporation tramways at such speed as the Board of Trade may from time to time sanction.

Corporation may require removal of vehicles obstructing tramways.

17. The owner of any vehicle which shall break down upon any part of the Corporation tramways so as to obstruct the tramway traffic thereon shall forthwith remove the same and if the owner of such vehicle shall not forthwith remove the same the Corporation may cause the same to be removed and recover the expense of so doing from the owner.

Corporation may lop trees overhanging public highway.

18. The Corporation may cut and lop any trees planted in or near any highway along the route of any of the Corporation tramways which may in any way interfere with the construction or working of the Corporation tramways or the trolley wires in connection therewith or with the clear and safe passage of the tramcars and the passengers on such tramways Provided that the Corporation shall not in the exercise of the powers of this section do unnecessary damage to any such trees and shall make compensation to any persons who may sustain damage by the exercise of the powers conferred by this section.

Use of tramway posts by Postmaster-General.

19.—(1) It shall be lawful for the Postmaster-General in any street or public road or part of a street or public road in which he is authorised to place a telegraph to use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Corporation in connection with the Corporation tramways and to lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time to alter any telegraph so supported subject to the following conditions:—

(A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the tramways:

(B) The Postmaster-General shall give to the Corporation not less than twenty-eight days' notice in writing of his intention to exercise any of the powers of this section and shall in such notice specify the streets or public roads or parts of streets or public roads along which it is proposed to exercise such powers and the manner in which it is proposed to use the posts standards and brackets and also the maximum strain

and the nature and direction of such strain Any difference as to any matter referred to in such notice shall be determined as hereinafter provided :

- (c) Unless otherwise agreed between the Postmaster-General and the Corporation the Postmaster-General shall pay the expense of lengthening adapting altering or replacing under the provisions of this section any post standard or bracket and the expenses of providing and maintaining any appliances or making any alteration rendered necessary in consequence of the exercise of the powers of this section for the protection of the public or the unobstructed working or user of the tramways or to prevent injurious affection of the Postmaster-General's telegraphs or any telegraphic or telephonic line or electrical apparatus of the Corporation or by any regulations which may from time to time be made by the Board of Trade arising through the exercise by the Postmaster-General of the powers conferred by this section :
- (d) Unless otherwise agreed or in case of difference determined as hereinafter provided all telegraphs shall be attached to the posts standards or brackets below the level of the trolley wires and on the side of such posts or standards farthest from the trolley wires Any difference as to the conditions of attachment shall be determined as hereinafter provided :
- (e) Unless otherwise agreed no telegraph shall be attached to any post or standard placed in or near the centre of any street or public road :
- (f) The Postmaster-General shall cause all attachments to posts standards or brackets used by him under the powers of this section to be from time to time inspected so as to satisfy himself that the said attachments are in a proper condition and state of repair :
- (g) The Postmaster-General shall make good to the Corporation and shall indemnify them against any loss damage or expense which may be incurred by them through or in consequence of the exercise by the Postmaster-General of the powers conferred upon him by this section unless such loss damage or expense be caused by or arise from gross negligence on the part of the Corporation their officers or servants :

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(H) The Postmaster-General shall make such reasonable contribution to the original cost of providing and placing any post standard or bracket used by him and also to the annual cost of the maintenance and renewal of any such post standard or bracket as having regard to the respective interests of the Corporation and the Postmaster-General in the use of the post standard or bracket and to all the circumstances of each case may be agreed upon between the Postmaster-General and the Corporation or failing agreement determined as hereinafter provided:

(I) The Corporation shall not be liable for any interference with or damage or injury to the telegraphs of the Postmaster-General arising through the exercise by the Postmaster-General of the powers conferred by this section and caused by the maintaining and working of the tramways or by any accident arising thereon or by the authorised use by the Corporation of electrical energy unless such interference damage or injury be caused by gross negligence on the part of the Corporation their officers or servants:

(J) If it shall become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Corporation the value of the same Provided that if the Corporation or the body having the control of the street or public road object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Corporation from using their posts standards or brackets for the support of any of their electric wires and apparatus whether in connection with their tramways or other municipal undertakings or shall take away any existing right of the Corporation of permitting the use by any company or person of their posts standards or brackets in connection with the lighting of the streets or otherwise Provided that any difference between the Postmaster-General and such company or person in relation to

the use of the posts standards or brackets by the Postmaster-General and such company or person respectively shall be determined as hereinafter provided. A.D. 1911.

(3) All differences arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression "the Corporation" includes their lessees;

The expression "telegraph" has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

20. The powers granted by the Act of 1904 for the construction of Tramways numbers 13 19 and 20 thereby authorised are hereby extended and may be exercised by the Corporation for the period of three years from the fifteenth day of August one thousand nine hundred and eleven and section 15 of the Act of 1904 shall be read and construed as if the period limited by this Act for the completion of the said tramways had been the period limited by the Act of 1904 for the completion thereof.

Extension of time for construction of tramways under Act of 1904.

If the said tramways be not completed within the said period of three years then on the expiration of that period the powers for making and completing the same or otherwise relating thereto shall cease except as to so much thereof as shall then be completed.

21. Nothing in this Act contained shall exempt the Corporation or the tramways from the provisions of any general Act relating to tramways passed before or after the passing of this Act or from any future revision or alteration under the authority of Parliament of the maximum fares rates or charges authorised by this Act.

Provision as to general Tramway Acts.

PART III.

FLOOD PREVENTION WORKS.

22. Subject to the provisions of this Act the Corporation may make and maintain together with all such subsidiary works

Power to make works.

A.D. 1911. as they may find necessary or convenient in connection therewith for dealing with the flood waters of the city the following works (that is to say):—

Culvert No. 1 in the county of Antrim commencing in the parish of Shankill and townland of Greencastle at a point on the north-eastern side of Whitewell Road 7 chains or thereabouts from the junction of Shore Road and Whitewell Road and terminating in Belfast Lough (extra-parochial) at a point 1 chain or thereabouts northwards of the eastern end of Gray's Quay:

Culvert No. 2 in the county of Antrim commencing in the said parish of Shankill and townland of Skegoniel at a point on the southern side of Skegoniel Avenue 3 chains or thereabouts west from the junction therewith of York Road and terminating in Belfast Lough (extra-parochial) on the seaward side of the northern embankment of the existing sewage works of the Corporation at a point about 7 chains eastward measured along the said embankment in an easterly direction from the railway of the Midland Railway (Northern Counties Committee):

Culvert No. 3 in the county of Antrim parish of Shankill and townland of Ballymurphy commencing at a point in the stream at Giant's Foot 2 chains or thereabouts westward of the junction of Blackstaff Lane and Falls Road and terminating at the eastern end of Blackstaff Lane in the intended diversion of the River Blackstaff and the Clowney Water next hereinafter described:

A diversion in the county of Antrim of the Blackstaff River and of the river known as the Clowney Water commencing at a point in the Blackstaff River 1 chain or thereabouts south of the culvert or bridge carrying that river under Donegall Road and terminating at a point on the Clowney Water about 4 chains measured in a north-westerly direction from the junction of that river with the Blackstaff River:

An intake weir and pond partly in the said townland of Ballymurphy and partly in the townland of Malone Lower to be situate in the angle formed by the confluence of the Blackstaff River and the Clowney Water:

Culvert No. 4 commencing in the parish of Shankill and townland of Malone Lower in the said intake weir or

pond at a point on the northern side of Donegall Road about 1 chain east of the said culvert or bridge carrying the Blackstaff River under that road and terminating in the River Lagan (extra-parochial) at or near the southern corner of the Botanic Gardens Park :

A pumping station with an outlet for storm water into the River Lagan to be situate upon lands in the county of Down parish of Knockbreda and townland of Ballymacarret abutting on the River Lagan between a point about 4 chains southward of Queen's Bridge and the western side of the embankment and bridge carrying the central branch of the Great Northern (Ireland) Railway across the said river and forming part of the premises now occupied by Messieurs Gregg Sons and Phenix :

A Culvert or Intercepting Sewer No. 5 in the county of Down parish of Knockbreda and townland of Ballymacarret commencing at a point in Short Strand about $9\frac{1}{2}$ chains northward of Albert Bridge and terminating by a junction with the existing main sewer about 7 chains westward of the said railway embankment :

Culvert No. 6 (to be constructed of ferro-concrete or other similar material) commencing in the county of Antrim parish of Shankill and townland of Skegoniel on the seaward side of the northern embankment of the existing sewage works of the Corporation at a point about 49 chains measured along the said embankment in an easterly direction from the railway of the Midland Railway (Northern Counties Committee) and terminating in the bed or foreshore of Belfast Lough (extra-parochial) at a point 1 mile or thereabouts measured in a north-easterly direction from the point hereinbefore described as the commencement of the said culvert :

Provided always that nothing in this section contained shall authorise the Corporation to carry any subsidiary works into or through or under any lands of any railway company except in such position as may be agreed upon by the respective engineers of the Corporation and that company or failing agreement as shall be determined by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of either party.

23. For the protection of the Midland Railway (Northern Counties Committee) (in this section referred to as "the com-

For protection of Midland

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Railway
(Northern
Counties
Committee).

pany") the following provisions shall unless otherwise agreed upon between the Corporation and the company apply and have effect:—

- (1) In this section the expression "the culverts" means and includes so much of Culverts Nos. 1 and 2 by this Act authorised and the works respectively connected therewith as are situate in under or within twenty feet of the railway of the company:
- (2) The Corporation shall construct and lay down the culverts at their own expense under the superintendence and to the reasonable satisfaction of the engineer of the company (in this section referred to as "the engineer") in such positions only within the respective limits of deviation shown on the deposited plans and in accordance with such plans sections and specifications as shall have been submitted to and have been reasonably approved of by him. Provided that if within one month after submission of such plans sections and specifications the said engineer shall not have disapproved or otherwise indicated his opinion thereon to the Corporation he shall be deemed to have approved the same and the Corporation may proceed accordingly:
- (3) The construction of the culverts shall be carried out so as to cause as little injury as possible to the railway works and property of the company and so as not to obstruct or interfere with the free uninterrupted and safe use of the railway of the company or any traffic thereon and the Corporation shall restore and make good to the reasonable satisfaction of the engineer any portion of the said railway disturbed or interfered with by or owing to the construction of the culverts. If any such injury obstruction or interference shall be so caused or shall so occur the Corporation shall make good at their own expense such injury or damage to the railway and property of the company to the reasonable satisfaction of the engineer and in the event of the Corporation declining or neglecting so to do upon the written request of the engineer the company may make good the same and recover the expense thereof from the Corporation in any court of competent jurisdiction:

(4) The Corporation shall during the construction of the culverts and any subsequent repair thereof bear and on demand pay to the company the reasonable expense of any necessary temporary works and of the employment by the company of such inspectors watchmen and flagmen to be appointed by the company as may be necessary for watching the railway during and with reference to the construction of any such works :

