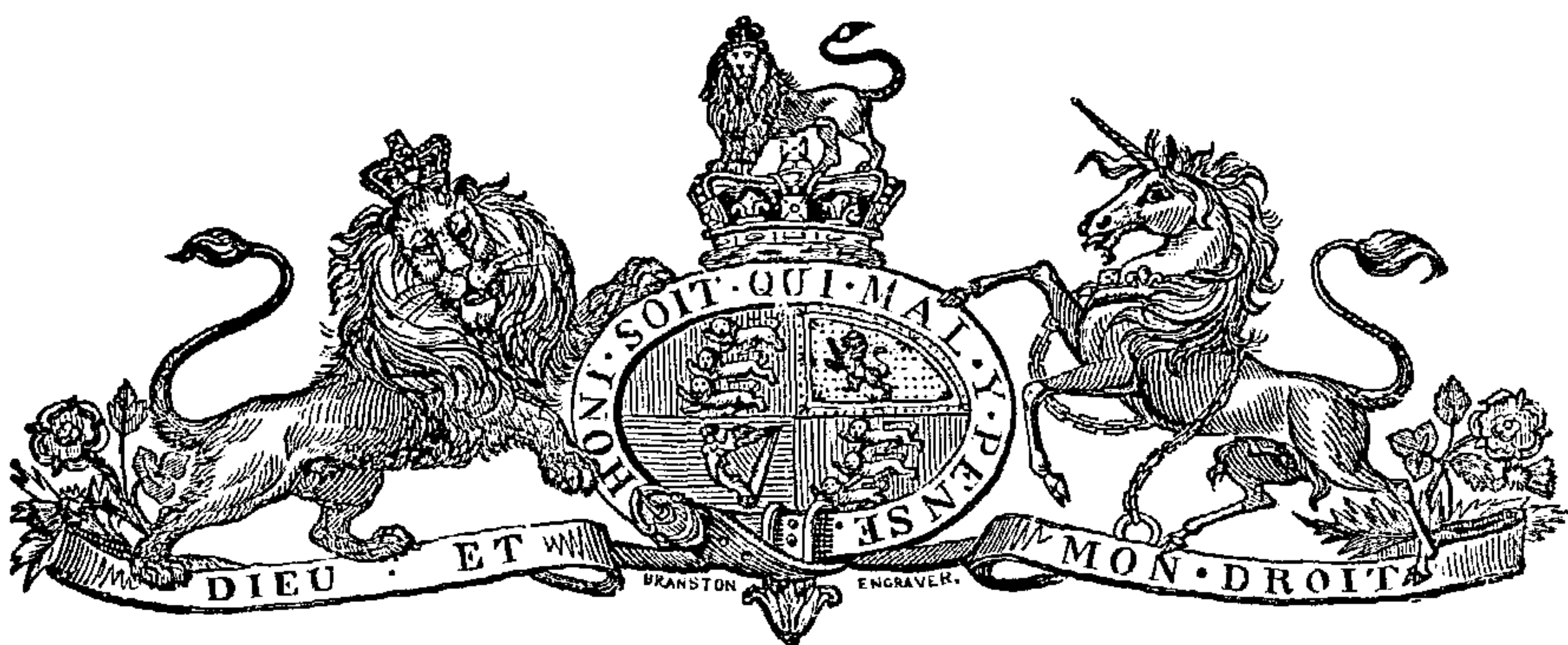




ANNO TERTIO

VICTORIÆ REGINÆ.

Cap. lxxix.

An Act for better supplying with Water the Town
and Borough of *Belfast*. [19th June 1840.]

