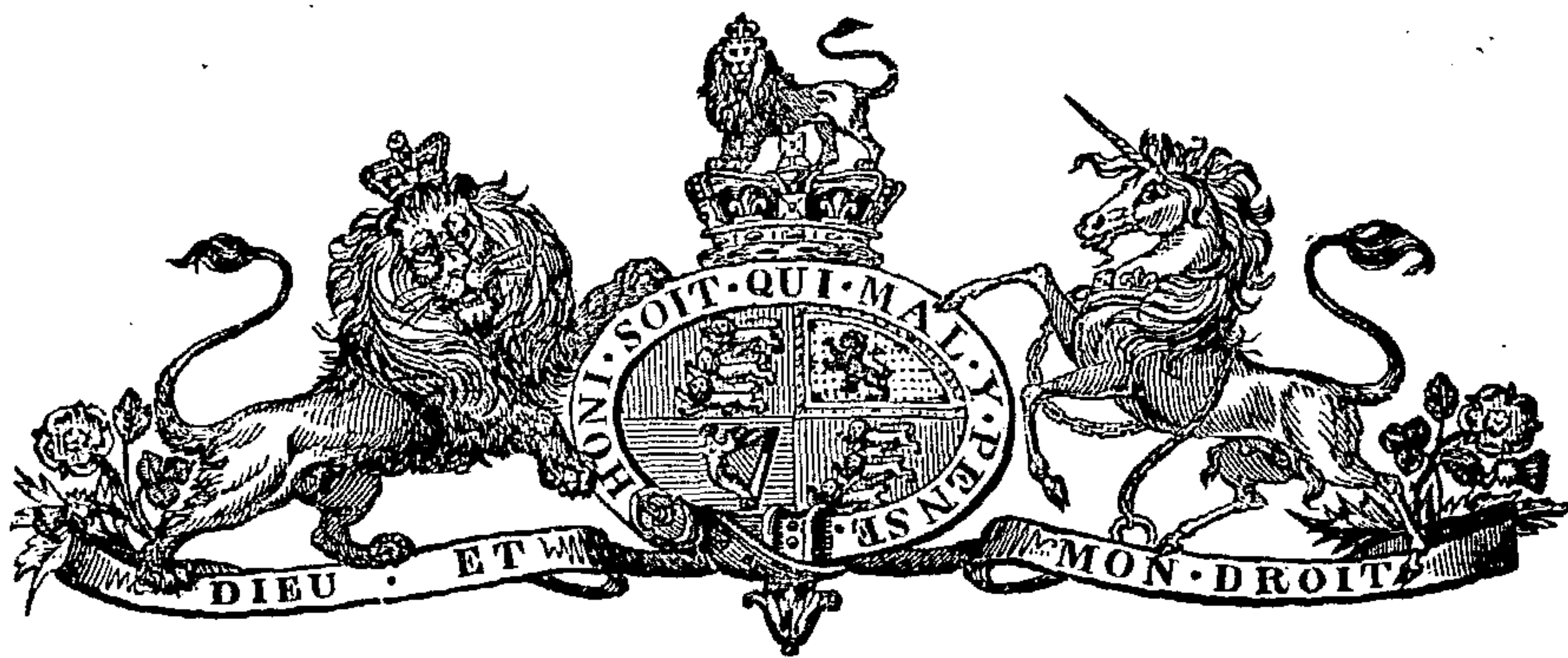




1865
1865

ANNO VICESIMO OCTAVO & VICESIMO NONO
VICTORIÆ REGINÆ.

Cap. clxxxix.

An Act for better supplying with Water the Town and Borough of *Belfast* and other Places ; and for altering and amending the Constitution of the Corporation of the *Belfast* Water Commissioners ; and for other Purposes.

[29th June 1865.]

WHEREAS an Act was passed in the Parliament of *Ireland* 40 G. 3.
in the Fortieth Year of the Reign of His said late Majesty, c. 37. (I
intituled *An Act for paving, cleansing, and lighting and* (Local.
improving the several Streets, Squares, Lanes, and Passages within the
Town of Belfast in the County of Antrim, and for removing and pre-
venting all Encroachments, Obstructions, and Annoyances therein; and
also for establishing and maintaining a nightly Watch throughout the
said Town and Precincts thereof; and for other Purposes : And whereas
another Act was passed in the Parliament of the United Kingdom in
the Fifty-seventh Year of the Reign of His said late Majesty, inti- 57 G. 3.
tuled *An Act for giving further Powers to the President and Assistants* c. lvii.
of the Charitable Society of the Town of Belfast in the County of
Antrim, to supply the said Town with Water, and to improve their
Estates : And whereas another Act was passed in the Parliament of
[Local.] 30 I the

The Belfast Water Act, 1865.

3 & 4 Vict.
c. lxxix.

the United Kingdom, in the Third Year of the Reign of Her present Majesty (being Chapter Seventy-nine, Local and Personal), intituled *An Act for better supplying with Water the Town and Borough of Belfast*, whereby it was enacted that from and after the passing thereof so much of the said recited Act of the Fortieth Year of the Reign of His said late Majesty King *George* the Third and of the said Act of the Fifty-seventh Year of the Reign of His said late Majesty as related to the Supply of Water to the said Town should be and the same were thereby repealed: And whereas the present Supply of Water to the Town and Borough of *Belfast* is inadequate, and it is expedient that a better Supply should be provided for the said Town and Borough and the other Places herein-after mentioned: And whereas it is expedient that the Constitution of the Corporation of "the *Belfast* Water Commissioners," incorporated by the said Act of the Third Year of the Reign of Her present Majesty, should be altered and amended, and that the said Corporation should be empowered to raise Money for the Purposes of this Act, and to carry the same into execution: And whereas Plans and Sections of the Works proposed to be executed under the Authority of this Act, showing the Lines and Situations thereof respectively, together with a Book of Reference to the said Plans and Sections, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers respectively of the Lands in, over, upon, through, or under which the said Works are intended to be constructed, have been deposited in the respective Offices of the Clerks of the Peace for the Counties of *Antrim* and *Down* and the County of the Town of *Carrickfergus* respectively: And whereas it is expedient that the Provisions of the said Act of the Third Year of the Reign of Her present Majesty should be altered and amended: And whereas the several Purposes of this Act cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may be cited for any Purpose whatever as "*The Belfast Water Act, 1865*," and also and for any Purpose whatever the said Act of the Third Year of the Reign of Her present Majesty, Chapter Seventy-nine, may be cited or referred to as "*The Belfast Water Act, 1840*," and the same and this Act may be cited or referred to as "*The Belfast Water Acts, 1840 and 1865*."

Interpre-
tation of
Terms.

2. The following Words and Expressions shall in the Construction of this Act have the several Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant

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repugnant to such Meanings or Constructions respectively; (that is to say,) the Expression “The *Belfast Water Act, 1840*,” shall mean the said Act of the Third Year of the Reign of Her present Majesty, Chapter Seventy-nine; and the Words “the Commissioners” and “Commissioners” shall mean the *Belfast Water Commissioners*, and shall extend to and include the Corporation of the *Belfast Water Commissioners* as under the *Belfast Water Act, 1840*, or this Act; and the Word “Commissioner” shall mean a Member of that Corporation; and the Words “Borough of *Belfast*” and “Borough” shall extend to and mean the entire Borough and Municipal District of *Belfast* as extended and defined by “The *Belfast Borough Extension Act, 1853*,” and the Schedule (A.) thereto annexed; and the Words “Ward” and “Wards” shall mean Ward and Wards of the said Borough as defined by the last-mentioned Act, and the said Schedule (A.) thereto annexed; and the Expression “General Tenement Valuation” shall mean the Valuation made under or in pursuance of an Act passed in the Fifteenth and Sixteenth Years of the Reign of Her present Majesty (Chapter Sixty-three), intituled *An Act to amend the Laws relating to the Valuation of Rateable Property in Ireland*, or any Act or Acts amending the same. 15 & 16 Vict. c. 63.

3. “The Lands Clauses Consolidation Act, 1845,” save so far as any Provisions thereof are inconsistent with “The Railways Act (*Ireland*), 1851,” and “The Railways Act (*Ireland*), 1860,” respectively, the Clauses and Provisions of “The Railways Clauses Consolidation Act, 1845,” with respect to the temporary Occupation of Lands near the Railway during the Construction thereof, and also the Sections of the last-mentioned Act, numbered Fifty-three, Fifty-four, Fifty-five, Fifty-six, Fifty-seven, and Fifty-eight, relating to the Substitution of other Roads for Roads interfered with, and to the Restoration of Roads interfered with, “The Railways Act (*Ireland*), 1851,” “The Railways Act (*Ireland*), 1860,” “The Waterworks Clauses Act, 1847,” except the following Parts thereof, (that is to say,) the Clauses or Sections with respect to the Payment and Recovery of the Water Rates, and the Clauses or Sections with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, and “The Waterworks Clauses Act, 1863,” shall respectively apply to and be incorporated with and form Part of this Act, so far as the same are not inconsistent with or modified by the Provisions of this Act; and in the said incorporated Enactments or any of them, or in any Acts incorporated therewith or with this Act, the Expression “the Special Act” shall mean this Act; and the Expressions “the Promoters,” “the Promoters of the Undertaking,” “the Undertakers,” and “the Company,” shall mean the Commissioners; and the Word “Secretary” shall extend to and mean the Clerk of the Commissioners; and the Expressions 8 & 9 Vict. cc. 18. & 20., 10 & 11 Vict. c. 17., 14 & 15 Vict. c. 70., 23 & 24 Vict. c. 97., and 26 & 27 Vict. c. 93. incorporated.