(5) The Corporation shall at all times maintain the culverts in substantial repair and good order at their own cost and to the reasonable satisfaction in all respects of the engineer and if and whenever the Corporation fail so to do the company may make and do in and upon the lands of the Corporation as well as their own lands all such works and repairs as may be reasonably necessary and the amount properly expended by the company on the said repairs shall be repaid to the company by the Corporation :

(6) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Corporation shall not for the purposes of this Part of this Act acquire any land or property of the company but the Corporation may purchase and take and the company shall at the request of the Corporation sell and grant an easement or right of using so much of the lands of the company as may be necessary for the construction of the culverts and the Corporation shall pay to the company in respect of any such easement or right such sum as shall be agreed upon between them or as shall in case of dispute be determined in the manner by this Act provided for determining questions of disputed compensation in the case of lands taken compulsorily under the powers of this Act :

(7) If at any time hereafter the company require to make any alterations of or to widen their railway or to increase their railway accommodation at the places where the culverts cross the railway and property of the company the Corporation shall at their own cost make such alterations of either such culvert within the existing boundaries of the company's property as

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may be reasonably required by the company in order to enable them to carry out such alteration or widening of any such railway or to provide such increased accommodation and the provisions of this section shall so far as applicable extend and apply to the execution and carrying out by the Corporation of any such alteration of either such culvert:

- (8) Notwithstanding anything in this Act contained the Corporation shall be responsible for and make good to the company all costs losses damages or expenses which may be occasioned to them or to any of their railways works or property or to the traffic or passengers thereon or to the officers or servants of the company by reason or in consequence of the execution maintenance or failure of the works for carrying the culverts across the railway of the company or by any act or omission of the Corporation or any persons in their employment or their contractors agents or others and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of any such execution maintenance failure act or omission:
- (9) If any difference shall arise between the company and the Corporation or their respective engineers relating to any of the matters referred to in this section or anything to be done or not to be done thereunder such difference shall (except where otherwise expressly provided) be referred to and determined by an arbitrator to be nominated by such respective engineers or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party.

Protecting
millowners.

24. For the protection of millowners and others using or having rights in the waters of the River Blackstaff between its junction with the Clowney Water and the River Lagan the following provisions shall apply:—

- (1) Before the Corporation divert any water from the Blackstaff River or the Clowney Water the height of the water over the crest of Boyds Weir when the water in the stream is flowing at a level of 3 feet 6 inches below the lower surface of the beams carrying Broadway Bridge over the Blackstaff River

shall as soon as may be be ascertained by the city surveyor and evidenced by a statutory declaration to be made by him and deposited at the city hall with the town clerk and the Intake Weir by this Act authorised shall be so constructed as that no water shall be thereby diverted from the river when it is flowing at or below the height of water so ascertained :

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- (2) The Corporation shall not raise the existing level of the beds of the said rivers or reduce their width :
- (3) The Corporation shall not interfere with or take or use any part of the reservoir or dam belonging to the Broadway Damask Company Limited or the banks thereof and if in carrying out any works under this Part of this Act it becomes necessary for the Corporation to interfere with or remove the existing appliances or arrangements under which the said reservoir or dam is supplied with water from both of the said rivers the Corporation shall at their own expense provide other appliances and arrangements which will be at least as efficient as those now existing and any such substituted appliances and arrangements shall be of such a nature and provided on such terms as will enable the said company to have as full and exclusive control thereof and as effectual access thereto for the purposes of cleansing repair and renewal as they now have to and over the existing appliances and arrangements.

25. If at any time after the passing of this Act the Great Northern Railway Company (Ireland) require to make any alterations of or to widen their railways or to increase their railway accommodation at any place where either of the Culverts Nos. 4 and 5 by this Act authorised crosses the railway of that company the Corporation shall afford that company all reasonable facilities for making at the expense of that company such alterations of such culverts as may be necessary in order to enable them to carry out such alteration or widening of any such railway or to provide such increased accommodation and any difference under this section shall be determined by an arbitrator to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party.

Protecting
Great
Northern
Railway
Company
(Ireland).

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Extending provisions of section 176 of Act of 1845.

26. The Corporation may exercise in relation to the portion of the Rivers Blackstaff and Clowney without the city the powers conferred upon them by section 176 of the Act of 1845:

Provided that the Corporation in the carrying out of the works authorised by this Part of this Act shall not interfere with or do anything that will impede the flow of or diminish the quantity of water in the Falls River.

Power to make openings &c. in streets.

27. The Corporation may make and maintain in any street along which any culvert by this Act authorised may pass any such shafts and manholes and other openings as they may find necessary or convenient for the construction and maintenance of such culvert.

For protection of Belfast Harbour Commissioners.

28. For the protection of the Belfast Harbour Commissioners (hereinafter called "the harbour commissioners") the following provisions shall have effect unless otherwise agreed between the harbour commissioners and the Corporation (that is to say):—

(1) Notwithstanding anything shown on the deposited plans or contained in this Act the Corporation shall not for the purpose of constructing Culvert No. 6 by this Act authorised enter upon take or use any part of the property of the harbour commissioners but the Corporation may take and the harbour commissioners shall if required by the Corporation grant to the Corporation an easement right and privilege of constructing placing laying enlarging inspecting maintaining cleansing repairing conducting managing and using the said Culvert No. 6 and any works incidental thereto or connected therewith and the harbour commissioners shall not without the consent of the Corporation erect any buildings or do any other act or thing which may render the said culvert less accessible than theretofore or otherwise impede the Corporation in the proper maintenance upkeep and user of the said culvert:

(2) Before the Corporation commence to construct the said Culvert No. 6 upon or along the easement to be granted as hereinbefore provided they shall submit to the harbour commissioners plans sections and specifications showing the manner in which they propose to construct the said culvert and the Corporation shall

not construct such culvert otherwise than in accordance with plans sections and specifications reasonably approved by the harbour commissioners:

(3) In the execution of any works authorised by this Act in or through any lands of the harbour commissioners the Corporation shall not deviate vertically from the levels shown on the deposited sections to any greater extent than two feet:

(4) When the rate of flow in any sewer connected with the main drainage system of the Corporation exceeds six times the average daily dry weather flow in such sewer the excess may be discharged through any properly constructed storm overflow and subject thereto and to the completion of the pumping station and the Culvert No. 6 by this Act authorised the whole of the flow of sewage in such system shall be carried forward and delivered at the main drainage outfall works:

For the purposes of this section "the average daily dry weather flow" shall be computed on the basis of forty gallons per head of the population contributing to such sewer:

(5) All storm overflows on the sewers of the Corporation conveying sewage to the main drainage outfall works made use of by the Corporation shall be constructed so as to overflow automatically and shall not be fitted with or controlled by any sluice or other adjustable appliance:

(6) It shall not be lawful for the Corporation to discharge into the Culverts 1 2 3 and 4 by this Act authorised any excrementitious or other foul or noxious matter except such as may be conveyed thereto by means of storm overflows or outfalls constructed in manner aforesaid:

(7) The Corporation shall after the passing of this Act proceed with all due diligence to construct and complete the Culvert No. 6 by this Act authorised and shall at all times maintain the same in efficient working order repair and condition and from and after the completion of such culvert it shall not be lawful for the Corporation to discharge from the

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main outfall works sewage sewage effluent or storm water sewage into Belfast Lough except by means of the Culvert No. 6 by this Act authorised or by properly constructed storm overflows:

Immediately after the completion of the culvert lastly hereinbefore mentioned the Corporation shall wholly discontinue the discharge of sewage sewage effluent or storm water from or through the existing chute:

(8) For the purpose of ascertaining that the provisions of this section are being complied with the pumping station by this Act authorised and all storm water outfalls and overflows constructed or reconstructed or made use of by the Corporation shall be open at all reasonable times to the inspection of the engineer of the harbour commissioners or any person nominated by him in writing in that behalf Provided that six hours' notice in writing shall be given to the Corporation of the intention to make any such inspection:

(9) If any difference shall arise under this section between the Corporation and the harbour commissioners the same shall be determined by the Local Government Board on the application of either party.

PART IV.

STREET WORKS.

Power to execute street works.

29. Subject to the provisions of this Act the Corporation may in the lines and situation shown on the deposited plans and according to the levels shown on the deposited sections make and maintain the following street works in the city:—

A widening and improvement (Work No. 1) in the parish of Shankill and townland of Townparks of Divis Street on the southern side thereof between Durham Street and Barrack Street:

A widening and improvement (Work No. 2) in the same townland of Mill Street on the southern side thereof commencing at the eastern side of Burns Court and terminating at the western side of King Street:

A widening and improvement (Work No. 3) of Mill Street in the same townland on the southern side thereof between King Street and Queen Street:

A widening and improvement (Work No. 4) in the same townland of Castle Street on the southern side thereof between Queen Street and Fountain Street:

A widening and improvement (Work No. 5) in the same townland of Millfield on the western side thereof between Divis Street and a point about $1\frac{1}{2}$ chains northward from Divis Street:

A widening and improvement (Work No. 6) in the same townland of Marquis Street on the western side thereof between Mill Street and a point 1 chain or thereabouts northward of Mill Street:

A widening and improvement (Work No. 7) in the same townland of Chapel Lane on the western side thereof between Mill Street and a point 3 chains or thereabouts northward of Mill Street:

An alteration and raising of the levels of Pound Street (Work No. 8) in the same townland from the northern side of Cullingtree Road to Durham Street:

A widening (Work No. 9) in the same townland of Great Edward Street and May Street on the eastern side of Great Edward Street and the northern side of May Street commencing in Great Edward Street at or near the junction therewith of Chichester Street and terminating in May Street at a point about 1 chain eastward from the junction therewith of Great Edward Street:

A widening (Work No. 10) in the same townland of Cromac Street on the eastern side thereof between May Street and Cromac Square:

A widening (Work No. 11) in the same townland of May Street on the southern side thereof between Verner Street and Cromac Street:

A widening (Work No. 12) in the parish of Shankill and townland of Skegoniel of the Antrim Road on the western side thereof and the Cavehill Road on the northern side thereof commencing in Antrim Road at a point opposite or nearly opposite the northern side of Jubilee Avenue and terminating in the Cavehill Road at a point about 1 chain west of the junction of Cavehill Road and Antrim Road:

A widening (Work No. 13) of Antrim Road in the same townland on the western side thereof extending between

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- points respectively $3\frac{1}{2}$ chains and 1 chain north of the northern side of Willowbank Street:
- A widening (Work No. 14) of Woodvale Road on the eastern side thereof in the said parish of Shankill and townland of Edenderry between the northern and southern boundaries of the property known as "Mount Eden":
- A widening (Work No. 15) of Falls Road in the said parish of Shankill and townland of Ballymurphy on both sides thereof between the city boundary and the junction of the said road with Glen Road:
- A widening (Work No. 16) in the same townland of Glen Road upon the southern side thereof between a point in Glen Road about 6 chains westward from the western side of Norfolk Drive and the junction of Glen Road with Falls Road:
- A widening (Work No. 17) in the said parish of Shankill and townlands of Townparks and Edenderry of Shankill Road on the northern side thereof between the western side of the culvert carrying the Glenwood River under that road and a point opposite the western side of Brookmount Street:
- A widening (Work No. 18) in the townland of Townparks of North Street on the northern side thereof between points respectively 2 chains and 3.56 chains east of the eastern side of Long Lane:
- A widening (Work No. 19) in the same townland of North Street on the northern side thereof between points respectively 2.9 chains and 3.65 chains north of the northern side of Waring Street:
- A widening (Work No. 20) in the townland of Townparks of Manor Street on the western side thereof between its junction with Summer Street and a point about 0.4 chain north thereof:
- A new road (Work No. 21) in the townland of Malone Lower to be carried across the main line of railway of the Great Northern Railway Company (Ireland) by means of a bridge such road commencing at a point in Tate's Avenue on the eastern side of the said railway about 9 chains measured in an easterly direction along Tate's Avenue from the centre of the said railway and terminating on the western side of the said railway at a point

in the said Tate's Avenue on the western side of the said railway about 11 chains measured in a westerly direction along the said avenue from the centre of the said railway. A.D. 1911.