WHEREAS by an Act of the Parliament of *Ireland* passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King George the Third, intituled *An Act* 13 & 14 G 3
for amending an Act made in the last Session of Parliament, intituled c. 46. (I.)
' *An Act for badging such Poor as shall be found unable to support*
' *themselves by Labour, and otherwise providing for them, and for*
' *restraining such as shall be found able to support themselves by*
' *Labour and Industry from begging,*' certain Persons therein named,
and their Successors for the Time being, and also such other Persons
as should contribute the Sum of One Guinea in the Year for the
Support of the Poor in the Poor House and Infirmary of the Town
of *Belfast* in the County of *Antrim*, were erected into a Corporation
by the Name of "The President and Assistants of the *Belfast* Chari-
table Society," who were by the said Act empowered to purchase,
take, or receive any Manors, Lands, Tenements, Annuities, or
Hereditaments, in Possession, Reversion, or Contingency, not ex-
ceeding the Value of One thousand Pounds a Year in the whole,
and they were also by the said Act empowered to demise or lease
any Lands, Tenements, or Hereditaments vested or to be vested in
[*Local.*] 21 E them

them in pursuance of the said Act for any Term not exceeding Thirty-one Years: And whereas by another Act passed in the
 40 G. 3. c. 37. Fortieth Year of the Reign of His said late Majesty, intituled *An Act*
 (1.) *for paving, cleansing, and lighting and improving the several Streets, Squares, Lanes, and Passages within the Town of Belfast in the County of Antrim, and for removing and preventing 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*, reciting that the President and Assistants of the *Belfast Charitable Society* having obtained, previous to the passing of the said Act, a Lease from the then late Marquis of *Donegal* of certain Springs and Fountains of Water, for the Purpose of supplying with pure and wholesome Water the Inhabitants of the said Town, and the said President and Assistants having expended a large Sum of Money in Works for that Purpose, they the said President and Assistants were authorized and empowered to charge the Occupiers of the different Dwelling Houses in the said Town which were so situated that they might receive the Benefit of such Water an annual Rate or Rent proportioned to the annual Value of such Dwelling House: And whereas by one other Act of the Parliament of the United Kingdom of *Great Britain and Ireland* passed in the Fifty-seventh Year of the Reign of His said
 57 G. 3. c. 57. late Majesty, intituled *An Act for giving further Powers to the President and Assistants 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*, the said President and Assistants were empowered to increase the Water Rates payable to them by virtue of the said recited Act passed in the Fortieth Year of the Reign of His said late Majesty, and the Powers and Provisions of the said Act, so far as the same related to the supplying of the said Town with Water, and the Powers and Provisions of the said recited Acts passed in the Thirteenth and Fourteenth Years of the Reign of His late Majesty King *George* the Third, so far as they related to the purchasing or taking of Manors and Lands, Annuities or Hereditaments, were altered and enlarged: And whereas the said President and Assistants have from Time to Time expended large Sums of Money in the Construction of the said Waterworks, under and by virtue of the said recited Acts, and in the Erection of public Fountains for the gratuitous Supply of Water to the Poor: And whereas the said Town of *Belfast* has of late Years become very populous, and is greatly increased in Houses and Buildings, and is likely to increase, and the poor and other Inhabitants of the said Town are not at present sufficiently supplied with Water, and it is expedient that the Inhabitants residing therein, and within the Borough of *Belfast* and the Precincts thereof, should be better supplied with Water: And whereas the said President and Assistants, for the Considerations herein-after mentioned, are willing and desirous to transfer to Commissioners, to be herein-after appointed, to and for the Interest and Benefit of the Inhabitants of the said Town, their Right, Title, and Interest in and to the said Waterworks under and by virtue of the said recited Acts, and also their Right, Title, and Interest in and to any Grant or Demise heretofore made to them or in Trust for them of or pertaining to the said Works: And whereas it is expedient that the said

several Acts, so far as the same relate to the Supply of Water to the said Town, should be amended, altered, or repealed, and other Provisions substituted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act 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 relate to the Supply of Water to the said Town, shall be and the same are hereby repealed.

40 G. 3. c.37.
(1.) and
57 G. 3. c.57.
in Part
repealed.

II. And be it further enacted, That *Matthew Black, Clotworthy Dobbin, John Lindsay, Charles Thomson, John Kane, Hugh Halliday, James Hunter, and John Stevelly*, being Commissioners heretofore elected and chosen for the Management of the said Waterworks under the aforesaid Acts or one of them, together with *James Thomson Tennent* and *James Blair* Esquires, and their Successors, to be appointed as herein-after mentioned, shall be and they are hereby constituted and appointed Commissioners, and shall for ever hereafter be in Name and Fact One Body Corporate in Law, for the Purpose of carrying this Act into execution, and shall have perpetual Succession, and be called and distinguished by the Name of "The *Belfast* Water Commissioners," and that they shall be enabled to plead and sue, and to be impleaded and sued, by that Name, in all Her Majesty's Courts of Justice, and shall and may have and appoint a Common Seal for the Use of the said Corporation.