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Expressions “the Railway” and “the Undertaking” shall mean the Works by this Act authorized to be executed; and the Words “Purchase Money” and “Compensation,” and other equivalent Expressions, shall include the Compensation in Money to be made in respect of the Damage to any Lands, Mills, Manufactories, or Works situate in the Course of or using any of the Waters by this Act authorized to be taken and appropriated by the Commissioners; unless there be something in the Subject or Context repugnant to such Constructions respectively; and the Term “Mines” shall include Salt Mines and Salt Springs, and the Term “Minerals” shall include Salt; and the Provisions of “The Waterworks Clauses Act, 1847,” which are incorporated herewith, except so far as the same or any of them are inconsistent with or modified by this Act, shall apply not only to the Works hereby authorized to be made and executed, but also (subject to the Provisions herein-after contained) to the Waterworks, Lands, Hereditaments, Rights, Easements, and Effects now vested in the Commissioners, or in, over, or upon which the Commissioners have by this Act, or the *Belfast Water Act, 1840*, any Power or Right; and (subject as aforesaid) the Words “Lands” and “Streams” in “The Waterworks Clauses Act, 1847,” shall mean not only the Lands, Lakes, Rivers, Streams, and Waters from which Water is authorized to be taken under the Provisions of this Act, but also the Lands, Lakes, Streams, and Waters over or in which the Commissioners now have or will have any Power or Right.

3 & 4 Vict.
c. lxxix. as
altered by
this Act, and
this Act, to
be One Act.

4. The *Belfast Water Act, 1840*, as altered and amended by this Act, and this Act, shall be One Act: Provided always, that in every Case in which any Matter or Thing is expressly provided for or authorized or directed to be done by this Act, or by the Provisions of the Acts or Portions of Acts (other than the *Belfast Water Act, 1840*), incorporated herewith, the Provisions of this Act and the said incorporated Provisions (other than as aforesaid) shall, instead of the Provisions of the *Belfast Water Act, 1840*, be the Provisions according to which such Matter or Thing shall be done, and according to which the Undertaking of the Commissioners shall, after the passing of this Act, be managed, maintained, and regulated.

Interpre-
tation of
Expressions
in the Act of
1840 in con-
nexion with
this Act.

5. The Expressions and Words following, in the *Belfast Water Act, 1840*, shall, in construing that Act in connexion with or in reference to this Act, have the Meanings hereby assigned to them respectively, unless there be something in the Subject or Context repugnant to such Meanings or Constructions respectively; (that is to say,) the Expressions “the said Commissioners” and “the Commissioners” shall extend to and include the Commissioners under this Act; the Expression “Limits of this Act” shall extend to and include the Borough of *Belfast*; and the Expression “this Act,” and all

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all Expressions referring to the *Belfast Water Act, 1840*, shall extend to and include the present Act; and the Expressions "the said Ratepayers" and "Ratepayers" shall extend to Ratepayers under this Act; and the Word "Rates," and the Expressions "Water Tax," and "Rates or Assessments hereby granted," and "Rates of Applotment or Water Tax by this Act granted," and all equivalent Expressions, shall extend to the Rates and Assessments leviable or recoverable under this Act; and the Expressions "the said Water-works," and "the said Works," and "the said Undertaking," and all equivalent Expressions, shall extend to and include the Works by this Act authorized to be made or constructed; and the Word "Water," and the Expressions "the aforesaid Water," "the said Water," "Water Supply," and all equivalent Expressions, shall extend to and include the Water and Water Supply under or provided by this Act.

6. Provided always, That none of the Restrictions contained in Sections Sixteen and Seventeen of the *Belfast Water Act, 1840*, shall apply or extend to the Works by this Act authorized, or in any way limit the Powers of the Commissioners under this Act.

Restrictions of Sections 16. and 17. of 3 & 4 Vict. c. lxxix. not to apply.

7. The Corporation of "the *Belfast Water Commissioners*," created by the *Belfast Water Act, 1840*, shall hereafter consist, not only of the present Ten Members of that Corporation, that is to say, *John Trueman, Robert Foster Dill, Thomas Cunningham, Robert McKenzie, Robert Matthew Carson, William Addison, Robert Greer, Robert Thomas McGeagh, Samuel Gowan, James Carlisle*, but also of the Five new and additional Members of the said Corporation to be appointed as herein-after mentioned, and the Successors to be appointed as herein-after mentioned of the said present and additional Members of the said Corporation, and the Mayor for the Time being of the Borough of *Belfast*, and the Chairman for the Time being of the "*Belfast Harbour Commissioners*;" and, notwithstanding this or any other Alteration made by this Act in the Constitution of the said Corporation, the same shall continue and be deemed to be identical with the said Corporation created by the said *Belfast Water Act, 1840*, and all Properties, Rights, and Liabilities whatsoever now vested in or belonging to or affecting the said Corporation shall continue to be vested in and to belong to and affect the said Corporation as fully and effectually as if this Act had not been passed.

The Belfast Water Commissioners re-constituted.

8. All Rates, Rents, and other Monies to be levied or recovered under the *Belfast Water Act, 1840*, and all Lands, Goods, Chattels, and Effects, and all Monies, which at the Time of the passing of this Act shall belong to or be vested in or be in the Hands of the

For the Security of existing Debts.

[*Local.*]

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Commis-

The Belfast Water Act, 1865.

Commissioners under the *Belfast Water Act, 1840*, and all Rates, Rents, and other Monies by this Act authorized to be levied or recovered by the Commissioners, shall be liable to the Payment of all Monies and Annuities which at the Time of the passing of this Act are due and owing or shall hereafter become due and owing on the Credit or under the Authority of the *Belfast Water Act, 1840*, and of all Interest due and to grow due on the last-mentioned Monies, and to the Costs of all legal Proceedings for the Recovery thereof, as fully and effectually as if such Monies had become due upon the Credit or under the Authority of this Act.

Qualification
of Commis-
sioners.

9. Every Commissioner to be elected under this Act shall have the following Qualifications; (that is to say,)

He shall be resident within the Borough of *Belfast* or within a Distance of Seven Statute Miles measured along any public Road, Highway, or Railway from the Building known as "the *Commercial Buildings*" of the Town of *Belfast*, and shall be and shall have been for One Year or more prior to his Election as such Commissioner Tenant or Occupier of some One House or Building situate within the Borough of *Belfast*, and of the annual Value of Twenty-five Pounds or more, according to the General Tenement Valuation in force for the Time being, and shall be and shall have been during the same Period rated for Water under the *Belfast Water Act, 1840*, or this Act, in respect of such House or Building as aforesaid, or else he shall be resident as aforesaid and shall be qualified under this Act to vote at the Election of Commissioners, and shall be seised or possessed of Real or Personal Property, or of both, of the clear Value of One thousand Pounds above what will satisfy his Debts.

Declaration
to be made
by Commis-
sioners be-
fore acting.

10. No Person shall be capable of acting as a Commissioner under this Act (except in administering the Declaration herein-after mentioned) until he shall have made and signed before One of the Commissioners a Declaration in the Words or to the Effect following (of which, and the Date of making the same, an Entry shall be made in the Book of the Proceedings of the Commissioners); that is to say,

‘ I *A.B.* do solemnly declare, That I will faithfully, honestly,
‘ and impartially, according to the best of my Skill and
‘ Judgment, execute all the Powers and Authorities reposed in
‘ me as a Commissioner by virtue of "The Belfast Water Act,
‘ 1840," and "The Belfast Water Act, 1865," and that I am
‘ duly qualified as a Commissioner under the said last-men-
‘ tioned Act:’

Provided always, that in the Declaration to be made and signed by the Mayor for the Time being of the Borough of *Belfast* and the
Chairman

The Belfast Water Act, 1865.

Chairman for the Time being of the *Belfast* Harbour Commissioners respectively the following Words, (that is to say,)

‘and that I am duly qualified as a Commissioner under the
‘said last-mentioned Act,’
shall be omitted.

11. It shall not be lawful for any Commissioner who shall be a Justice of the Peace to act as such Justice in the Execution of this Act while he shall be a Commissioner under this Act, except with reference to the levying of any Penalty under this Act or any Enactment incorporated herewith.

No Commissioner to act as a Justice under this Act, except as to the levying any Penalty.

12. Every Person elected or becoming a Commissioner under the Act shall, at the Meeting of Commissioners at which he shall first attend as a Commissioner, make and sign the Declaration herein-before required; and any Commissioner, whether he himself shall have made and signed such Declaration or not, may administer such Declaration.

Declarations to be taken at the First Meeting.

13. If any Person elected under this Act to be a Commissioner shall cease to have such Qualifications as are hereby required in that Behalf, or any of them, or shall be or shall be declared a Bankrupt, or shall be or shall become an Insolvent Debtor within the Meaning of any Act for the Relief of Insolvent Debtors, he shall be incapable of being elected or of continuing a Commissioner; but every Person becoming so disqualified as aforesaid on account of his ceasing to have such Qualifications, or any of them, as aforesaid, may, on his regaining such Qualifications, be re-elected a Commissioner if otherwise qualified; and every Person being or becoming so disqualified as aforesaid, on account of his having been or being declared a Bankrupt, or being or becoming an Insolvent Debtor as aforesaid, shall, on his obtaining his Certificate, or on Payment of his Debts in full, be capable (if otherwise qualified) of being re-elected a Commissioner.

Disqualification of Commissioners.

14. Any Person elected under this Act to be a Commissioner who shall act as such (save in administering the Declaration herein-before required) not being duly qualified as aforesaid, or having become disqualified or incapable as aforesaid, or any Commissioner not being One of the Ten present Commissioners herein-before named, who shall act as such before he shall have made and signed the Declaration herein-before required, shall for every such Offence forfeit and pay the Sum of Five Pounds.

Penalty on Commissioners acting without being qualified.

15. Every Commissioner elected under this Act who, for the Space of One Calendar Month after he shall receive due Notice in Writing

Commissioner neglecting to

The Belfast Water Act, 1865.

make Decla-
ration or act,
to cease to
be one.

Writing from the Clerk to the Commissioners of his Election as a Commissioner, shall neglect to make and sign the Declaration hereinbefore required, or who for Six Calendar Months in succession shall be absent from all Meetings of the Commissioners, shall be deemed to have refused to act, and shall cease to be a Commissioner.