30. For the protection of the Great Northern Railway Company (Ireland) (in this section referred to as "the company") the following provisions shall unless otherwise agreed upon between the Corporation and the company apply and have effect:—

For further protection of Great Northern Railway Company (Ireland).

- (1) The bridge for carrying the new road (Work No. 21) by this Act authorised over the railway of the company as intended to be widened under the powers of the Great Northern Railway (Ireland) Act 1911 shall be constructed as a girder bridge with a single span of not less than 70 feet and with a clear headway throughout of not less than 15 feet measured from the highest rail level of the existing rails to the underside of the said bridge :
- (2) The bridge carrying the said Work No. 21 over the land lying between Donegall Avenue and the westernmost boundary of the property owned by the company shall be constructed with three openings each with a clear span of not less than 16 feet and with a headway to the centre of the arch of not less than 15 feet and to the springing of the arch of not less than 10 feet measured from a level corresponding with that of the highest of the existing rails of the company at the point where the bridge crosses :
- (3) The bridge carrying the said Work No. 21 over the land lying between Northbrook Street and the easternmost boundary of the property owned by the company shall be constructed with two openings each having a span and headway not less than those lastly hereinbefore specified :
- (4) The construction of the bridges and arches carrying the said Work No. 21 over the railways of the company and the construction and laying down of the said Culverts Nos. 4 and 5 by this Act authorised shall be carried out under the superintendence of and to the reasonable satisfaction of the engineer of the company (in this section referred to as "the

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engineer") and in accordance with such plans sections and specifications as shall have been submitted to and have been reasonably approved by him :

- (5) The construction and maintenance of the Street Work No. 21 and the Culverts Nos. 4 and 5 by this Act authorised shall be carried out so as not to cause any injury to the railways of the company or to obstruct or interfere with the free uninterrupted and safe use of the railways of the company or any traffic thereon and the Corporation shall restore and make good to the reasonable satisfaction of the engineer any portion of the said railways disturbed or interfered with by or owing to the construction or maintenance of the said works or any of them. If any such injury shall be so caused or shall so occur the Corporation shall at their own expense make good the same to the reasonable satisfaction of the engineer and in the event of the Corporation declining or neglecting so to do upon the written request of the engineer the company may themselves make good such injury and recover the expense thereof in any court of competent jurisdiction :
- (6) The Corporation shall during the construction of any such works as aforesaid and any subsequent repair thereof bear and on demand pay to the company the reasonable expense of any necessary temporary works and of the employment by the company of such inspectors watchmen and flagmen to be appointed by the company as may be necessary for watching the railways with reference to and during the execution of any such works :
- (7) The Corporation shall at all times maintain the said works in substantial repair and good order at their own cost to the reasonable satisfaction in all respects of the engineer and if and whenever the Corporation fail so to do the company may make and do in and upon the lands or property of the Corporation as well as their own lands all such works of repair as may be reasonably necessary and the proper and reasonable cost of the said repairs shall be repaid to the company by the Corporation :

(8) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Corporation shall not for the purposes of this Act acquire any land or property of the company but the Corporation may purchase and take and the company shall at the request of the Corporation sell and grant an easement or right of using so much of the lands of the company as may be necessary for the construction of the said works and the Corporation shall pay to the Company in respect of any such easement or right such sum as shall be agreed upon between them or shall in case of dispute be determined in the manner by this Act provided for determining questions of disputed compensation in the case of lands taken compulsorily under the powers of this Act :

(9) Notwithstanding anything in this Act contained the Corporation shall be responsible for and make good to the company all costs losses damages or expenses which may be occasioned to them or to any of their railways works or property or to the traffic or passengers thereon or to the officers or servants of the company by reason or in consequence of the execution maintenance or failure of the works for carrying the said Work No. 21 or the said Culverts Nos. 4 and 5 across the railway of the company or by any act or omission of the Corporation or any persons in their employment or their contractors agents or others and the Corporation shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of any such execution maintenance failure act or omission :

(10) If any difference shall arise between the company and the Corporation or their respective engineers relating to any of the matters referred to in this section or anything to be done or not to be done thereunder such difference shall (except where otherwise expressly provided) be referred to and determined by an arbitrator to be nominated by such respective engineers or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party.

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PART V.

GENERAL PROVISIONS AS TO WORKS.

Power to
make ancil-
lary works.

31. Subject to the provisions of this Act the Corporation may within the limits of deviation shown upon the deposited plans make and maintain all such works and conveniences connected with or ancillary to the tramways flood prevention works and street works authorised by this Act as they may deem necessary.

Power of
deviation.

32. In constructing the street works and flood prevention works by this Act authorised the Corporation may deviate from the centre line shown on the deposited plans to the extent of the limits of deviation marked thereon and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding six feet in the case of street works and five feet in the case of flood prevention works. Provided that where in the case of any of the flood prevention works to be constructed along any street or road no limits of deviation are shown the limit of the street or road shall be deemed to be the limits of deviation :

Provided also that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Incorporation of certain provisions of Act of 1884 as to streets &c.

33. The following sections of the Act of 1884 (that is to say) :—

Section 13 (Streets disused vested in Corporation for sale) ;

Section 20 (Power to make carriage and foot ways and incidental works) ;

Section 21 (Power to cover or fill up sewers or drains) ;

Section 22 (Power to alter steps areas pipes and other things) ;

Section 23 (Power to sell materials) ;

shall so far as the same are applicable and not inconsistent with the provisions of this Act extend and apply mutatis mutandis to and in relation to the constructing and maintaining of the tramways the street works and the flood prevention works.

Temporary stoppage of streets.

34. The Corporation may during the execution and for the purposes of any works by this Act authorised from time to time close any street for public traffic and may for any reasonable time prevent all persons from passing along and using the same other than foot passengers bonâ fide going to or returning from any house

in the street and the Corporation shall provide reasonable access for such foot passengers : A.D. 1911.

Provided that the Corporation shall not under the powers of this section stop up the immediate access to any railway station.

35. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Corporation in connection with the works by this Act authorised or any of them and for the purposes thereof may make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the said works or any of them and may raise lower or alter or remove any vault arch steps cellar area or railing under or adjoining any roadway or footway and may make diversions widenings or alterations of the lines or levels of any existing streets for the purpose of connecting the same with the said works or any of them or of crossing under or over the same or any of them or otherwise Provided always that the parties interested in any lands or houses injuriously affected by any such interference or alteration shall be entitled to full compensation for all damage sustained by them or any of them. Power to make subsidiary works.

36. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within one hundred feet of any such works it may be necessary to underpin or otherwise strengthen the same Therefore the Corporation at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as hereinafter provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say) :— Underpinning.

(1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened :

(2) Each such notice if given by the Corporation shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 with respect to the service of notices to which that Act applies and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk at the city hall :

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- (3) If any owner lessee or occupier of any such house or building or the Corporation as the case may require shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the Board of Trade and the costs of the reference shall be borne and paid as the arbitrator may direct :
- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building :
- (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment :
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof :

- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the Corporation from any liability to compensate to which they may be subject under any other Act: A.D. 1911.
- (8) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts as incorporated in this Act:
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

37. The Corporation shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Corporation shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Corporation and the amount of such costs and charges shall be a debt due from the Corporation to the Crown and shall be recoverable as a Crown debt or summarily.

Works below high-water mark not to be commenced without consent of Board of Trade.

38. For the protection of the Belfast City and District Water Commissioners (in this section referred to as "the water commissioners") the following provisions shall unless otherwise agreed in writing between the water commissioners and the Corporation apply and have effect with respect to the exercise of any of the powers of this Act other than the powers of constructing and maintaining tramways (that is to say):—

For further protection of Belfast Water Commissioners.

- (1) The Corporation shall not under the powers of this Act either by themselves or any contractor agent or workman commence any alteration of any main pipe service fitting or other work of the water commissioners or commence the construction of any work

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which may cause interruption to the supply of water by the water commissioners or which may lead to or render probable any such interruption or any damage to or interference with any main pipe service fitting or other work of the water commissioners until after fourteen days' notice thereof in writing shall have been given by the Corporation to the water commissioners and if the water commissioners by notice in writing to the Corporation within seven days after the receipt by them of notice of the intended commencement by the Corporation of any such work require that the water commissioners shall by their own engineer or workmen make any necessary alteration of any main pipe service fitting or other work the water commissioners may on the expiration of the first-mentioned notice execute the same but to the reasonable satisfaction and under the supervision of the engineer for the time being of the Corporation and the Corporation shall on the completion thereof pay to the water commissioners the reasonable expenses incurred by them in the execution thereof Provided that in any case of emergency if the water commissioners consider it necessary by reason or in consequence of any work of the Corporation under the powers of this Act to do any work immediately in order to prevent the waste of water or damage to their mains pipes or other works or injury or inconvenience to the inhabitants then the water commissioners shall be at liberty to do such work without having given such notice as aforesaid provided that notice of the necessity of such immediate work shall be given to the Corporation by the water commissioners with all reasonable despatch The reasonable expenses incurred by the water commissioners in executing such work shall be paid to them by the Corporation :

- (2) The Corporation shall indemnify and save harmless the water commissioners from all loss costs damages or expenses they may be at or be put to or have incurred by reason of any interruption in the supply of water by the water commissioners in any way occasioned by the Corporation or by the works of the

Corporation or by the acts of any of their contractors agents workmen or servants or any person in the employment of them or any or either of them and such loss costs damages or expenses shall be borne by the Corporation and may be recovered from them by the water commissioners or if any such interruption in the supply of water shall be so caused the water commissioners may in lieu of recovering such loss costs damages or expenses apply for and recover in a summary manner as directed by the 86th section of the Belfast Water Act 1884 a penalty not exceeding the sum of twenty pounds for every day during which such interruption shall continue :