First Com-
missioners
nominated.

III. And be it further enacted, That in consideration of an Annuity or yearly Sum of Eight hundred Pounds, to be paid by Two equal half-yearly Payments on the First Day of *May* and the First Day of *November* in every Year to the President and Assistants of the *Belfast* Charitable Society, to be expended in the Support and Maintenance of the Poor in the Poor House and Infirmary of the said Town of *Belfast*, and also in consideration of a Sum of Five thousand Pounds Sterling, subject to be reduced as herein-after mentioned, and to be charged as herein-after mentioned, to be expended in payment of all Debts incurred and due by the said President and Assistants with respect to the said Waterworks or to the supplying the said Town with Water, and to be incurred in an Application to Parliament in this present Session to give further Power to the said President and Assistants, and also in consideration of a Supply of Water to the Grounds of the Poor House in the Town of *Belfast* as herein-after provided for, the Property, Estate, Right, Title, and Interest of and in all the Conduits, Pipes, Water Houses, Reservoirs, and other Waterworks of and belonging to the President and Assistants of the *Belfast* Charitable Society, or which may or shall hereafter belong to the same, with the Lands and Appurtenances thereto belonging or held or used therewith, save and except certain Lands and Premises in *Fountain Street* in the Town of *Belfast*, and all the Materials to the same respectively belonging, and all Engines, Buckets, Tools, Implements, and Things, of whatever Description, heretofore

Works vested
in Commis-
sioners.

heretofore provided, or which may hereafter be provided for any of the Purposes of this Act, and all the Springs and Waters now belonging or hereafter to belong to the said President and Assistants, shall from and after the Commencement of this Act be and are hereby vested in the Commissioners for executing this Act; and such Annuity as aforesaid shall be and is hereby declared to be charged upon the Monies which shall arise and be produced from the Rates of Applotment or Water Tax by this Act granted, together with any other Monies to be received by the Commissioners under and by virtue of this Act, and shall be paid thereout by the said Commissioners: Provided nevertheless, that the Amount of such Debts due by the said President and Assistants shall be ascertained by the Award and final Determination by Two Arbitrators, to be indifferently appointed, one by and on the Behalf of the said President and Assistants, and one by and on the Behalf of the said Commissioners, together with such other fit and proper Person as the Two Arbitrators shall appoint in case they shall think fit to appoint such Third Person; and such Amount, when so ascertained, shall be the Measure of the Consideration Money so as aforesaid to be paid by the said Commissioners in respect of such Debts, and such Portion of the said Sum of Five thousand Pounds as may be so awarded, and no more, shall be charged as herein-after mentioned.

Bonds,
Agreements,
Securities,
&c. to re-
main in
force.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with the President and Assistants of the *Belfast* Charitable Society, or to or with the Commissioners of Spring Water for executing the said recited Acts or any or either of them, and the Rates and Applotments made in pursuance thereof according to the Provisions of the said Acts or any or either of them, and all Arrears of such Rates and Applotments now due and payable, and all Fines, Penalties, and Forfeitures incurred under and by virtue of the said Acts or any or either of them, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are fully satisfied, paid, and performed; and all Contracts, Agreements, and Securities duly entered into by the said President and Assistants or the said Commissioners of Spring Water for executing the said recited Acts hereby repealed, or any or either of them, or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the said President and Assistants, and on the Commissioners of Spring Water for executing this Act and the said recited Acts, and be observed and kept by them according to the Terms, Stipulations, and Tenor thereof respectively.

Present
Officers to
continue un-
til new ones
elected.