Qualification
of Electors.

16. Every Elector under this Act shall have the following Qualification; (that is to say,) he shall be resident within the Borough of *Belfast*, or within a Distance of Seven Statute Miles measured along any public Road, Highway, or Railway from the Building known as the "*Commercial Buildings* of the Town of *Belfast*," and shall be and shall have been for One Year or more prior to any Election of a Commissioner or Commissioners under this Act at which he shall claim to vote rated and assessed for Water under this Act or the *Belfast Water Act*, 1840, in respect of some One House or Building within the Borough of *Belfast* of the annual Value of Ten Pounds or more according to the General Tenement Valuation in force for the Time being, and he shall have paid before the Day of such Election the Water Rate at which he shall have been so rated and assessed next before the then last Assessment of Water Rate.

Electors to
vote for their
own Wards.

17. Every Elector shall, at any Election of Commissioners under this Act, vote for that Ward only wherein the Property in respect of which he shall be so rated and assessed as aforesaid is situate: Provided always, that when any Person shall have been rated and assessed for Water under this Act or the *Belfast Water Act*, 1840, in respect of each of several Houses or Buildings of the annual Value of Ten Pounds or more respectively, according to the General Tenement Valuation in force for the Time being, situate in different Wards, such Person shall select and signify in Writing to the Commissioners which Ward he desires to be an Elector of under this Act, and if he shall fail to do so within One Week after the Publication by the Commissioners of the making and fixing of the Water Rate as hereinafter directed the Commissioners shall assign him as an Elector to any One of the Wards in which his rated Premises shall be situate as aforesaid, and he shall be capable of voting as an Elector of that One Ward only which he shall so select, or to which he shall be so assigned as aforesaid.

First Elec-
tion of Five
additional
Commis-
sioners.

18. The Electors of each of the Five Wards into which the Borough is by this Act divided for the Purposes thereof shall, on the Fourth *Tuesday* after the passing of this Act, proceed and they are hereby empowered to elect, according to the Manner prescribed by the *Belfast Water Act*, 1840, some One Person duly qualified in that Behalf as hereby required to be a new and additional Commissioner for that Ward.

19. The

The Belfast Water Act, 1865.

19. The Commissioners shall assemble upon the First *Tuesday* after the Elections mentioned in the last preceding Section, and shall, by the Majority of the Votes of the Commissioners then present, elect One of their Body (other than the Mayor for the Time being of the Borough of *Belfast*, and the Chairman for the Time being of the *Belfast* Harbour Commissioners,) to be their Chairman, and another of their Body (other than as aforesaid) to be their Deputy Chairman, until the Third *Tuesday* in the Month of *March* then next following, or until the Successor of such Chairman and Deputy Chairman respectively shall be appointed; and upon the last-mentioned Day, and also upon the Third *Tuesday* in *March* in every subsequent Year, the Commissioners shall assemble, and, by the Majority of the Votes of the Commissioners then present, elect from their Body a Chairman and Deputy Chairman (other than as aforesaid) for the ensuing Year, or until their Successors shall be appointed respectively; and in case the Chairman and Deputy Chairman, or either of them, shall die or resign, or cease to be a Commissioner, or otherwise become disqualified or incapable of acting as such, the Commissioners, within One Calendar Month next after the Occurrence of such Vacancies or Vacancy, and at a Special Meeting, of which due Notice shall have been given, shall, by the Majority of the Votes of the Commissioners then present, choose some others or other of their Body (other than as aforesaid) to fill such Vacancies or Vacancy, and the Persons or Person so selected shall respectively continue in Office so long only as the respective Persons or Person in whose respective Places or Place they or he were or was elected would have been respectively entitled to continue in Office: Provided always, that every Chairman and Deputy Chairman respectively going out of Office as aforesaid shall, if duly qualified under this Act, be capable of being re-elected.

Appoint-
ment of
Chairman
and Deputy
Chairman.

20. If at any Meeting of the Commissioners the Chairman be not present, the Deputy Chairman shall be the Chairman of such Meeting, if present, and if not, One of the Commissioners present shall be elected Chairman of such Meeting by the Majority of the Votes of the Commissioners present at such Meeting; and in case there shall be an Equality of such Votes, the Commissioner first entering the Room in which such Meeting shall be held shall have an additional or Casting Vote; and in all Cases in which there shall be, upon any Question at any Meeting, an Equality of Votes, including the Vote of the Chairman of such Meeting, such Chairman shall have an additional or Casting Vote.

Provision for
Absence of
Chairman
and Deputy
Chairman.

21. Upon the Second *Tuesday* in the Month of *September* next after the passing of this Act the first Five Commissioners hereinbefore named shall go out of Office, and upon the Second *Tuesday* in
[Local.] 30 L March

Retirement
of existing
Commis-
sioners and

The Belfast Water Act, 1865.

Rotation of
Commis-
sioners.

March in every subsequent Year Five of the Commissioners shall go out of Office in manner following; (that is to say,) in each Ward the Commissioner who shall have been longest in Office for that Ward, or the Person substituted as a Commissioner (under the Provision hereinafter contained for supplying occasional Vacancies) in the Stead of the Commissioner who, if he were then a Commissioner, would have been longest in Office for that Ward, shall go out of Office; and in case of the Election at one and the same Time of the Commissioners for any Ward or any Two of such Commissioners, the Commissioner who shall have been elected under this present Clause or Provision by the smallest Number of Votes shall be the Commissioner who shall go out of Office; and on the Second *Tuesday* in the Month of *September* next after the passing of this Act the Electors for each Ward qualified under this Act shall proceed to elect, according to the Manner prescribed by the *Belfast Water Act, 1840*, One Person duly qualified in that Behalf, as required by this Act, to be Commissioner for that Ward; and upon the Second *Tuesday* in the Month of *March* in every subsequent Year the Electors of each Ward, qualified as aforesaid, shall proceed to elect in the like Manner a Person duly qualified in that Behalf as aforesaid to be a Commissioner for that Ward: Provided always, that every Commissioner going out of Office as aforesaid shall, if duly qualified under this Act, be capable of being re-elected as a Commissioner.

Acts of Com-
missioners
not to be
invalid for
the Reasons
herein re-
ferred to.

22. No Proceeding or Act of the Commissioners, or of any Committee of their Body, shall be illegal or invalid by reason or in consequence only of there being any Vacancy or Vacancies in the Number of the Commissioners at the Time of such Act or Proceeding, or of any of the Commissioners not being duly qualified, or not having made and signed the Declaration herein-before required, or being disqualified or incapable, or having ceased to be Commissioners, as herein-before is mentioned.

Clerk not to
have Power
to adjourn
Meetings.

23. The Clerk to the Commissioners shall not have Power to adjourn any Meeting of the Commissioners.

Commis-
sioners not
to receive
any Payment
for Duties
performed.
Re-elected
Commis-
sioner to be
considered a
new Com-
missioner
with refer-
ence to going
out by Ro-
tation.

24. It shall not be lawful in future for the Commissioners or any of them to receive any Payment or Remuneration whatever for the Performance of their Duties or any of them, under the *Belfast Water Act, 1840*, or this Act.

25. Every Person who shall have been a Commissioner under the *Belfast Water Act, 1840*, or this Act, and shall be re-elected, shall, after such Re-election, be considered as a new Commissioner with reference to going out of Office by Rotation as aforesaid.

26. If

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26. If any Commissioner elected under this Act shall neglect to take the aforesaid Declaration for One Calendar Month after he shall have received Notice in Writing from the Clerk to the Commissioners of his Election as a Commissioner, or shall die or resign, or be or become disqualified or incapable of acting, or cease to be a Commissioner from any other Cause than that of going out of Office by Rotation, then and in every such Case the Commissioners shall declare the Office of such Commissioner to be vacant, and the Electors of the Ward for which such Person shall have been a Commissioner shall thereupon proceed to supply such Vacancy, according to the Manner prescribed in that Behalf by the *Belfast Water Act, 1840.*

Mode of
supplying
occasional
Vacancies.

27. The Commissioners and their Successors in Office shall and they are hereby authorized and required to carry this Act, and so much of the *Belfast Water Act, 1840*, as is not repealed or superseded or otherwise provided for by or inconsistent with this Act, or the Acts and Parts of Acts incorporated herewith, or the said Act of the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Sixty-three, or any Acts or Act amending the same, into execution.

Commission-
ers to carry
Act into
execution.

28. The Limits of this Act shall comprise and include the entire Borough and Municipal District of *Belfast*, as extended and defined by the "*Belfast Borough Extension Act, 1853*," and the Schedule (A.) thereto annexed.

Limits of
Act.

29. Subject to the Provisions and Restrictions of this Act, it shall be lawful for the Commissioners to take, appropriate, divert, and use the Streams and Waters following, or any of them; (that is to say,) the Waters of the Stream or Streams of *Kilroot* and *Templecorran* which will fall into the *Kilroot* and *Templecorran* Reservoir by this Act authorized; also all or any of the several Rivers, Streams, or Springs known by the Names of the Two *Woodburn* Rivers, the *Duncrue* Streams, the *Whitewell* Spring, and also all or any of the Springs, Streams, and Waters intercepted or crossed by the Line of the Aqueducts, Cuts, Conduits, Pipes, or Works by this Act authorized to be made, or any of them; and to make, construct, and maintain the several Reservoirs, Aqueducts, Conduits, and Works described and shown in and by the said Plans, Sections, and Books of Reference so deposited as aforesaid, and all necessary and proper Conveniences connected therewith, in the Lines and Situations and upon the Lands delineated on the said Plans and Sections, and described in the said Books of Reference, and according to the Levels described on the said Sections; and for that Purpose to purchase, either absolutely for a Sum in gross, or to take on Lease or for ever,

Power to
construct
Works ac-
cording to
deposited
Plans.

at

The Belfast Water Act, 1865.

at an annual or other Rent, and also to enter upon, take, and use, the Lands, Streams, and Waters, or any Part thereof, delineated on the said Plans and referred to in the said Books of Reference, or any Easement, Privilege, Power, or Authority in or over the same.