- (3) The expense of the alteration diversion and (where the levels of any street have been altered) the lowering or raising of any main or service pipe and of works in connection therewith and of laying any new main or service pipe in substitution for an existing main or service pipe which may be rendered necessary by reason of the works of the Corporation under this Act in any road or place where such mains pipes and works shall have been laid down before the execution of the works authorised by this Act shall be borne by the Corporation and may be recovered from them by the water commissioners :
- (4) In the event of any main or service pipe of the water commissioners or service or other pipes supplied with water by the water commissioners and near or contiguous to the works of the Corporation authorised by this Act being injured by such works or in consequence of such works or by exposure or by any default or act of the Corporation their contractors agents workmen or servants or any person in the employment of them or either of them the Corporation shall without delay reinstate the same and leave such main or service or other pipes in as good condition as the same were in immediately before such injury Provided that notice of any injury shall as soon as practicable be given to the water commissioners by the Corporation and the water commissioners may within three days of the receipt of such notice or immediately in case of emergency reinstate

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the main or service or other pipe so injured without any further notice whatever and the Corporation shall pay to the water commissioners the reasonable expenses incurred by them in such reinstatement:

- (5) If and when the Corporation under the powers of this Act acquire and appropriate any lands houses and buildings which are served with water by the mains pipes services or fittings of the water commissioners laid down and maintained by them in any road street highway or place or stop up any such road street highway or place so that the same mains pipes services and fittings or any of them or any part thereof respectively become useless for supplying water the Corporation at their option shall either at their own expense and with all reasonable precautions for preventing injury thereto take up such mains pipes services and fittings or such part thereof respectively as shall so become useless and deliver the same to the water commissioners or leave such pipes in the ground and pay the water commissioners the value thereof:
- (6) Nothing in this Act shall take away or abridge any power vested in the water commissioners to open or break up any road highway or place in or under which any of the works of the Corporation are laid for the purpose of laying down repairing altering or removing any mains pipes or fittings for the supply of water but in the exercise of such power the water commissioners shall not execute any works affecting the works of the Corporation except after three days' notice thereof and under the superintendence and to the reasonable satisfaction of the engineer of the Corporation unless they refuse or neglect to give such superintendence:
- (7) The water commissioners shall not break up or interfere with the roadway over or any part of the structure of the bridge for carrying the new Road Work No. 21 over the Great Northern Railway except the footway thereof but they shall at all times for the purpose of laying renewing repairing and maintaining the said mains or pipes have access to and may open and break up the said footway to the same extent

and subject to the like conditions as in the case of streets within the city under the Acts relating to the supply of water therein:

- (8) If the depth of the footway on the said bridge shall not permit of the laying therein of mains or pipes which the water commissioners shall desire to carry across the said bridge the Corporation shall at their own expense provide reasonable facilities for enabling the water commissioners to carry two such mains or pipes not exceeding 18 inches in diameter alongside such bridge on the outside of the main girders in a suitable manner and shall duplicate the provision so made in order to provide for the accommodation of future mains or pipes not exceeding such dimensions as aforesaid:
- (9) Where the Corporation under the powers of this Act stop up temporarily any street they shall provide access for the officers and servants of the water commissioners for the purpose of enabling them to inspect repair or renew any of the mains pipes or fittings of the water commissioners:
- (10) If any difference shall arise between the Corporation or their engineer and the water commissioners or their engineer touching any matter relating to the execution of the works or to compensation for damages or as to any sum payable by the Corporation to the water commissioners such difference shall be settled by an engineer to be agreed upon by the parties as arbitrator or failing agreement to be appointed upon the application of either party by the President of the Institution of Civil Engineers.

PART VI.

CEMETERY EXTENSION.

39. Subject to the provisions of this Act the Corporation may enter upon purchase and take the lands within the city and in the parish of Shankill and the townland of Ballymurphy bounded on the east in part by Falls Park and in part by the existing cemetery of the Corporation so far as the same are

Lands for
cemetery
purposes.

A.D. 1911. delineated on the deposited plans and are described in the deposited book of reference and the Corporation may hold and use the said lands for cemetery purposes.

PART VII.

LANDS.

Power to take lands.

40. Subject to the provisions of this Act the Corporation may enter on take and use all or any part of the lands delineated on the deposited plans and described in the deposited book of reference which they may require for the purposes of this Act and for erecting houses and buildings adjoining or near to the street works and may also take compulsorily the wall across Crimea Street and the site on which the same stands at or near the junction of Crimea Street with Tudor Place and may pull down and remove the said wall and throw the site thereof into the said street.

For protection of Sir Robert McConnell.

41. Notwithstanding anything shown on the deposited plans the Corporation shall within twelve months after the passing of this Act take under and in accordance with the provisions of this Act with reference to the settlement of cases of disputed compensation for lands taken compulsorily the lands belonging or reputed to belong to Sir Robert McConnell and shown upon the plan signed by Henry Albert Cutler on behalf of the Corporation and by Joseph McConnell on behalf of Sir Robert McConnell and the said Sir Robert McConnell shall sell to the Corporation his interest in the said lands.

Appropriation of market property for street widening.

42. The Corporation may in connection with the widening of Great Edward Street (Work No. 9) hereinbefore described utilise the portion of the existing market of the Corporation shown upon the deposited plans and any portion of market so shown shall if so utilised be and the same is hereby released from any provisions applicable to such market and from any market or other rights thereover.

As to subsoil of streets and materials excavated for works.

43. The Corporation may appropriate without payment the subsoil of any streets in which they may construct any of the flood prevention works and any materials excavated from such streets or from any other lands through which such works may be constructed shall belong to the Corporation.

Stopping up certain streets.

44. When and so soon as the Corporation are the owners of the lands on both sides thereof they may close stop up and

appropriate the site and soil of the following streets and public places in the city:— A.D. 1911.

Bathurst Court Barrack Street Court Kennedy's Entry
Scotland Street Scotland Place Scotland Street South
McLenahan's Court Lennon's Lane Market Street Holmes
Court and Balmer's Court.

45. The following sections of the Act of 1884—

Section 25 (Errors and omissions in plans &c. to be corrected by justices who shall certify the same);

Section 30 (Power to acquire additional lands by agreement);

Section 31 (Power to take easements &c. by agreement);

Section 32 (Compensation may be in land or works);

Incorporation of certain sections of Act of 1884 as to lands &c.

so far as the same are applicable and not inconsistent with the provisions of this Act shall extend and apply mutatis mutandis to and in relation to the lands to be acquired and the works to be constructed under the powers of this Act.

46. The powers of the Corporation for the compulsory purchase of lands shall not be exercised after the expiration of three years from the passing of this Act.

Limitation of time for compulsory purchase of lands.

47. In settling any question of disputed purchase-money or compensation under this Act the arbitrator shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the twentieth day of November one thousand nine hundred and ten if in the opinion of the arbitrator the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently altered buildings.

48. The Corporation may let either from year to year or for a less period or lease for a term at the best rent that can reasonably be obtained or sell exchange or otherwise dispose of any lands or any part thereof or any buildings acquired or appropriated or erected or provided by them under this Act and not required for the purposes for which the same were acquired and may execute and do any deed act or thing requisite or proper for effectuating any such letting lease sale exchange or other disposition.

Corporation may let or exchange lands.

A.D. 1911.

Owners may be required to sell parts only of certain lands and buildings.

49. And whereas in the construction of the works by this Act authorised or otherwise in exercise by the Corporation of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Corporation and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Third Schedule to this Act and whereof a portion only is required for the purposes of the Corporation or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties":
- (2) If for twenty-one days after the last publication of notice of the appointment of the arbitrator the owner shall fail to notify in writing to the Corporation that he alleges that the portion of the scheduled property specified in the schedules and on the maps of the lands required by the Corporation as intended to be taken by them (hereinafter referred to as "the specified portion") cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Corporation the specified portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that the specified portion cannot be so severed the arbitrator shall in addition to the other questions required to be determined by him determine whether the specified portion can be severed from the remainder of the property without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have powers of compulsory purchase) can be so severed:

- (4) If the arbitrator determine that the specified portion or any such other portion as aforesaid can be severed from the remainder of the property without material detriment thereto the owner may be required to sell and convey to the Corporation the specified portion or such other portion as aforesaid without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the arbitrator :
- (5) If the arbitrator determine that the specified portion can notwithstanding the allegation of the owner be severed from the remainder of the property without material detriment thereto the arbitrator may in his absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the arbitration shall be borne and paid by the owner :
- (6) If the arbitrator determine that the specified portion cannot be severed from the remainder of the property without material detriment thereto (and whether or not he shall determine that any other portion can be so severed) the Corporation may omit the specified portion from the said schedules and maps and may include therein the whole of the scheduled property or so much thereof as they have powers under this Act to acquire and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the arbitrator determine that the specified portion cannot be severed from the remainder of the property without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not amend the said schedules and maps in manner aforesaid may amend the same by including therein the portion which the arbitrator may determine to be severable and shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence thereof or such part of such costs charges

A.D. 1911.

and expenses as the arbitrator shall have regard to the circumstances of the case and his final determination think fit.

The provisions of this section shall be in force notwithstanding anything contained in the Lands Clauses Acts and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every schedule deposited by the Corporation wherein any of the scheduled properties is included.

Laying out
of lands at
Drumnadrough.

50.—(1) The Corporation may lay out and equip as a park or recreation grounds the lands at Drumnadrough when acquired by them under the powers of the Act of 1910 and the provisions with respect to the making and enforcing of byelaws which apply to parks and recreation grounds of the Corporation shall extend and apply to the said lands at Drumnadrough when laid out and equipped as aforesaid.

(2) The Corporation may make such reasonable charges as they may think fit for entry to and use of such lands and may set apart and enclose any part or parts of such lands for any particular purpose or object and may make charges for the use of and in respect of any part so set apart.

(3) All expenses incurred by the Corporation in carrying on such park or recreation grounds shall be paid out of the tramway revenue and all receipts in respect of such park or recreation grounds shall be carried to the credit of the tramway fund.

Restrictions
on displacing
persons of
working
class.

51.—(1) The Corporation shall not under the powers of this Act purchase or acquire any house or houses which on the fifteenth day of December one thousand nine hundred and ten were occupied either wholly or partially by thirty or more persons belonging to the working class as tenants or lodgers unless and until the Corporation shall have—

(A) Obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the said fifteenth day of December or for such number or proportion of such persons as the Local

Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Given security (if required) to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme which may be proposed by the Corporation.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed and rendered fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced. Provided that the Local Government Board may dispense with the last-named requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the requirement mentioned in the last preceding subsection shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the Corporation acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the consolidated fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

A.D. 1911.

(6) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they may have power to acquire and may purchase such further lands as they may require and sections 202 203 and 214 of the Public Health (Ireland) Act 1878 as amended by any subsequent enactment shall apply to the purchase of lands by the Corporation for the purposes of any scheme under this section as if the scheme were one of the purposes of that Act.

(7) The Corporation may on any lands belonging to them or purchased or acquired under this section or any provisional order issued in pursuance of this section erect such dwellings for persons of the working class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid. Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment. Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) The Local Government Board may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and the inspectors of the Local Government Board shall for the purposes of any such inquiry have all such powers as they have for the purposes of inquiries directed by the Local Government Board under the Public Health (Ireland) Act 1878.

(9) The Corporation shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(10) Any houses purchased or acquired by the Corporation for or in connection with any of the purposes of this Act whether

purchased or acquired in exercise of the powers conferred by this Act or otherwise and whether before or after the passing of this Act which may have been occupied by persons of the working class within five years before the passing of this Act and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Local Government Board under the powers of any previous Act relating to the Corporation shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the said fifteenth day of December by the same number of persons belonging to the working class as were occupying the said houses at the date of their acquisition. Provided that if the Local Government Board are unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Local Government Board they might have been sufficient to accommodate. A.D. 1911.

(11) For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "working class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income in any case does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

PART VIII.

MIDWIVES.

52.—(1) From and after the first day of January one thousand nine hundred and thirteen no woman unless she be certified under this Part of this Act shall within the city attend women in childbirth otherwise than under the direction of a qualified medical practitioner or take or use within the city the name or title of midwife (either alone or in combination with any other word or words) or any name title addition or description implying that she is certified or is a person specially qualified to practise midwifery or is recognised by law as a midwife. Any woman so acting without being so certified or during any period for which her certificate may have been

Uncertified person not to practise as midwife.

A.D. 1911. withdrawn shall be liable on summary conviction to a fine not exceeding five pounds Provided that this section shall not apply to legally qualified medical practitioners or to any one rendering assistance in a case of emergency.

(2) No woman certified under this Part of this Act shall employ an uncertified person as her substitute.

(3) The certificate under this Part of this Act shall not confer upon any woman any right or title to be registered under the Medical Acts or to assume any name title or designation implying that she is by law recognised as a medical practitioner or that she is authorised to grant any medical certificate or any certificate of death or of still-birth or to undertake the charge of cases of abnormality or disease in connection with parturition.

Qualifica-
tions for
certificate.

53. The Corporation shall issue a certificate to practise under this Part of this Act to any woman who claims to be certified under this Part of this Act provided she holds a certificate in midwifery from the Central Midwives Board in England or the Royal College of Physicians of Ireland or the Obstetrical Society of London or the Coombe Lying-in Hospital and Guinness's Dispensary or the Rotunda Hospital for the Relief of the Poor Lying-in Women of Dublin or is qualified to be appointed as a midwife by a board of guardians under any regulation of the Local Government Board or who claims within two years from the passing of this Act to be so certified and produces evidence satisfactory to the Corporation that at the passing of this Act she had been for at least three years in bonâ fide practice as a midwife and that she bears a good character.

Midwives
roll.

54. The Corporation shall prepare a roll of midwives containing the names of all midwives certified under this Part of this Act and the entry on the roll shall in every case indicate the conditions in virtue of which the certificate was granted.

Evidence as
to certifica-
tion.

55.—(1) A printed copy of the roll of midwives certified as correct by the town clerk shall be evidence in all courts that the women therein specified are certified under this Part of this Act and the absence of the name of any woman from such copy shall be evidence until the contrary be made to appear that such woman is not certified under this Part of this Act Provided always that in the case of any woman whose name does not appear in such copy a certificate under the hand of the town

clerk of the entry of the name of such woman on the roll shall be evidence that such woman is certified under this Part of this Act.

A.D. 1911.

(2) Subject to the provisions and conditions of any rules and regulations made by them under and approved as provided by this Part of this Act the Corporation may withdraw either temporarily or permanently for misconduct or other sufficient cause the certificate of any midwife and may indicate any such temporary withdrawal upon the roll of midwives or in case of permanent withdrawal may remove from the roll the name of the midwife whose certificate is so withdrawn.

(3) In the case of any temporary withdrawal the midwife may appeal to the recorder of the city against the decision of the Corporation provided that she give not less than seven days' notice of her intention so to do and no certificate shall be permanently withdrawn without the consent of the Local Government Board.

56. Every woman certified under this Part of this Act shall before holding herself out as a practising midwife or commencing to practise as a midwife in the city give notice in writing of her intention so to do to the Corporation and shall give a like notice in the month of January in every year thereafter during which she continues to practise in the city.

Notification of practice.

Every such notice shall contain such particulars as may be required by the rules of the Corporation to secure the identification of the person giving it and if any woman omits to give the said notices or any of them or knowingly or wilfully makes or causes or procures any other person to make any false statement in any such notice she shall on summary conviction be liable to a fine not exceeding five pounds.

57. Any woman who procures or attempts to procure a certificate under this Part of this Act by making or producing or causing to be made or produced any false and fraudulent declaration certificate or representation either in writing or otherwise shall be liable to a fine not exceeding ten pounds.

Penalty for obtaining a certificate by false representation.

58. The Corporation may with the approval of the Local Government Board make such rules and regulations as may from time to time be found necessary for giving effect to the provisions of this Part of this Act including the conditions under which a certificate may be withdrawn either temporarily or permanently and a name removed from the roll.

Rules.

A.D. 1911.

Expenses of
this Part of
Act.

Notice of
provisions of
this Part of
Act.

59. Expenses under this Part of this Act shall be deemed to be expenses incurred by the Corporation in the execution of the Public Health Acts and shall be defrayed as such.

60. The Corporation shall in the month of December next after the passing of this Act and in the month of December in every year thereafter cause notice to be given by public advertisement for three successive weeks in some newspaper or newspapers circulating in the city of the provisions of this Part of this Act and as soon as may be after the passing of this Act the Corporation shall cause a copy of this Part of this Act to be sent to every woman who so far as can be ascertained by reasonable inquiry may at the passing of this Act be practising midwifery in the city.

PART IX.

TEXTILE TESTING AND CONDITIONING HOUSE.

Authority to
establish
testing-
house.

61. The Corporation may acquire by agreement any lands they may deem necessary not exceeding one acre in extent and may appropriate any lands now or hereafter belonging to them and not required for any other purpose and may utilise any existing buildings thereon or may erect buildings thereon and may provide all appliances engines apparatus and plant which they may think fit for establishing maintaining and working a testing and conditioning house in the city (hereinafter referred to as "the testing-house") for the purpose of ascertaining and certifying the true weight length condition strength composition or other required quantity or quality of textile fabrics or other materials used in connection therewith or for any other purpose of the like nature in order that persons whether buyers or sellers desirous of having any such articles tested and certified may effect such object by means of the testing-house on payment of reasonable charges tolls and dues for the same and the Corporation may in connection with the testing-house provide maintain and manage warehouses for warehousing articles matters and things tested or submitted for testing.

For carrying
out business
of testing-
house.

62.—(1) For the purpose of carrying into effect the establishment maintenance and working of the testing-house the Corporation shall have power—

(A) To appoint and employ on such terms and conditions as they may think fit all such officers and servants as they may deem necessary;

- (B) To grant certificates in such form as the Corporation may from time to time deem proper respecting the articles matters and things submitted to the Corporation at the testing-house for examination testing and certificate;
- (c) To charge such reasonable tolls and dues as the Corporation may prescribe for making any such examination or test and for the granting of any such certificate and for warehousing such articles matters and things;
- (D) To make and from time to time to alter vary and rescind byelaws for the conduct and management of the testing-house and of all matters connected therewith and of persons using the testing-house for testing or conditioning purposes.

(2) Any byelaws made under the provisions of this section shall be enforceable by penalty or otherwise as may be therein prescribed and any such byelaws shall be deemed and taken in all cases to have been sufficiently proved on production of a copy thereof sealed with the seal of the Corporation but no such byelaws or any alteration thereof shall have any effect unless and until the same shall have been approved by the Board of Trade which approval the Board of Trade are hereby authorised to give.

63.—(1) Every certificate issued by the Corporation under the aforesaid powers shall be valid and effectual if sealed either with the corporate seal or with a special seal to be provided for that purpose and attested by the signature of the officer appointed to the charge of the testing-house.

Validity of certificate.

(2) The said special seal if provided shall denote that the same is the seal of the Belfast Corporation textile testing-house and the said seal shall be in the custody and control of such appointed officer.

(3) Every such certificate or any copy thereof verified as such under the hand of such appointed officer shall be receivable in evidence in any court.

64. The Corporation shall not incur any liability in respect of any such certificate so issued as aforesaid nor shall they incur any liability in respect of any materials matters and things

Protection of Corporation.

A.D. 1911. deposited with them for examination testing or certificate beyond such as may arise from negligence or misconduct on the part of any officer or servant in their employment.

Recovery of dues payable to Corporation.

65. The Corporation are hereby empowered to recover in a summary manner any dues or tolls payable to them in respect of the warehousing examining testing and certifying of any articles under this Part of this Act and the Corporation shall be at liberty if they think fit in addition to any such remedy to detain in their possession any such article warehoused examined tested or certified by them and shall have a lien thereon in respect of all charges incurred by or payable to them in respect of such article.

Application of surplus income from testing-house.

66. Any moneys coming to the hands of the Corporation in respect of the business carried on at or in connection with the testing-house over and above the outgoings in respect thereof in any year shall be applied by the Corporation to the payment of interest upon the moneys borrowed for the purposes of this Part of this Act and thereafter towards the repayment of such moneys and subject thereto in such manner as the Corporation may consider beneficial to the inhabitants of the city.

PART X.

BUILDINGS.

As to plans of buildings.

67. The plans and sections to be furnished to the surveyor in the case of any new or altered building shall in addition to the plan and section required to be furnished by section 92 (Plans to be lodged as to new houses) of the Act of 1865 comprise a complete plan and section drawn to a scale of not less than one inch to every eight feet of every floor of such building and shall be accompanied by a description on a printed form to be supplied by the Corporation of the materials of which it is intended that such building shall be constructed and in every case except that of a building to be used as a dwelling-house only by a statement of the weight per superficial foot which the floors of such building are designed to carry and the provisions as to the approval or disapproval by the surveyor of plans shall extend and apply to the plans sections and particulars by this section required to be furnished.

Amendment of section 66 of Act of 1878.

68. Section 66 (Strength of piers or supports) of the Act of 1878 shall be read and have effect as if after the word "building"

there had been inserted the words "and no wall floor stair roof or part of any building." A.D. 1911.

69. The provisions of section 73 (Construction of buildings for public amusements or assemblies) of the Act of 1878 shall extend and apply to any building intended to be used as an hotel hospital school common lodging-house boarding-house or other establishment (not being a private dwelling-house or a house let in apartments or occupied by members of one family) in which persons live work or sleep and in addition to the matters provided for by the said section 73 the staircases and the floors of the lobbies corridors passages and landings of any such building intended to be used for the purposes aforesaid shall unless the Corporation otherwise allow be constructed of stone or other fireproof material carried by supports constructed of a fireproof material Provided that this section shall not apply to any building actually used as an hotel at the passing of this Act. Extension to hotels &c. of section 73 of Act of 1878.