Restriction
on taking
Water in the
County of
the Town of
Carrick-
fergus.

30. Provided, That the Commissioners shall not take, appropriate, divert, or use any Water of any of the Streams or Springs between the *Silver* Stream inclusive to the Westward and *Copeland* Water inclusive to the Eastward, which arise in or flow through or into the County of the Town of *Carrickfergus*, or any Water which is found in the Execution of any of the Works by this Act authorized to be executed between those Streams, save only that the Commissioners may, as by this Act provided, but not otherwise, take and use the Waters of the Streams called respectively the Two *Woodburns* and *Duncrue*, and the Waters of such of the Tributaries of the Two *Woodburns* as fall into the present Channels of those Streams above the Point where the *Woodburn* River is to be intersected by the Conduit by this Act authorized, and the Waters of such of the Tributaries of the *Duncrue* Streams as are to be intersected by the said Conduit within a Distance of 880 Yards Eastward from the Point of Intersection of the *Woodburn* River and the said Conduit.

Restriction
on taking
Water in
County
Antrim.

31. The Commissioners shall not, save by Agreement, take, appropriate, divert, or use, under the Powers of this Act, any Water of any of the Streams or Springs between the Commissioners intended Service Reservoir in the Townland of *Old Park* Eastwards and the Mearing of the County of *Antrim* and *Carrickfergus* at the *Silver* Stream, save only that the Commissioners may take and use the Waters of the *Whitewell* Spring.

Provision as
to Works.

32. The Commissioners shall so make and maintain the Conduit and other Works by this Act authorized as to prevent the Abstraction by means thereof of any Water which they are not by this Act authorized to take.

Provision for
Supply to
Persons in-
terested in
Waters of
the Two
Woodburns
and *Dun-
cruce*.

33. If the Commissioners take any of the Waters of the Two *Woodburns* and *Duncrue* Streams, and their respective Tributaries, in this Act specified, they shall first make, and they shall at all Times thereafter maintain, all Works and Conveniences proper and sufficient for furnishing, and they shall by means thereof at all Times furnish, to all Parties interested in the Waters of those Streams respectively, a continuous Supply of those Waters in Quantity sufficient for all their condensing and domestic Purposes, and also for all their agricultural Purposes other than Irrigation; and the Commissioners shall not be entitled to use any of those Waters, other than so much thereof

The Belfast Water Act, 1865.

thereof as from Time to Time remains after furnishing that continuous Supply.

34. If and whenever any of the Parties interested in the Waters of the Two *Woodburns* and *Duncrue* Streams, and the aforesaid Tributaries thereof respectively, sustain any Loss or Damage by reason of the taking by the Commissioners of any of the Waters of those Streams and Tributaries respectively, the Commissioners shall make to the Parties sustaining the same Compensation, as by this Act provided, for the Loss or Damage so sustained by them respectively.

Compensation for Loss of those Waters.

35. If the Commissioners take any of the Waters of the Streams called *Kilroot* and *Templecorran*, they shall first make, and they shall at all Times thereafter maintain, all Works and Conveniences proper and sufficient for furnishing, and they shall by means thereof at all Times furnish for all Parties interested in the Waters of those Streams respectively a continuous Flow of Water down the accustomed Channels of those Streams respectively, from the Site of the *Kilroot* and *Templecorran* Reservoir by this Act authorized, the Water so to flow on *Sunday* being sufficient for the watering of Cattle, and the Water so to flow during the Twenty-four Hours of every other Day being not less than Three hundred thousand Gallons; and the Commissioners shall not take any of those Waters other than so much thereof as from Time to Time remains after furnishing that continuous Flow.

Provision for Flow of Water down the *Kilroot* and *Templecorran*.

36. The Commissioners shall make and maintain, as Part of the last-mentioned Works and Conveniences, Gauges and other Apparatus proper and sufficient for regulating and testing that Flow of Water down those Channels; and all Parties interested in that Flow of Water shall be entitled by themselves and their Agents at all Times freely to have Access to and to inspect and ascertain the working and the State of Repair and Condition, and the Propriety and Sufficiency of the Gauges and Apparatus, and to take an Account of the Quantity of the Water flowing there.

Gauges for testing, &c. the Flow.

37. If and whenever any of the Parties interested in the Waters of *Kilroot* and *Templecorran* respectively sustain any Loss or Damage by reason of the taking by the Commissioners of any of the Waters of those Streams respectively, the Commissioners shall make to the Parties sustaining the same Compensation as by this Act provided for the Loss or Damage so sustained by them respectively, regard being had to the daily Flow of Water down the Channels of those Streams respectively, and to the Supply of Water still afforded by Streams below the Site of the said *Kilroot* and *Templecorran* Reservoir by this Act authorized.

Compensation for Loss of Water from those Streams.

[*Local.*]

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38. In

The Belfast Water Act, 1865.

Mode of compensating for Loss of Water.

38. In every Case in which it is by this Act expressly provided that Compensation shall be made by the Commissioners for Loss or Damage by reason of the taking of Water by them, the Compensation may, if and as they and the other Party agree, be either a Sum in gross or a perpetual Rent, or, if they fail to agree for a Rent, shall be a Sum in gross, and the Amount of the Sum in gross or of the Rent, if any, shall be determined as in other Cases of disputed Compensation.

Provision for Outlets for Drainage of Land.

39. Where the Works by this Act authorized interfere with the proper Drainage of any Lands now the Property of the Marquis of *Downshire*, the Commissioners shall, in constructing the Works by this Act authorized, and afterwards from Time to Time, provide such Outlets for the Purpose of the Drainage of those Lands, for agricultural Purposes, as are required from Time to Time by the said Marquis of *Downshire*, his Heirs or Successors in Estate, his or their Assigns, or as, in case of Objection by the Commissioners to any such Requisition, are determined to be proper by an Engineer to be appointed by the Board of Trade, on the Application of either Party; and the Expense of the Reference to such Engineer shall be borne and paid by the Commissioners, unless in any Case such Engineer otherwise directs.

Privileges of sporting on Reservoirs.

40. Notwithstanding anything contained in or to be done under this Act or any Act incorporated herewith, the said Marquis of *Downshire*, his Heirs or Successors in Estate, or any Person authorized by special Order under his or their Hand or Hands for each Occasion, shall at all Times have the Right of fishing, shooting, and sporting in, over, and upon the several impounding Reservoirs by this Act authorized to be constructed on the Western Branch of the *Woodburn* Rivers, with all usual Powers and Privileges incidental to the proper Enjoyment of that Right (including that of keeping and using a Boat), and the Marquis of *Downshire*, his Heirs or Successors in Estate, may construct a Boathouse or Shed on the Side of those Reservoirs respectively, so nevertheless that in the Exercise of the Powers in this Section mentioned he or they do not injure the Embankment of any of those Reservoirs, or wilfully do any Act whereby the Water therein will be fouled, and so that the Commissioners shall be entitled to use the said Boathouse or Shed in common with the said Marquis, his Heirs and Successors in Estate, and so that before the Erection of the said Boathouse or Shed the Site and Plans therefor shall be approved of by the Commissioners.

Matters to be settled by Arbitration.

41. In every Case in which any Difference arises between the Commissioners and any Party interested in the Waters of the Two *Woodburns* and *Duncrue* Streams respectively, or of their said respective

The Belfast Water Act, 1865.

respective Tributaries, or of the *Kilroot* and *Templecorran* Streams respectively, with respect to any of the Matters following, the Difference shall be referred to and determined by Arbitration as by this Act provided; that is to say,

Every Difference with respect to—

- (A.) The Propriety or Sufficiency of the Conduit and other Works by this Act authorized to be made for preventing the Abstraction by means thereof of Water which the Commissioners are not by this Act authorized to take :
- (B.) The Propriety or Sufficiency for the Purposes thereof respectively of any Works or Conveniences by this Act required to be made and maintained by the Commissioners for furnishing a Supply or Flow of Water of those Streams respectively, or for regulating or testing the Flow of the Water :
- (C.) The Quantity of Water, other than the daily Supply of Three hundred thousand Gallons, which by this Act the Commissioners are required to supply or furnish for Parties interested in the Waters of those Streams respectively :
- (D.) The Mode in which the Supply or Flow of the Water shall be regulated or controlled :
- (E.) Whether the Commissioners have or have not complied with any of the Requirements of this Act with respect to the Supply or Flow of the Water :
- (F.) The Time when or the Extent to which the Commissioners have failed in complying with any of those Requirements :
- (G.) The Amount of the Compensation to which any Party interested is entitled in respect of such Failure.

42. For the Purposes of the respective Arbitrations the Provisions following shall have Effect ; (that is to say,) Provision for Arbitration thereon.

- (A.) The Commissioners shall be one Party, and the other Person, or, where several Persons have an Interest jointly or in common in the Matter, those Persons, shall be the other Party :
- (B.) The Reference shall, if the Parties so agree, be to an Engineer to be appointed by the Board of Trade, on the Application of the Parties, and otherwise shall be to Three Civil Engineers as Arbitrators, one of them to be appointed by each Party, and the Third to be appointed by the Two first appointed, before they enter on the Business of the Reference ; and Notice by either Party to the other of the Appointment by the first-mentioned Party of an Engineer shall be deemed conclusive Evidence that the first-mentioned Party does not agree to a Reference to an Engineer to be appointed by the Board of Trade :

(C.) If

The Belfast Water Act, 1865.