70. In any case where it is proposed to alter a dwelling-house so that any part thereof may be used for purposes other than residence the owner or occupier of such dwelling-house shall submit to the surveyor complete plans sections and specifications showing the alterations proposed to be made and the materials proposed to be used and shall not commence any such alterations until such plans sections and specifications have been approved by the surveyor so as to secure the construction of fire-resisting walls and ceilings between the portion of the dwelling-house intended to be used for purposes of residence and the portion to be used for other purposes and of fire-resisting roofs of adequate strength to any projecting window or porch and the construction of adequate access between the portion of such building to be used for purposes of residence and the yard at the back of such building. Alteration of existing buildings.

71. Any person intending to make any alteration in any building shall give to the surveyor notice thereof with full particulars and no building shall be so altered as to offend against the provisions of the former Acts or this Act with respect to buildings or of any byelaws relating to buildings in force in the city. Notice of alterations in buildings.

72. Any person who shall offend against the foregoing provisions of this Part of this Act shall be liable to a penalty not Penalties.

A.D. 1911. exceeding five pounds and to a daily penalty not exceeding forty shillings.

As to build-
ings of iron
steel or re-
inforced
concrete.

73. Notwithstanding any provisions contained in any of the former Acts or in any public Act or any byelaw in force within the city regulating the construction of buildings the Corporation shall have power to relax or modify such provisions or any such byelaw in the following cases and subject to the following provisions (that is to say):—

Where a person is desirous of erecting an iron steel or reinforced concrete building or structure he shall make an application to the Corporation accompanied by complete plans sections and elevations of the proposed building with such details and other particulars as to the construction thereof as may be required by the surveyor:

The surveyor if satisfied with such plans sections elevations details and particulars shall signify his approval of the same in writing and thereupon the building may be constructed according to such plans sections elevations details and particulars:

The Corporation may for the purpose of regulating the procedure in relation to such applications and in reference to the excavations for or foundations of or the erection of such building and structure make and issue such general rules as they may think fit as to the place time and manner of making applications and as to the plans sections elevations details and particulars to be deposited with the surveyor and as to the precautions to be taken in connection with any such excavation foundation or erection for safeguarding the stability of the street and the property therein and the public safety and convenience and otherwise and as to any other matter or thing connected therewith respectively.

Means of
escape from
fire in certain
buildings.

74.—(1) Every building exceeding twenty-five feet in height used or intended to be used as an hotel restaurant hospital boarding-house common lodging-house or school shall be provided on all the storeys of which the upper surface of the floor is above twenty feet from the street level with such means of escape in case of fire for the persons dwelling or employed therein or resorting thereto as may be reasonably required under the circumstances of the case and no new building shall be occupied as aforesaid until the surveyor shall have issued a

certificate that the provisions of this section have been complied with in relation thereto. A.D. 1911.

(2) Nothing contained in this section shall be deemed to interfere with the operation of section 14 (Provision of means of escape in case of fire) and section 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 or of any Act amending the same.

(3) The provisions of this section shall not apply to any existing building unless or until the Corporation shall have given not less than three months' notice to the owner or occupier of such building of the provisions of this section and shall have specified their requirements under this section in relation to such building. Such owner or occupier shall comply with such requirements within the said period of three months or within such extended period as the Corporation may allow or as may be prescribed upon any appeal under the provisions of this Act against any such requirements.

(4) Upon failure to comply with the provisions of this section the person so failing shall without prejudice to any other right or remedy of the Corporation be liable to a penalty of five pounds for every day during which such failure shall continue.

75. No new building shall be used partly for the purpose of a shop or purpose of trade or business and partly as a residence unless adequate means are provided in the construction of such building for preventing by the use of fire-resisting materials danger arising to the inmates of the portions used as a residence from fire originating in the portion used for a shop or other trade or business purpose. As to fire-resisting material in certain cases.

76. In any case where the owner or occupier of any structure which appears to the surveyor to be in a ruinous or dangerous state is unknown and the name or place of abode of such owner or occupier cannot after reasonable inquiry be ascertained the surveyor may affix to some conspicuous part of such premises a notice to the effect that the Corporation intend to make complaint before a justice in accordance with the provisions of the Act of 1878 and such justice may on proof of the posting of such notice make an order for the taking down repair or otherwise securing of such structure without any notice as required by the said Act of 1878 having been served upon the owner or occupier of such structure. Procedure where owner &c. of ruinous structure is unknown.

A.D. 1911.

Amendment
of sections
106 of Act
of 1845 and
55 of Act of
1878.

77. Notwithstanding anything to the contrary contained in section 106 (Where houses are taken down council may take land to improve the street) of the Act of 1845 and section 55 (Power to set back line of buildings in certain cases) of the Act of 1878 any question of disputed compensation arising under those sections shall be settled in manner provided by the Lands Clauses Acts as incorporated in this Act and the arbitrator shall not take into consideration or award compensation for the loss of any easement right benefit privilege or advantage accruing or which might accrue or might have accrued to the owner or other persons interested in any property taken or required to be set back under the said sections by reason of the exercise in reference to any property adjoining or adjacent to the property of such owner or persons of the powers of the said sections 106 and 55 or either of them.

Provisions of
this Part of
Act not to
apply to build-
ings of railway
companies.

78. The provisions of this Part of this Act shall not apply to any building (other than an hotel or dwelling-house) belonging to any railway company and used under the powers of an Act of Parliament for the purpose of such railway.

Exemption
of ware-
houses &c.
of Belfast
Harbour
Commis-
sioners.

79. The powers and provisions of this Part of this Act shall not extend or apply to any warehouses or buildings built or to be built or rebuilt by or under the authority of the Belfast Harbour Commissioners upon their own land for their own use or for public purposes.

PART XI.

SANITARY.

Sanitary
regulations
for premises
used for sale
&c. of food
for human
consump-
tion.

80.—(1) From and after the passing of this Act the following provisions shall apply to any room shop or other part of a building within the city in which any article whether solid or liquid intended or adapted for the food of man is sold or exposed for sale or deposited for the purpose of sale or of preparation for sale or with a view to future sale:—

(A) No urinal water-closet earth-closet privy ashpit or other like sanitary convenience shall be within such room shop or other part of a building or shall communicate therewith except through the open air or through an intervening ventilated space:

(B) No storage cistern for supplying water to such room shop or other part of a building shall be in direct

communication with and directly discharge into any such sanitary convenience: A.D. 1911.

- (c) No drain or pipe for carrying off foecal or sewage matter shall have any inlet or opening within such room shop or other part of a building:
- (d) No such room shop or other part of a building shall be used as a sleeping place and so far as may be reasonably necessary to prevent risk of the infection or contamination of any such article as aforesaid no sleeping place shall adjoin such room shop or other part of a building and communicate therewith except through the open air or through an intervening ventilated space:
- (e) Refuse or filth whether solid or liquid shall not be deposited or allowed to accumulate in any such room shop or other part of a building:
- (f) Due cleanliness shall be observed in regard to such room shop or other part of a building and all apparatus utensils and things therein and shall be observed by persons engaged in such room shop or other part of a building:
- (g) No such article shall be exposed for sale in or in connection with any such shop or other part of a building in such a position that the same may be liable to be contaminated or otherwise injuriously affected by animals.

(2) If any person uses or occupies or knowingly lets any such room shop or other part of a building wherein any of the conditions prohibited by this section exist or does any act or thing therein in contravention of this section he shall be liable on summary conviction to a fine not exceeding for a first offence twenty shillings and for every subsequent offence five pounds and in either case to a daily penalty not exceeding twenty shillings.

(3) The Corporation or any of their officers shall have the like right of entry upon any such room shop or other part of a building as they would have had if there had been a nuisance arising in respect of any business carried on therein.

81. No cart or vehicle which contains or has contained manure or other noxious matter shall be used for the conveyance of any runlet box basket or other vessel containing or

Prohibiting carriage of food and drink in manure carts.

A.D. 1911. intended to contain or generally used for containing milk buttermilk butter or other similar commodity until such cart shall have been properly cleansed and disinfected or unless such runlet box basket or other vessel is protected from contamination by tarpaulin or other impervious material and any person using any such cart in contravention of the foregoing provisions of this section or for any purpose whereby any article of food or drink intended for human consumption in the city may become contaminated shall be liable to a penalty not exceeding forty shillings.

Prohibiting sale of shellfish collected from foreshore of Belfast Lough.

82. It shall not be lawful for any person to sell within the city any shellfish collected from any part of the foreshore of Belfast Lough and any person offending against this enactment shall be liable to a penalty of five pounds and a daily penalty of twenty shillings.

PART XII.

GAS.

Differential prices for gas and additional mains &c.

83. The Corporation may notwithstanding anything to the contrary in the former Acts or in any Act incorporated therewith charge differential prices as between gas supplied and used for private lighting purposes and gas supplied and used for any other purposes and the price to be charged for such other purposes shall be such as may from time to time be agreed between the Corporation and the person to be supplied for such purposes but in no case shall the price charged for gas supplied for such other purposes be in excess of the price charged for gas supplied for private lighting purposes and the Corporation may provide such additional mains pipes meters and fittings as may be requisite or necessary for enabling them to supply gas at differing prices for different purposes and for measuring or ascertaining the quantity consumed for each such purpose.

PART XIII.

FINANCIAL.

Power to borrow.

84.—(1) The Corporation may from time to time in addition to any moneys which they are now authorised to borrow or raise by the creation and issue of Belfast Corporation stock raise by the creation and issue of Belfast Corporation stock in the manner provided by the Act of 1889 for the following

purposes respectively any sum or sums not exceeding the following sums respectively (that is to say):— A.D. 1911.

For paying the costs of this Act the sums necessary for that purpose;

For and in respect of the construction and equipment of tramways any sums not exceeding one hundred and sixty-three thousand pounds;

For the construction and equipment of the portion of the Holywood tramways authorised by the Holywood Tramways Act 1909 to be constructed by the Corporation thirty-nine thousand pounds;

For any other purposes of the tramway undertaking such sums as the Board of Trade may from time to time sanction;

For and in respect of the flood prevention works (including the purchase of lands) any sums not exceeding one hundred and nineteen thousand pounds;

For and in respect of the construction of street works (including the purchase of lands) any sums not exceeding one hundred and fifty-six thousand pounds;

For the purchase of lands for and the construction and laying out of the cemetery extension any sums not exceeding twenty-two thousand pounds;

For the laying out and equipment of the lands at Drum-nadrough any sums not exceeding twenty thousand pounds;

For the purposes of and in connection with the textile testing and conditioning house such sums as the Local Government Board may from time to time sanction;

For and in respect of the gas undertaking of the Corporation any sums not exceeding one hundred thousand pounds.

(2) Money raised under this section shall be applied only to the purposes for which it is authorised to be raised and to which capital is properly applicable and not otherwise.

(3) The amount of the annual sums payable to the loans fund established under the said Act of 1889 towards the redemption and extinction of stock created and issued by the Corporation under this Act shall be such as with accumulations at the rate of three pounds per centum per annum will suffice to redeem at par the stock created for the purpose of paying the costs of this Act within five years from the date of the passing

A.D. 1911. of this Act and the stock created for the other purposes aforesaid within the following periods from the date of creation of such stock (that is to say):—

For the purposes of tramways within a period not exceeding twenty-five years;

For the purposes of moneys raised for the tramway undertaking with the consent of the Board of Trade within such period not exceeding sixty years as the Board of Trade may sanction;

For the purposes of flood prevention works and street works within a period not exceeding forty years;

For and in respect of the construction and laying out of the cemetery extension within a period not exceeding thirty years;

For and in respect of the laying out and equipment of the lands at Drumnadrough within a period not exceeding fifteen years;

For and in respect of the purposes of Part IX. of this Act (Textile Testing and Conditioning House) within such period not exceeding sixty years as the Local Government Board may sanction;

For the purposes of the gas undertaking within a period not exceeding twenty-five years;

For the purchase of lands (including the purchase of lands for or in connection with any of the purposes aforesaid) within a period not exceeding sixty years.

(4) The sums payable to the said loans fund in each year for the payment of dividends on and towards redemption and extinction of the stock created and issued under this Act for the several purposes hereinafter stated shall be payable:—

For and in respect of the construction and equipment of tramways and the laying out and equipment of lands at Drumnadrough out of the tramway revenue and so far as that revenue may prove insufficient for the purpose out of the general purposes fund or rate;

For and in respect of the flood prevention works and the purchase of lands therefor out of the general purposes fund or rate;

For and in respect of the street works and the purchase of lands therefor out of the general purposes fund or rate;

For and in respect of the purchase of lands for and the construction and laying out of the cemetery extension out of the burial fund or rate ; A.D. 1911.

For and in respect of the purposes of Part IX. of this Act (Textile Testing and Conditioning House) out of the general purposes fund or rate ;

For the gas undertaking out of the gas fund.

85. All transactions of the Corporation under this Act in respect of the receipt and expenditure of capital whether received by way of loan or otherwise shall be shown in the books and accounts of the Corporation separately from those in respect of revenue. Capital and revenue accounts to be kept separate.

86. Section 36 (Estimate for general purposes rate to include amount required for purposes of this Act) of the Act of 1899 shall apply to the purposes of this Act as if that section had been re-enacted in and for the purposes of this Act with the substitution of the words "Act of 1910" for the words "Belfast Corporation Act 1896." Incorporating provisions as to estimate for rates of Act of 1899.

87. Section 68 (Estimate of working expenses and adjustment of fares) of the Act of 1904 shall be read and have effect as if the expression "the tramways" where used in that section included the tramways by this Act authorised and any other tramways for the time being owned or worked by the Corporation. Application of section 68 of Act of 1904.

88. The Corporation shall pay the expenses incurred by them in carrying into effect the provisions of this Act other than such expenses as may be properly chargeable to capital account as follows :— Expenses of execution of Act.

So far as relates to the cemetery extension out of the burial fund or rate ;

So far as may be necessary for giving effect to the provisions of this Act with respect to midwives and with respect to sanitary matters out of the public health fund or rate ;

So far as relates to expenses not otherwise provided for out of the general purposes fund or rate.

89. Section 20 (Application of loans fund) of the Act of 1889 shall be altered by the addition thereto of the following provisions (that is to say) :— Use of moneys to credit of loans fund.

(1) Where the Corporation are authorised by any statutory borrowing power to raise money for any purpose the

A.D. 1911.

Corporation instead of exercising such borrowing power by the creation and issue of additional Corporation stock may exercise the said power either wholly or partially by using for such purpose any money for the time being forming part of the loans fund and not required for the payment of dividends on Corporation stock:

(2) The Corporation when exercising the power conferred on them by subsection (1) of this section shall—

(A) Withdraw from the loans fund a sum equal to the amount of the borrowing power proposed to be exercised by the user of moneys in the loans fund and shall determine from which account in the loans fund having amounts to its credit the said sum shall be deemed to be withdrawn;

(B) Transfer stock at par value equal to the sum withdrawn from the loans fund from the last-named account to the account in respect of which the borrowing power is exercised:

(3) The provisions of the Act of 1889 shall apply to the moneys used from the loans fund and to the stock so transferred as aforesaid as though such money had been raised by the issue of further stock and to such transferred stock as though it were stock issued at the date of transfer:

(4) On every transfer of stock as aforesaid when the whole amount of stock standing to the debit of the particular account is not transferred the amounts payable to the loans fund in respect of the stock not transferred shall be such as the Local Government Board approve:

(5) In case the Corporation use any loans fund money and transfer stock in respect thereof as aforesaid the original loan shall pro tanto be deemed to have been paid off as if the amount of stock transferred had been redeemed out of the loans fund:

(6) The Corporation shall render to the Local Government Board all such information (if any) as that Board may require by reason of the exercise by the Corporation of the powers of this section.

90. The Corporation may and if required by the Local Government Board shall from time to time invest temporarily on statutory securities any sum raised by stock under this Act and not for the time being required for the purpose for which it is raised.

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Temporary investment of moneys raised but not immediately required.

91. As from the thirty-first day of March one thousand nine hundred and twelve so much of the Acts of 1865 1868 and 1873 as enables the Corporation to form separate drainage districts in the city and as provides for the levying of a district sewer rate in any such district is hereby repealed and any district sewer rate now leviable by the Corporation shall then cease to be levied and any moneys now charged upon any such district sewer rate shall then be charged upon and payable out of the general purposes fund or rate.

Abolition of district sewer rates and separate drainage districts.

92. Sections 45 46 47 48 and 49 of the Act of 1865 and so much of section 50 of that Act as limits to one thousand pounds the amount which may for the purpose of paying any compensation for malicious injury payable by the Corporation be included in the annual estimate for the general purposes rate are hereby repealed.

Removal of limitation on amount to be included in estimate in respect of claims for malicious injuries.

93. In respect of any rate levied by the Corporation for defraying any expenses of the Corporation which at the passing of this Act were defrayed out of that portion of the borough rate or fund then known as the public health rate or fund and in respect of any increase of or addition to the general purposes rate which may be made for any of the purposes of this Act all lands used as a railway constructed under the powers of any Act of Parliament shall be assessed and liable in the proportion of one-fourth part only of the net annual value of such lands.

Rating of railways.



94. The Corporation may charge and carry to the accounts of the tramways undertaking and pay out of the tramway revenue one-third of the cost of any widening of a street in which a tramway is laid or authorised to be laid.

Charging tramway revenue with proportion of cost of street works.

95. The Corporation may pay to any member of the fire brigade retiring after the completion of twenty-five years' service such pension not exceeding two-thirds of his salary and emoluments on his retirement as they may think fit and may at any time award a pension not exceeding two-thirds of his salary and emoluments to any member of the fire brigade who from no fault of his own may be permanently incapacitated by infirmity

Pensions to members of fire brigade.

A.D. 1911.

of mind or body occasioned in the execution of his duty and any such pension shall be chargeable to and payable out of the fund to which the salary or wages of such member is or was charged.

Corporation may effect insurances of certain officers and servants.

96. The Corporation may insure against death or ill-health either as a class or individually all or any of their officers servants or employees who may be employed in or in connection with hospitals for infectious disease or who may be liable to special risk to life or health in carrying out their duties in connection with infectious diseases and may pay out of the fund to which the salary or wages of any such officer servant or employee so insured is chargeable the premiums or other payments in connection with such insurances and upon the happening of the contingency insured against shall apply the proceeds of any such insurance for the benefit of the employee insured or if he shall have died for the benefit of his dependents or if he have no dependents shall carry such proceeds to the credit of the fund out of which the premiums on the insurance were paid.

PART XIV.

MISCELLANEOUS.

As to sewage purification and disposal and repeal of existing obligations.

97.—(1) From and after the passing of this Act the obligations with respect to works and appliances for or operations for the purification of sewage and in respect of the time for effecting such purification imposed upon the Corporation by subsection (6) of section 43 of the Act of 1899 shall cease to be operative and the said subsection (6) shall be and is hereby repealed.

(2) The Corporation shall execute and do such works and adopt such means for the treatment and disposal of the sewage of the city carried to the main outfall works as the Local Government Board may approve or order and upon the approval or order by the Local Government Board of any works and operations shall forthwith proceed to the construction of such works and the adoption of such means as may be approved or ordered.

Protecting Henry Harrison.

98. Nothing in this Act shall prejudice or affect the respective rights of Henry Harrison of Holywood in the county of Down and of the Corporation under and in pursuance of the consent and agreement between the said Henry Harrison and the Corporation entered into the third day of October one

thousand nine hundred and ten and made a rule of the High Court on the ninth day of November one thousand nine hundred and ten. A.D. 1911.

99. Every registrar of births and deaths in the city shall at the expiration of each week after the first day of January one thousand nine hundred and twelve send to the Corporation a return of the entries of deaths made in the registers kept by him for that week and the Corporation shall pay to such registrar a fee of twopence for each such return and also the sum of twopence for every entry in such return. Returns to Corporation by registrars of births and deaths.

100. The Corporation may if they think fit remunerate the coroner of the city by a fixed and inclusive salary Provided that this section shall not apply to the coroner in office at the passing of this Act otherwise than by agreement with him and provided also that when a coroner has been appointed at or is paid by a salary under this section such salary shall not be reduced except with the consent of the Local Government Board. Remuneration of coroner.

101. The Corporation may pay out of the general purposes fund any reasonable subscriptions whether annually or otherwise to the funds of any association of municipal corporations or other local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation who may be appointed by the Corporation to attend at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings. Power to Corporation to pay subscriptions out of corporate funds.

102. The powers and jurisdiction conferred on or exerciseable by the chairman of the court of quarter sessions in respect to any matter or thing by the former Acts assigned to him or to the court of quarter sessions shall after the passing of this Act be deemed to be conferred on and exerciseable by and shall be assigned to the recorder of the city and the recorder and the recorder's court shall accordingly in respect to any such matter or thing be substituted for the chairman of the court of quarter sessions and the court of quarter sessions respectively. Recorder to act in cases where matters are referred to quarter sessions under former Acts.

103. The provisions of sections 219 to 223 of the Public Health (Ireland) Act 1878 shall apply to any byelaws made Confirmation of byelaws.

A.D. 1911. by the Corporation under the powers of this Act in respect of which no provision is made by this Act for confirmation and allowance.

As to arbitrations.

104. Where any matter except a matter of disputed compensation for lands taken compulsorily is referred under any of the provisions of this Act to an arbitrator unless such provision otherwise provides the expenses of such arbitration shall be defrayed as the arbitrator may direct and the award of the arbitrator may be made a rule of court on the application of either party under and in accordance with the Common Law Procedure Amendment Act (Ireland) 1856 or any statutory modification thereof.