- (C.) If either Party fail to appoint an Arbitrator within Fourteen Days after being thereunto requested in Writing by the other Party, then the Board of Trade, instead of the Party so failing, may, on the Application of the other Party, appoint One Arbitrator:
- (D.) If the Two Arbitrators first appointed fail to appoint a Third within Fourteen Days after their Appointment, then the Board of Trade may, on the Application of the Two Parties or either of them, appoint the Third Arbitrator:
- (E.) The Award of the Three Arbitrators, or any Two of them, shall be binding on both Parties:
- (F.) The Costs of the Arbitration and the Award shall be ascertained by the Arbitrators, but shall be subject to Taxation, and shall be paid by the Parties or one of them, and if by both then in such Proportions as the Arbitrators direct:
- (G.) Subject to the Provisions of this Section, the Provisions of "The Railway Companies Arbitration Act, 1859," so far as those Provisions can be made applicable, extend and apply, *mutatis mutandis*, to Arbitrations under this Section and all incidental Matters.

Applica-
tion of
23 & 24 Vict.
c. 106. to
Rents, &c.

43. For the Purposes of this Act, the several Provisions with respect to Lands and Rentcharges of "The Lands Clauses Consolidation Act, 1860," incorporated with this Act, so far as the same respectively are applicable in that Behalf, shall extend and apply to Easements and Rights granted and leased under this Act, and Rents and Rentcharges reserved by the Leases and Grants of the Easements and Rights respectively.

Certain Per-
sons may
grant Leases
of Lands.

44. The Persons authorized by "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," to convey Lands, may grant Leases of any Lands for the Purposes of this Act, or grant or lease any Easement, Power, or Authority in or over such Lands.

Power to
agree for
Compensa-
tion in
Water.

45. It shall be lawful for the Commissioners to contract and agree with any Person or Persons who may be interested in any Streams or Waters authorized to be taken under this Act to provide and give to such Person or Persons such Supply of Water as may be agreed upon by way of Compensation for any Injury which he or they may sustain by or from the Works authorized to be executed under this Act, or any of them, and for that Purpose to make and do all such Agreements, Matters, and Things as the Commissioners shall deem expedient.

46. In

The Belfast Water Act, 1865.

46. In the Construction of the Works by this Act authorized to be made and constructed it shall be lawful for the Commissioners to make lateral Deviations from the Lines of such Works, provided that such Deviations shall not extend beyond the Limits of lateral Deviation defined upon the said Plans, except with the Consent of the Owners, Lessees, and Occupiers of the Lands in which such Works shall be situate; and the Commissioners may deviate vertically from the Levels of such Works so defined on the said Sections to any Extent not exceeding Three Feet in the Case of Reservoirs and in other Cases Five Feet.

Power to deviate laterally and vertically.

47. The Commissioners may purchase by Agreement, for the Purposes by this Act authorized, in addition to the Lands delineated on the said Plans and referred in the said Books of Reference, any Quantity of Land not exceeding in the whole Twenty Acres.

Additional Land for Works authorized to be made.

48. The Powers hereby granted for the compulsory Purchase of Lands and other Property shall not be exercised after Five Years from the passing of this Act.

Powers for compulsory Purchases limited.

49. Notwithstanding anything in this or the incorporated Acts contained, it shall not be lawful for the Commissioners, in constructing the Conduit shown upon the deposited Plans in the Townland of *Ballyhill* in the County of *Antrim*, to deviate on the West or North Sides from the Centre Line of such Conduit where the same is shown on such Plans as passing through or as intended to be made upon or under any Road adjoining the Demesne Lands belonging to the Owner for the Time being of the *Ballyhill* Estate; nor shall it be lawful for the Commissioners, without the previous Consent in Writing of such Owner, to enter upon, take, or use any Part of such Demesne Lands or ornamental Property for the Purposes or under the Powers of this Act.

For Protection of the Ballyhill Estate.

50. The Works by this Act authorized shall be completed within Seven Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Commissioners for executing such Works shall cease to be exercised, except as to so much thereof as shall then be completed: Provided always, that nothing in this Act contained shall extend or be construed to extend to restrain the Commissioners from enlarging and extending or otherwise altering, renewing, or repairing their Mains and Pipes and Works of Distribution, or other Works, from Time to Time, whenever it shall be necessary or proper for the Purposes of this Act.

Period for Completion of Works.

51. And whereas by "The *Belfast Central* Railway Act, 1864," the *Belfast Central* Railway Company, herein-after called "the Railway
[Local.]

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For protecting the Belfast Central Railway.

The Belfast Water Act, 1865.

way Company," are empowered to construct their Railway in Tunnel under *Victoria Street, Corporation Street, and Garmoyle Street*, in the Town of *Belfast*, according to the Plans and Sections and the Provisions in that Act referred to and contained: Therefore any Pipes or Works which the Commissioners may require to lay or execute, and which might interfere with any of the Works of any Main Tunnel which the Railway Company are authorized to construct, shall be laid and executed respectively from Time to Time in such Manner only as shall be agreed upon by and between the Commissioners and the Railway Company, or as, in every Case of Disagreement between them, shall be determined by Two Engineers (of whom one shall be appointed by each Party by Writing under their Corporate Seal), or by an Umpire to be appointed by such Two Engineers before entering upon the Consideration of the Matter to be determined: Provided always, that in case either Party shall fail to appoint an Engineer within Twenty-one Days after being required so to do by the other Party, then the Matter shall be determined by an Engineer to be appointed by the Board of Trade, on the Application of either Party, and the Costs of every such Arbitration shall be paid as the Arbitrators may determine.

Works not
required may
be disposed
of.

52. It shall be lawful for the Commissioners to fill, take up, and remove, at any Time and from Time to Time, all or any of their present or future Reservoirs, Conduits, Pipes, or Works which may not be required, and at any Time and from Time to Time to sell and dispose thereof, and also at any Time and from Time to Time to sell and dispose of all such Lands, Waters, Property, Materials, and other Things as shall be found unnecessary or superfluous, subject nevertheless with respect to all such Lands and Waters to the Provisions of "The Lands Clauses Consolidation Act, 1845," relative to Pre-emption on the Sale of superfluous Lands, for which Purpose such Waters shall be included in the Term Lands as used in the last-mentioned Act, and the Commissioners shall apply the Proceeds of such Sales to the Purposes of this Act.

Power to
Commis-
sioners to
draw off
Water from
Reservoirs,
for the
Purpose of
Repairs and
cleansing.

53. It shall be lawful for the Commissioners from Time to Time to cause the Water to be drawn or let off from any of their Reservoirs, for the Purpose of repairing such Reservoirs, or any of the Dams, Banks, Tanks, Channels, Watergates, Pipes, or other Works appertaining thereto, or for the Purpose of cleansing out such Reservoirs or any Part thereof; but in any such Case the Commissioners shall use all convenient Speed in making such Repairs or in executing such Cleansing; and the Commissioners shall not be personally liable for any Loss or Damage sustained by any Person by reason of such Proceedings or any of them.

54. The

The Belfast Water Act, 1865.

54. The Commissioners are hereby authorized to cause either Main Pipes or Service Pipes, as Circumstances shall require, to be laid down and Water to be brought through every Street within the Borough of *Belfast*, and, save as herein-after mentioned, shall, at the Request of the Owner or Occupier of any House in any Street in which such Pipes shall have been so laid down, furnish to such Person within such House, by means of Branch or Communication Pipes and other necessary and proper Apparatus, to be provided, laid down, and maintained as herein-after mentioned, at the Cost of such Person, a sufficient Supply of Water for domestic Purposes; and, save as herein-after mentioned, the Owner of any House within the Limits of the Borough of *Belfast* shall, when thereunto required by the Commissioners, provide a Branch or Communication Pipe and other necessary and proper Apparatus to convey the Water into such House from any Main or Service Pipe which now is or hereafter may be laid in any Street in which such House may be situate, in such Manner as to afford an actual Supply of Water within such House to the Occupier thereof, and, except as herein-after provided, the Occupier of such House shall be liable to pay and shall pay the Water Rates in respect of the same.

Supply of
Water for
Domestic
Purposes.

55. If for Sixty Days after Demand in Writing made by the Commissioners to the Owner of any House in any Street within the Borough of *Belfast* in which Main Pipes or Service Pipes have been laid down such Owner shall refuse or neglect to provide Branch or Communication Pipes, and other proper and necessary Apparatus for introducing Water into such House, as herein-before directed, it shall be lawful for the Commissioners to enter such House, and introduce such Pipes and other Apparatus into same, and to sue for and recover from such Owner the Amount of the Expense thereby incurred by the Commissioners.

In case of
Neglect,
Commis-
sioners may
introduce
Water into
Houses.

56. The Expression "Town Basin," in the *Belfast Water Act, 1840*, shall be held to mean the Clear-water Basin from which the principal Supply of Water for the Use of the Inhabitants of the Town of *Belfast* is now directly taken: Provided always, that it shall be lawful for the Commissioners to keep their Main Pipes charged with Water taken directly from any Basin or Reservoir situate at the same or a higher Level than the said Clear-water Basin.

Town Basin
defined.

57. All Branch and Communication Pipes to convey the Water from any Main Pipe or Service Pipe belonging to the Commissioners into any Dwelling House shall be of such Bore, Thickness, and Dimensions, and laid down in such Manner, and of such Materials, as shall be determined by the Commissioners; and in case such Pipes shall be cut off for Waste or any improper Appropriation or Use of the

Pipes con-
veying
Water from
Main or
Service
Pipes to any
Dwelling
House to be
of such

The Belfast Water Act, 1865.

Bore, &c.
as Commis-
sioners shall
determine.

the Water, the Person shall be liable to be rated and assessed under this Act in respect of such Dwelling House shall nevertheless continue to be so liable as if such Pipes had not been so cut off.

Regulations
for prevent-
ing Waste of
Water.

58. For the Purpose of preventing the Waste, Misuse, or undue Consumption or Contamination of Water supplied by the Commissioners, the Commissioners may from Time to Time prescribe the Size, Nature, Strength, Materials, Mode of Arrangement, and Repair of the Pipes, Valves, Cocks, Cisterns, Waterclosets, and other Apparatus to be used, and may interdict any Arrangement, and the User of any Pipes, Valves, Cocks, Cisterns, Waterclosets, or other Apparatus which in their Judgment may tend to any such Waste, Misuse, undue Consumption or Contamination: Provided always, that with regard to any Revenue Building the Mode of Arrangement of such Pipes and other Apparatus shall be subject to the Approval of the Board of Works.