Inquiries by Local Government Board.

105.—(1) The Local Government Board may direct any inquiries to be held by their inspectors which they may deem necessary in regard to the exercise of any powers conferred upon them by or the giving of any consents under this Act and the inspectors of the Local Government Board shall for the purposes of any such inquiries have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health (Ireland) Act 1878.

(2) The Corporation shall pay to the Local Government Board any expenses incurred by that Board in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Authentication and service of notices &c.

106. Where any notice or demand under this Act or under any local Act Provisional Order or byelaw for the time being in force within the city requires authentication by the Corporation the signature of the town clerk or other duly authorised officer of the Corporation shall be sufficient authentication Notices demands orders and other documents required or authorised to be served under this Act or under any local Act Provisional Order or byelaw for the time being in force within the city may be served in the same manner as notices under the Public Health (Ireland) Act 1878. are by section 267 (Service of notices) of that Act authorised to be served:

Provided that in the case of any company any such notice demand order or document shall be delivered or sent by post

addressed to the secretary of the company at their registered office or at their principal office or place of business. A.D. 1911.

107. Save as herein expressly provided all informations and complaints under or for the breach of any of the provisions of this Act or of any byelaws made thereunder may be laid and made by an officer of the Corporation authorised in that behalf or by the town clerk. Informations by whom to be laid.

108. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by the Public Health Acts. Compensation how to be determined.

109. All consents given by the Corporation under the provisions of this Act shall be given in writing and unless otherwise prescribed by this Act or by the Corporation shall be given under the hand of the town clerk. Consent of Corporation to be in writing.

110. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence consent or approval of or by the Corporation or of or by any officer of the Corporation under the provisions of this Act or by any conviction or order made by a court of summary jurisdiction or a petty sessions court under the provisions of this Act may if no other mode of appeal is provided by this Act appeal to the next practicable recorder's court under and according to the provisions of the Summary Jurisdiction (Ireland) Acts which shall apply accordingly and in regard to any such order made by a court of summary jurisdiction or a petty sessions court the Corporation may in like manner appeal. As to appeal.

111. Save as otherwise by this Act expressly provided all offences against this Act and all penalties forfeitures costs and expenses imposed or recoverable under this Act or any byelaw made in pursuance thereof may be prosecuted and recovered in a summary manner. Recovery of penalties &c.

112. Where any damages expenses costs or charges are directed or authorised to be paid to or recovered by the Corporation in addition to any penalty the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the court before whom any offender is convicted. Damages and charges to be settled by court.

A.D. 1911.

Evidence of appointments, authority &c.

113. Where in any legal proceedings taken by or on behalf of the Corporation under this Act or under any general or local Act for the time being in force in the city it becomes necessary to prove the appointment or authority of any officer servant solicitor or agent of the Corporation or of any committee of the Corporation or to prove any resolution of the Corporation or of any committee of the Corporation a certificate of such appointment authority or resolution purporting to be authenticated by the signature of the lord mayor or town clerk shall be *prima facie* evidence of such appointment authority or resolution without further proof of the holding of any meeting or the production of any minute book or other record or document.

Saving for indictments &c.

114. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect of any such matter from any penal or other consequences to which he would have been liable if such matter had not been made punishable by this Act. Provided that nothing in this Act shall make a person liable to be punished more than once for the same offence.

Recovery of demands.

115. Proceedings for the recovery of any demand made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in any county court having otherwise jurisdiction in the matter provided that the demand does not exceed the amount recoverable in that court in a personal action.

Judges not disqualified.

116. A judge of any court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Powers of Act cumulative.

117. All the powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed. Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

118. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown or subjects to the provisions of this Act any lands buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or the Commissioners of Public Works may voluntarily agree.

A.D. 1911.

Crown
rights.

119. Nothing in this Act contained authorises the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Crown fore-
shore rights.

120. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons or otherwise in relation thereto shall be paid by the Corporation out of the general purposes fund and rate of the city.

Costs of Act.

A.D. 1911. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Session and Chapter.	Description or Short Title.
8 & 9 Vict. cap. cxlii.	An Act for the Improvement of the Borough of Belfast (1845).
9 & 10 Vict. cap. ccxciv.	An Act for better Lighting and Improving the Borough of Belfast (1846).
10 & 11 Vict. cap. ccliv.	An Act for the further Improvement of the Borough of Belfast (1847).
13 & 14 Vict. cap. cviii.	The Belfast Improvement Act 1850.
16 & 17 Vict. cap. 114.	The Belfast Borough Extension Act 1853.
27 & 28 Vict. cap. cxeviii.	The Belfast Award Act 1864.
28 & 29 Vict. cap. clxxxiii.	The County Antrim and Belfast Borough Act 1865.
29 & 30 Vict. cap. cxiii.	The Belfast Burial Ground Act 1866.
31 & 32 Vict. cap. cxvii.	The Belfast Borough Act 1868.
36 & 37 Vict. cap. ccxcix.	The Local Government Board (Ireland) Provisional Order (Belfast) Confirmation Act 1873.
37 & 38 Vict. cap. ccxxv.	The Belfast Corporation Gas Act 1874.
40 & 41 Vict. cap. ccxxii.	The Local Government Board (Ireland) Provisional Orders (Artizans and Labourers Dwellings) Confirmation Act 1877 [Borough of Belfast Order].
41 & 42 Vict. cap. clxxx.	The Belfast Improvement Act 1878.
47 & 48 Vict. cap. xciii.	The Belfast Improvement Act 1884.
50 & 51 Vict. cap. xxiii.	The Belfast Corporation (Lagan Bridge) Act 1887.
50 & 51 Vict. cap. cxviii.	The Municipal Corporation of Belfast Act 1887.
50 & 51 Vict. cap. ccxxvii.	The Belfast Main Drainage Act 1887.
52 & 53 Vict. cap. xlii.	The Belfast Corporation Act 1889.
53 & 54 Vict. cap. cv.	The Belfast Corporation (Various Powers) Act 1890.
53 & 54 Vict. cap. cxli.	The Belfast Parliamentary Borough Registration Act 1890.
53 & 54 Vict. cap. ccxcii.	Electric Lighting Orders Confirmation (No. 7) Act 1890 [Belfast Electric Lighting Order 1890].
54 & 55 Vict. cap. lvii.	Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1891 [Local Government Board (Ireland) Provisional Order Belfast Streets Improvement 1891].
54 & 55 Vict. cap. cxliv.	Municipal Registration (Dublin and Belfast) Act 1891.
55 & 56 Vict. cap. ccx.	The Local Government Board (Ireland) Provisional Order Confirmation (No. 3) Act 1892.

Session and Chapter.	Description or Short Title.
55 & 56 Vict. cap. cexxxi.	The Belfast District (Lunatic Asylums &c.) Act 1892.
59 & 60 Vict. cap. cexlvi.	The Belfast Corporation Act 1896.
60 & 61 Vict. cap. lxxxvi.	The Local Government Board (Ireland) Provisional Order Confirmation (No. 7) Act 1897.
61 & 62 Vict. cap. xliii.	The Local Government Board (Ireland) Provisional Order Confirmation (No. 4) Act 1898.
61 & 62 Vict. cap. liii.	The City of Belfast (Hospitals) Act 1898.
62 & 63 Vict. cap. cexlvi.	The Belfast Corporation Act 1899.
63 & 64 Vict. cap. ccv.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 4) Act 1900 [Belfast Port Sanitary Order 1900].
2 Edw. VII. cap. cix.	The Belfast Corporation Act 1902.
4 Edw. VII. cap. cexxix.	The Belfast Corporation (Tramways) Act 1904.
5 Edw. VII. cap. cxxiii.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 2) Act 1905 [The Belfast Order 1905].
8 Edw. VII. cap. cxxvi.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1908 [The Belfast Order 1908].
10 Edw. VII. and 1 Geo. V. cap. xlv.	The Belfast Corporation (Tramways) Act 1910.

THE SECOND SCHEDULE.

SECTIONS OF THE BELFAST STREET TRAMWAYS ACT 1872.

Number of Section.	Marginal Note.
PART I.	
94	Penalty on passengers practising frauds on the company.
98	Penalties in byelaws.
99	Proof of byelaws.
PART II.	
46	Power to break up streets &c.
47	Completion of work and reinstatement of roads.
54	Right of user only.
59	Protecting bridges over railways and canals.
63	Penalty for obstruction of company in exercise of their powers.
71	Persons using tramways with carriages with flange wheels &c. to forfeit 20 <i>l</i> on each occasion to the company.
77	Reservation of right of public to use streets.
92	List of tolls &c. to be exhibited in carriages and at stations.
93	Tolls to be paid as directed by the company.
95	Such offenders may be detained.
96	Penalty for bringing dangerous goods on the tramway.
97	Byelaws.

A.D. 1911.

THE THIRD SCHEDULE.

DESCRIBING PROPERTIES OF WHICH PORTIONS ONLY MAY BE
REQUIRED.

Parish and Townland.	Numbers on deposited Plans.
STREET WORKS Nos. 1 2 3 4 5 6 7 AND 8.	
Townland of Townparks parish of Shankill.	4 7 16' 30 31 32 33 36 61 62 128 and 276.
STREET WORKS Nos. 12 AND 13.	
Townland of Townparks parish of Shankill.	2 and 4 to 12 (both inclusive).
STREET WORKS Nos. 14 AND 17.	
Townland of Townparks parish of Shankill.	4 and 5.
STREET WORKS Nos. 15 AND 16.	
Townland of Townparks parish of Shankill.	1 4 5 6 8 9 11 12 18 19 20 21 21A 22 23 24 26 27 28 to 31 (both inclusive).
STREET WORK No. 18.	
Townlands of Townparks and Edenderry parish of Shankill.	8.
STREET WORK No. 20.	
Townland of Townparks parish of Shankill.	1.
STREET WORK No. 21.	
Townland of Townparks parish of Shankill.	1 to 40 (both inclusive) 45 46 47 50 52 53 and 56 to 80 (both inclusive).

Parish and Townland.	Numbers on deposited Plans.
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TUDOR PLACE IMPROVEMENT.

Townlands of Townparks and Edenderry parish of Shankill.	2.
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CULVERT No. 1.

Townland of Greencastle parish of Shankill.	13 and 30.
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CULVERT No. 2.

Townland of Skegoniel parish of Shankill.	1A and 5.
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CULVERTS NOS. 3 AND 4 AND DIVERSIONS OF BLACKSTAFF RIVER AND CLOWNEY WATER AND INTAKE WEIR AND POND.

Townland of Ballymurphy parish of Shankill.	7 and 8.
Townland of Townparks parish of Shankill.	12A.
Townland of Malone Lower parish of Shankill.	13 14 and 30.

CULVERT No. 5.

Townland of Ballymacarret parish of Knockbreda.	1 4 and 7.
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