Conditions
of Supply.

59. The Commissioners shall not be bound to supply any Water, unless the Pipes, Cocks, Cisterns, Waterclosets, or other Apparatus to be used be made of such Size, Nature, Strength, and Materials, and be so arranged and repaired, as the Commissioners shall from Time to Time prescribe or approve; and in the event of any Dispute as to whether such Pipes, Cocks, Cisterns, Waterclosets, or other Apparatus are of such Size, Nature, Strength, and Materials as aforesaid, or have been so arranged and repaired as prescribed and approved of by the Commissioners, such Dispute shall be settled by Two Justices, subject to such Power of Appeal as is herein-after provided.

Repairs of
Pipes.

60. The Commissioners may, after Twenty-four Hours Notice, repair or alter any Pipe, Valve, Cock, Cistern, Watercloset, or other Apparatus of any Person supplied by them with Water, so as to prevent any Waste of Water; and the Expenses of the Repair or Alteration shall be repaid to them by the Person liable to pay the Rate for the Water so supplied, or on whose Credit the Water is supplied thereto, and may be recovered by the Commissioners, together with full Costs of Suit, by Action in any One of the Superior Courts, or by Civil Bill Process; and if the Person so liable to repay such Expenses to the Commissioners shall, after Demand, refuse or neglect to pay the same, it shall be lawful for the Commissioners to turn off the Supply of Water from the Premises of such Person, which shall nevertheless continue liable to the Water Rate then assessed or to be assessed thereon.

Former
Water
Rates to
continue.

61. The Water Rates or Rents hitherto leviable or recoverable by the Commissioners under the *Belfast Water Act, 1840*, under Assessments, or by Contract or otherwise, shall continue to be assessed, levied,

The Belfast Water Act, 1865.

levied, contracted for, and paid as heretofore, until the Rates authorized by this Act shall become payable, anything herein contained to the contrary notwithstanding.

until Rates authorized by this Act shall become payable.

62. Penalties imposed on the Commissioners by several Acts for one and the same Offence shall not be cumulative, and for this Purpose this Act and the Acts incorporated with this Act, and the *Belfast Water Act, 1840*, shall be deemed several Acts.

Penalties not cumulative.

63. Every Order, Summons, Notice, or other Document requiring Authentication by the Commissioners shall be sufficiently authenticated if signed by Two of the Commissioners, or by the Clerk of the Commissioners, and it need not be under the Common Seal of the Commissioners, and the same may be in Writing or in Print, or partly in Writing and partly in Print.

Authenti-
cation of
Notices and
Orders.

64. For the Purposes of this Act and the *Belfast Water Act, 1840*, the Borough of *Belfast* shall be co-extensive with and divided into the same Five Wards as the Municipal Borough of *Belfast* under "The *Belfast Borough Extension Act, 1853*;" and for the like Purposes the Boundaries of the said Borough and of the said Wards respectively shall be according to the Description of such Boundaries respectively set forth on the Schedule (A.) to the last-mentioned Act annexed.

The Borough
and Wards
defined.

65. The Commissioners shall have full Power and Authority to direct, order, and manage the Affairs of and to maintain all Works already constructed or to be hereafter constructed under the Authority of the *Belfast Water Act, 1840*, and this Act or either of them, and shall once in each Year estimate as correctly as may be what Amount will be sufficient for the Payment of the Expenses to be incurred in carrying into effect the Provisions of the *Belfast Water Act, 1840*, and of this Act, during the ensuing Year, and shall, by their Clerks or other Officers, keep a full and true Account of all Payments made and Monies disbursed by the Commissioners or by their Authority, and of all Monies which they shall receive under the Authority of the *Belfast Water Act, 1840*, and this Act, or either of them; and such Accounts shall be open at all seasonable Times to the Inspection of the Water Ratepayers, on Payment of a Fee not exceeding Five Shillings, with Liberty to take Extracts therefrom; and further, the Commissioners shall regularly, by their Clerks or other Officers, write and enter in a Book or Books, to be from Time to Time provided by the Commissioners, Entries, Minutes, or Copies, as the Case may require, of every Receipt, Disbursement, Contract, Bargain, Order, or Proceeding of the Commissioners, which Book shall be deposited with and kept under the Care and Direction of the

General
Powers and
Duties of
Commis-
sioners.

[*Local.*]

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Commis-

The Belfast Water Act, 1865.

Commissioners; and the Commissioners shall and may pay out of any Monies in their Hands all Costs, Expenses, and Charges to which they now are or shall become subject or liable by reason of their acting as Commissioners under the *Belfast Water Act, 1840*, and this Act, or either of them, or in carrying the said Acts or either of them into execution.

Rating
Powers of
the Commis-
sioners.

66. The Commissioners shall and they are hereby authorized from Time to Time to fix, assess, and make the Water Rates to be paid or payable in respect of the Houses and Buildings within the Borough (not, however, exceeding the Limits of such Rates hereinafter mentioned), which Rates, with any other Monies which are or shall be payable to the Commissioners under or by virtue of the *Belfast Water Act, 1840*, or this Act, shall be sufficient to produce a Sum adequate to meet and discharge all Costs, Charges, Expenses, annual and other Sums, Rents, Interest, Monies, and Payments now or hereafter to become payable by the Commissioners, either from Time to Time or otherwise, under or by virtue of the *Belfast Water Act, 1840*, or this Act, or anything done in the Execution of the same Acts respectively, or in the Exercise of any Power or Authority contained in the same Acts or either of them, and also for creating a Sinking Fund of not less than *Two per Centum per Annum* on the entire Amount of Principal Money which has been or shall be borrowed, and is or shall become due, and shall from Time to Time be owing, under the Authority of the *Belfast Water Act, 1840*, and this Act, or either of them.

Public
Notice of
Rate being
made.

67. The Commissioners shall, as soon as conveniently may be after the fixing and making of each Water Rate, give public Notice thereof by Advertisement in Three or more Newspapers usually circulating within the Borough of *Belfast*.

Limiting
Rates for
Water.

68. The annual Sums to be paid to the Commissioners for Water Rate within the Borough shall not in any Case exceed the Rates and Sums following; (that is to say,)

For all Dwelling Houses, any Sum not exceeding One Shilling and Eightpence in each Pound of the annual Value thereof according to the Valuation aforesaid;

And for all Buildings, not being Dwelling Houses, an Amount in each Pound of the annual Value thereof according to the Valuation aforesaid equal to One Fourth Part of the Amount in the Pound payable in respect of Dwelling Houses from Time to Time under the Provisions of this Act:

Provided that no Building, not being a Dwelling House so rated as aforesaid, shall be entitled to any Supply of Water, unless by special Agreement.

69. From

The Belfast Water Act, 1865.

69. From and after the passing of this Act, every Occupier of every Dwelling House within the Borough situate in any Street in which a Main Pipe or Service Pipe shall have been laid by the Commissioners shall pay to the Commissioners, or to the Person or Persons by them authorized to receive the same, such Sum or Sums of Money as shall from Time to Time be fixed or assessed by the Commissioners to be paid or payable by the Occupier of such Dwelling House, in proportion to the annual Value of such Dwelling House, as the same is or from Time to Time shall be valued under the General Tenement Valuation aforesaid.

Occupiers of Dwelling Houses within the Borough to be rated for Water.

70. The Occupier of any Building within the Borough, not being a Dwelling House, shall pay to the Commissioners, or to the Person or Persons by them authorized to receive the same, such Sum or Sums of Money as shall from Time to Time be assessed by the Commissioners to be paid or payable in respect of such Building, in proportion to the annual Value of such Building as the same is or from Time to Time shall be valued under the General Tenement Valuation aforesaid; provided there shall be laid in the Street in which such Building is situate Pipes fitted with Plugs to supply Water for the Extinguishment of Fires.

Occupiers of Buildings not being Dwelling Houses to be rated for Water.

71. Provided always, That the Owner of any Dwelling House or Building which, according to the Valuation aforesaid, shall be of an annual Value not exceeding Eight Pounds, shall in all Cases be liable to and shall pay the Water Rate assessed and payable in respect thereof; but if such Owner shall within One Calendar Month after the Publication by the Commissioners of the making and fixing of any Water Rate, as herein-before directed, pay to the Commissioners the Rate payable by him in respect of any Dwelling House which, according to the General Tenement Valuation aforesaid, shall be of an annual Value not exceeding Eight Pounds, he shall be entitled to be repaid by the Commissioners a Sum equivalent to Twenty-five Pounds *per Centum*, calculated on the Amount of the Rate so paid by him as aforesaid: Provided always, that no such Exemption from Water Rate as is herein-after provided shall be allowed by reason of any Dwelling House or Building being unoccupied during the Currency of any Water Rate in respect of which such a Repayment as aforesaid shall have been made.

Owners of Houses and Buildings under the Value of 8*l.* to pay Rates.

72. In every Case in which any Person, being an Occupier, shall remove from or quit any Dwelling House or Building in respect of which any Water Rate or Assessment shall be then payable, every Person so removing from or quitting such Dwelling House or Building shall be liable to pay such Rate in proportion to the Time that such Person shall have occupied the same Premises respectively; and in every

How Rates shall be apportioned on Change of Occupation.

The Belfast Water Act, 1865.

every Case in which any Person shall enter upon or occupy the same Dwelling House or Building the Person entering upon or occupying the same shall be liable to pay the Remainder of such Rate (although his Name may not be inserted in the Assessment thereof) in proportion to the Time that such Person shall occupy the same respectively, in like Manner as if the Name of such Person had been originally inserted in the said Assessment, which said Proportion, in case of Dispute, shall be settled and ascertained by the Commissioners or any Three or more of them.

Owners
defined.

73. In all Cases in which the Occupier shall not be the Owner, the Person receiving the Rents of any Dwelling House or Building, or Part of a Dwelling House or Building, payable by the Occupier thereof, on his own Account or as Agent or Receiver for any Person interested therein, shall for the Purposes of this Act be deemed and taken to be the Owner of such Dwelling House or Building or Part thereof respectively.

As to
Dwelling
Houses in
Streets with
less than
Twelve
Houses.

74. No Dwelling House or Building within the Borough situate in a Street containing less than Twelve Dwelling Houses shall be assessed to the Water Rate under this Act unless such House or Building is actually supplied with Water from the Works of the Commissioners, at the Request of the Owner or Occupier thereof, nor shall the Owner or Occupier of any Dwelling House or Building within the Borough, unless the same be situate in a Street containing at least Twelve Dwelling Houses, be entitled to require a Supply of Water from the Commissioners for such House or Building.

Dwelling
Houses un-
occupied for
Three
Months not
to be rated.

75. If any Dwelling House or Building in respect of which any such Water Rate or Assessment as aforesaid shall be made or payable, and in respect of which such Repayment as aforesaid, equivalent to Twenty-five Pounds *per Centum*, shall not have been made in respect of such Rate or Assessment, shall be unoccupied during the whole of any One Quarter of a Year commencing on the First Day of *February*, the First Day of *May*, the First Day of *August*, or the First Day of *November* in any Year, such Dwelling House or Building shall be exempt from Water Rate during the Time the same shall be unoccupied: Provided always, that if any Person shall enter into the Occupation of any unoccupied Dwelling House or Building at any Time during any Quarter, such Person shall be liable to the Payment of the Water Rate or Assessment made or payable in respect thereof as from the Commencement of such Quarter.

Buildings
for Public
Worship and

76. All Churches, Chapels, Meeting Houses, Buildings, and Hereditaments within the Borough set apart and appropriated or to be

The Belfast Water Act, 1865.

be set apart and appropriated for the Purpose of Religious Worship, but exclusive of any Messuages, Tenements, or Hereditaments occupied or used as Dwellings for the Ministers or other Persons officiating in such Places of Worship, and all Messuages, Tenements, Buildings, and Hereditaments within the Borough set apart and appropriated or to be set apart and appropriated as public Charities for the Purpose of charitable Education and for the Accommodation of the Objects of such Charities, and of the Officers and others belonging thereto and actually residing therein, shall, so long as the same respectively shall continue to be occupied or used for the respective Purposes aforesaid, and for no other Purposes, have a Supply of Water, if they shall require the same, exempted from the Payment of the Rates hereby authorized to be assessed and levied: Provided that any Expense to be incurred in conveying Water from the Communication or Service Pipes or Pipe of the Commissioners to such Houses of Worship and Buildings for charitable Education shall be borne and paid by such Houses of Worship and Buildings respectively; provided, nevertheless, that the President and Assistants of the *Belfast* Charitable Society shall at all Times have a Supply of Water free from any Charge, such Supply to be conveyed by a Pipe of at least One Inch in Diameter for the Use of the Poorhouse and Infirmary under their Management, and the said Premises shall also be exempt from any Rate or Rates payable under this Act.

charitable
Education
to be
exempted.

Charitable
Society
supplied free
of Charge.

77. The Commissioners, on the First *Tuesday* in the Month of *April* in every Year, or at such other Time as they shall think fit, shall, at a Meeting to be specially called for that Purpose, proceed, and they are hereby required to elect, by the Majority of the Votes of the Commissioners then present, Three fit and proper Persons residing within the Borough to be Apportioners of Value for the Purposes of this Act for One Year from the Date of such Election, or until their Successors shall be appointed; and any Persons so elected may, if the Commissioners shall think fit, be re-elected; and in case any Person so elected shall die, or from any other Cause be unable to act or incapable of acting, or shall in the Opinion of the Commissioners or a Majority of them misconduct himself, then and in such Case he shall cease to be such Apportioner, and the Commissioners shall thereupon elect some other fit and proper Person in his Stead to be such Apportioner as aforesaid; and every Person so elected as last mentioned shall continue for the same Period in Office, and have the like Powers and Authorities, and be subject to the like Rules, Regulations, and Restrictions as the Person so dying or being incapacitated from acting or in whose Stead he shall be so appointed as aforesaid: Provided always, that no Person shall act as such Apportioner under this Act unless he shall take and sign the

Commis-
sioners to
appoint Ap-
portioners of
Value.

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following Declaration before One or more Justice or Justices of the Peace, which Declaration any One or more Justice or Justices of the Peace are hereby empowered and required to administer, in the Form or to the Effect following; (that is to say,)

‘ I *A. B.* do hereby solemnly declare, That I will diligently and carefully, and according to the best of my Skill and Judgment, faithfully, honestly, and impartially, without Favour or Affection, Malice or Illwill, apportion the Value of Tenements authorized to be apportioned by the Belfast Water Act, 1865, and discharge all the Duties of my Office in conformity with the Provisions of the said Act.’

Apportion-
ing Value of
Composite
Buildings.

78. In every Case in which any Part of a Building within the Borough liable to be rated for Water under this Act shall be appropriated and occupied as a Dwelling House, and the Remainder of such Building shall be appropriated and used only as a Building other than a Dwelling House, then and in every such Case the Apportioners so elected as aforesaid, or such of them as the Commissioners shall in that Behalf direct, shall apportion to such Part of the same Building as shall be occupied as a Dwelling House its due Proportion of the Value of the entire Building, according to the General Tenement Valuation for the Time being in force, and shall also apportion to the Remainder of the same Building the Residue of the entire Value of the said Building according to the Valuation aforesaid; and thereupon, for the Purposes of this Act, the said first-mentioned Part of the said Building shall be deemed to be a Dwelling House, and the Remainder of the said Building shall be deemed to be a Building other than a Dwelling House, each of such apportioned yearly Values respectively as aforesaid.

Commis-
sioners may
act in lieu of
the Appor-
tioners in
certain
Cases.

79. If the said Apportioners shall neglect or omit in any Case or Cases to make such Apportionment as aforesaid, or in case, from any Cause, there shall be no such Apportioners at the Time when such Apportionment ought to be made under this Act, then and in every such Case it shall be lawful for the Commissioners, or any Three or more of them, to make such Apportionment as aforesaid, and for that Purpose to avail themselves of the Assistance of and employ such Valuator or Valuers as they may think proper, and every such Apportionment shall be as valid and effectual as if the same had been duly made by the Apportioners under this Act.

Persons
aggrieved by
any Appor-
tionment
may appeal
to the Com-
missioners.

80. If any Person shall consider himself aggrieved by any such Apportionment of Value as herein-before mentioned, it shall be lawful for such Person to appeal, within Fourteen Days after such Apportionment shall have been made, to the Commissioners, which Appeal they or any Three or more of them are hereby empowered and required

The Belfast Water Act, 1865.

required to hear, and to make such Order or Decision thereon as to them, or the Majority of them present at any Meeting to be held for the Purpose of hearing such Appeal, shall appear proper and just.

81. If any Dwelling House within the Borough, not liable to be rated for Water under the *Belfast Water Act, 1840*, shall at the Time of the passing of this Act be provided, by means of any Well, Pump, Pipe, or other Appliance in or upon the same or the Curtilage thereof, with a Supply of Water for domestic Purposes, independent of and unconnected with the Water supplied by the Commissioners under the *Belfast Water Act, 1840*, it shall be lawful for the Commissioners and they are hereby required, when such Dwelling House shall be first rated for Water under this Act, to order and award that there be paid and thereupon accordingly to pay to the then Owner thereof due Compensation in Money, to be estimated by the Commissioners, having regard to the Expense theretofore incurred in obtaining such independent Supply of Water as aforesaid; or it shall be lawful for the Commissioners, if they shall think fit, to exempt from rating or reduce the Rate or Rates payable in respect of such Dwelling House as aforesaid.

Owners to be compensated in certain Events.

82. The Commissioners and all other Corporations, and all Persons, if they shall think themselves aggrieved by any Order or Decision of any Justice or Justices of the Peace made under or in pursuance of this Act, and all Persons and Corporations who may think themselves aggrieved by any Order, Award, or Decision of the Commissioners made under or in pursuance of this Act, may appeal to the Court of Quarter Sessions to be held at *Belfast* in the County of *Antrim* within One Calendar Month next after such Order, Award, or Decision shall have been made: Provided always, that the Appellants or Appellant shall first give Seven Days previous Notice in Writing of their, his, or her Intention to bring such Appeal, and of the Matter thereof, to the other Parties concerned in such Appeal, which, as regards the Commissioners, may be done by delivering such Notice to the Clerk or some other Officer of the Commissioners at their Office in *Belfast*, and as regards other Corporations or any public Companies, may be done by delivering such Notice to the Clerk or other Officer of such Corporation or public Company, or by leaving the same at any Office or Place of Business of such Corporation or Company, and as regards all other Persons may be done by leaving such Notice for them respectively at their last known or usual Place of Abode respectively; provided that in the Case of several Persons trading together in Partnership Service of such Notice in manner aforesaid upon any One Member of such Partnership shall be sufficient; and within Five Days after such Service of the said Notice the Appellants or Appellant shall enter into a Recognizance before a Justice of the Peace

Appeal to Quarter Sessions.

The Belfast Water Act, 1865.

Peace for the said County of *Antrim*, in such Sums as to such Justice shall seem reasonable, conditioned to try such Appeal, and to abide the Order of and pay such Costs as shall be awarded at such Court of Quarter Sessions, and the Chairman of the Quarter Sessions of the said County of *Antrim*, upon due Proof of such Notice having been given as aforesaid, and of such Recognizance as aforesaid having been entered into, shall hear and determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to or against the Party appealing or appealed against as such Chairman shall think proper, and his Determination shall be binding, final, and conclusive on all Parties.

Borough
Water Rate
Book.

83. The Apportioners of Value so to be elected as aforesaid shall prepare, make out, and deliver to the Commissioners a Book or Books to be provided by and kept under the Control of the Commissioners, and called the Borough Water Rate Book, showing by a suitable and convenient Arrangement all the Premises within the Borough rated for Water under this Act, and the Wards to which such Premises respectively belong, and the Names of the Ratepayers, and the Water Rate or Water Rates assessed on each, and such other Particulars and Matters as the Commissioners shall direct; and the said Borough Water Rate Book, and the Entries made therein as aforesaid, shall be and be everywhere received as Evidence of the Matters and Things so to be entered therein as aforesaid, and shall be open at all seasonable Hours to the Inspection of the Water Ratepayers, with Liberty to take Extracts therefrom.

Remunera-
tion of Ap-
portioners.

84. The Commissioners shall and they are hereby authorized to pay to each Apportioner so to be elected as aforesaid, for his Services under this Act, such Sums as the Commissioners shall consider an adequate Remuneration.

Water used
in a Dwell-
ing House
for other
than
domestic
Purposes to
be paid for
in addition.

85. In case any Person who shall be rated for a Supply of Water in respect of any Dwelling House shall use or consume any Portion of such Water for any other than the domestic Purposes of such Dwelling House, such Person shall be liable to pay for the Water used for other than such domestic Purposes in the like Manner as any other Person who shall under this Act require and receive a Supply of Water by Contract or special Agreement with the Commissioners; and in case such Person shall differ with the Commissioners as to the Amount so to be paid by him, or shall refuse to pay, it shall be lawful for the Commissioners to cut off the Supply of Water from such Dwelling House, but such Person shall nevertheless be and continue liable to pay the Water Rate assessed or to be assessed in respect thereof.

86. It

The Belfast Water Act, 1865.

86. It shall be lawful for the Commissioners, at the Request of the Owner or Occupier of any House or Premises outside the Borough, to contract with such Owner or Occupier for furnishing and to furnish to such House or Premises a sufficient Supply of Water for the domestic Purposes of the Inhabitants therein, and to charge and receive for such Supply a Rent to be agreed upon between the Commissioners and such Owner or Occupier.

Rents for
Supply in
extra
Municipal
Districts.

87. The Commissioners may contract, for any Period not exceeding Three Years, with any Person, to supply such Person with Water for other than domestic Purposes, upon such Terms and Conditions and at such Rate or Rent as may be mutually agreed on between the Commissioners and such Person; and the Rate or Rent so agreed on shall, for the Purposes of recovering the same, be deemed at and taken to be a Rate assessed under this Act upon the Person with whom the Commissioners shall so contract.

The Com-
missioners
may contract
for Supply
of Water for
other than
domestic
Purposes.

88. In the Case of all Contracts for the Supply of Water by the Commissioners for other than domestic Purposes, the Commissioners, or any Person authorized by them in that Behalf, may demand and receive Payment in advance by way of Deposit: Provided always, that the Commissioners shall deduct the Amount of every such Deposit from and allow the same as Part of the Rate or Rent to be collected or received from the Person who shall have made such Deposit as aforesaid.

Commis-
sioners may
take Deposit
for Contract
Water Rate.

89. The several Rates or Rents charged to or upon or payable by the several Persons with whom the Commissioners shall contract for the Supply of Water for other than domestic Purposes shall constitute a Rate to be called the Contract Water Rate, but no such Contract need be under the Common Seal of the Commissioners.

The Con-
tract Water
Rate.

90. No Person entering into a Contract with the Commissioners for a Supply of Water for any Purpose shall thereby, or by reason thereof, be in any respect disqualified or disabled from being elected or being or continuing or acting as a Commissioner under this Act, or incur any Penalty by reason of such Contract, or of his being or continuing or acting as a Commissioner.

Contract for
Water with
any Person
not to dis-
qualify him
from being a
Commis-
sioner.

91. The Water Ratepayers of the Borough qualified under this Act to elect Commissioners shall assemble at a General Meeting, to be held within One Month after the passing of this Act, and on the First *Tuesday* in the Month of *January* in every succeeding Year, between the Hours of Eleven o'Clock in the Forenoon and Three of the Clock in the Afternoon, in the Town Hall of the said Town of *Belfast*, or at such other convenient Place as the Commissioners shall

General
annual
Meetings of
Ratepayers
and Sub-
mission of
Accounts.

The Belfast Water Act, 1865.

from Time to Time appoint; and at each such General Meeting after the First the Commissioners shall submit a Statement of their Accounts for the previous financial Year ending on the Thirty-first Day of *October*, duly audited by the Auditors appointed as herein-after mentioned, with any Report the said Auditors may make thereon: Provided always, that at least Six Days previous Notice of every such General Meeting shall be given by public Advertisement to be inserted by the Commissioners in Three or more Newspapers usually circulating in the said Town; and provided also, that the Commissioners shall, Six Days at least prior to each such General Meeting as aforesaid after the First, cause a correct and true Abstract of the said Statement of their Accounts for the previous financial Year to be published in Three or more such Newspapers as aforesaid.

Accounts to
be printed.

92. After the said annual Statement of Accounts shall be duly audited and submitted to a General Meeting of Water Ratepayers, to be held as herein-before provided, the Commissioners shall cause the same to be printed, and Copies thereof shall be delivered to all Persons paying Water Rates under the Provisions of this Act, who may apply to them for the same, on Payment of One Shilling for each Copy.

Appoint-
ment of
Auditors.

93. The said Water Ratepayers of the Borough so qualified as aforesaid shall at every such General Meeting as aforesaid nominate and appoint, by the Votes of the Majority of such Ratepayers then present, Two competent Persons to audit and examine the Accounts of the Commissioners for the current financial Year, which Auditors shall respectively be capable of being re-appointed; and the said Auditors shall have full Power and Authority from Time to Time, during their Continuance in Office, to call for and require the Production of all Books, Vouchers, and Documents relating to the Accounts of the Commissioners for said financial Year, which shall thereupon be produced and submitted to them by the Commissioners accordingly; and the Commissioners shall, as soon as may be after the Thirty-first Day of *October* and previous to the First of *December* in every Year, furnish to the said Auditors a Statement of the Accounts of the Commissioners for the financial Year, ending on said Thirty-first Day of *October*; and the said Auditors, after having examined the said Accounts, shall make a Report thereon, which shall be submitted, together with the said Statement of Accounts, to the said Ratepayers at their next subsequent General Meeting.

Payment of
Auditors.

94. The Auditors appointed as herein-before mentioned shall be paid by the Commissioners such a Sum as the Commissioners shall consider a reasonable Remuneration for their Services as such Auditors, and the said Auditors shall also be paid by the Commissioners

all

The Belfast Water Act, 1865.

all such Expenses (if any) as they shall properly incur in such Audit as aforesaid.

95. For the Purposes of this Act, the Commissioners may from Time to Time borrow on Mortgage, upon the Security of the Rates to be assessed and leviable under this Act, so much of the Sum of Sixty-six thousand Pounds authorized by the *Belfast Water Act, 1840*, to be borrowed thereunder, as shall not have been borrowed, and be actually due and outstanding at the Time of the passing of this Act, and also such further Sum or Sums of Money, not exceeding the Sum of One hundred and fifty thousand Pounds, as the Commissioners may from Time to Time think requisite, and they may accordingly grant Mortgages charged on such Rates or any of them: Provided always, that the Interest payable upon the existing Amount borrowed and due at the Time of the passing of this Act, under the Authority of the *Belfast Water Act, 1840*, shall be charged upon the Rates leviable under this Act, in the same Manner and to the same Extent as such Amount was charged upon the Water Rates on which the same was heretofore charged.

Power to
Commis-
sioners to
borrow
Money on
Mortgage.

96. Provided always, That all Mortgages granted by the Commissioners before the passing of this Act, and which shall be in force at the Time of the passing of this Act, shall during their Continuance, and until they shall respectively be paid off or renewed, have Priority over all Mortgages granted by the Commissioners under the Authority of this Act.

Former
Mortgages
to have
Priority.

97. For the Purposes of borrowing on Mortgage, all the Clauses of "The Commissioners Clauses Act, 1847," with respect to the Mortgages to be executed by the Commissioners, except Sections Eighty-four, Eighty-five, Eighty-six, Eighty-seven, and Eighty-eight, shall be incorporated with and form Part of this Act, and shall be applicable to the borrowing of the Sum or Sums of Money hereby authorized to be borrowed by the Commissioners as aforesaid.

Certain
Provisions of
10 & 11 Vict.
c. 16. as to
borrowing
incorporated.

98. If the Commissioners shall, otherwise than by or out of the Sinking Fund, pay off any Part of the Monies which they are by this Act authorized to borrow or continue at Interest, it shall be lawful for them again to borrow, in the Manner aforesaid, the Part thereof so paid off at the like or any other Rate of Interest, and so on from Time to Time.

Reborrow-
ing.

99. From and after the First Day of *May* One thousand eight hundred and seventy-two the Commissioners shall annually set apart from and out of the Income arising under this Act the Sum of not less than Two Pounds *per Centum per Annum* on the Amount of

Sinking
Fund.

Principal

The Belfast Water Act, 1865.

Principal Money which has been or shall be borrowed, and is or shall be from Time to Time due and owing under the Authority of the *Belfast Water Act, 1840*, and this Act, or either of them, and the Sum so from Time to Time set apart shall be applied towards the Payment and Satisfaction of such Principal Money as aforesaid, or any Part thereof, or shall be invested in Government Securities, and shall be applicable towards the Payment and Satisfaction of such Principal Money as aforesaid, or any Part thereof.

Expenses
of Act.

100. The Costs, Charges, and Expenses preparatory and relating to the soliciting, obtaining, and passing of this Act, or in anywise incident thereto, shall be paid by and out of the First Monies coming to the Hands of the Commissioners under or by virtue of the Provisions of this Act, or out of any Monies in the Hands of the Commissioners under or by virtue of the *Belfast Water Act, 1840*, in preference to all other Payments whatsoever.

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