V. And be it further enacted, That every Clerk, Collector, and other Officer appointed under and by virtue of the said recited Acts, so far as the same are hereby repealed, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom respectively by the said *Belfast* Water Commissioners; and every such Clerk, Collector, and other Officer shall have the like Powers and Authorities for the Purposes of this Act, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects

respects whatsoever, as if he or they had been appointed under or by virtue of this Act.

VI. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall comprise and be applied to one Person or Thing as well as several Persons or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and where the Word "Oath or Affidavit" is used it shall mean the Affirmation or Declaration of a Quaker, Moravian, or Separatist, or other Person who may by Law make a solemn Declaration in lieu of an Oath; and where the Word "Street" shall be used the same shall be understood to mean Squares, Crescents, Lanes, Alleys, Courts, Markets, Quays, Docks, Terraces, Rows of Houses, Buildings, Mews, Roads, Highways, and Avenues; and the Word "Buildings" shall extend to and include all Warehouses, Offices, Stores, Shops, Mills, Manufactories, and all other Buildings and Messuages used or occupied in the Way of Trade or Business; and the Word "Lands" shall extend to and include Lands, Tenements, Mills, and Ways of any Tenure; and the Word "Waters" shall extend to and include Rivers, Springs, and Streams of Water of every Description; and the Word "Corporation" shall be understood to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Words "President and Assistants" are used they shall be understood to mean the President and Assistants of the *Belfast* Charitable Society and their Successors; and where the Word "Commissioners" is used the same shall be understood to mean the *Belfast* Water Commissioners; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Construction
of certain
Words in the
Act.

VII. And be it further enacted, That this Act, and the Jurisdiction of the Commissioners acting in the Execution thereof, shall comprise and extend to and throughout the Town and Borough of *Belfast* as set forth in Schedule (B.) to this Act annexed, and the Precincts thereof as set forth in the same Schedule, situate in the Parish of *Belfast* otherwise *Shankhill* in the County of *Antrim*, and in the Parish or Townland of *Ballymacarrett* in the County of *Dowry*.

Defining the
Limits of the
Act.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners, their Engineers, Officers, Agents, Servants, Workmen, and Assistants, to extend, enlarge, and improve the Waterworks of the said Town, and for that Purpose to take, divert, and use the Waters of the *Ballywinnett* and *Glengormly* Streams, the *Carnmoney* River, *Carr's Glen* and the *Deer Park* Streams, after they pass the Weir constructed across them at or near the *Old Park* Printworks, and usually called the *Skegoniell* or *Milewater* River, and all other Springs and Streams usually running or flowing into the said Rivers or Streams, or any of them, or into the Dams which supply the Works of Messieurs *James Grimshaw* senior and *James Grimshaw* junior; and for the better effecting the Purposes aforesaid the said

Power to
take Waters
of Carn-
money
River, &c.

Commissioners, by themselves, or by their Engineer, Officers, Workmen, and Servants, are hereby empowered to go, enter, and pass in, upon, over, under, and through the Lands, Waters, Highways, Roads, Passages, and other Places of or belonging to any Persons, Bodies Politic or Corporate whatsoever, mentioned and specified in the Plan and Book of Reference herein-after mentioned, and to set out and ascertain such Parts thereof as they the said Commissioners shall think necessary and proper, and to dig, construct, and make, complete, maintain, set up, and keep, Cuts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Water Wheels, Engines, Erections, Shafts, Wells, Pits, and such other Works and Conveniences as they shall think necessary for effecting the Purposes aforesaid, and which will pass through or be situated in or constructed on certain Lands and Premises in the Townlands, Townships, Town Parks, and Places of *Carnmoney, Glengormly, Dunanney, Collinward, Drumnadrough, White House, and Ballygolan*, in the Parish of *Carnmoney, Ballywonard* otherwise *Ballywinnett, Ballyvaston, Ballybought, Ballysillan, Ballyaghagan, Green Castle, Lora Wood, Old Park, Skegoniell, Town Parks*, or *New Inclosure*, in the Parish of *Belfast* otherwise *Shankhill* in the County of *Antrim*, and in the Townland of *Ballymacarrett* in the Parish of *Knockbreda* in the County of *Down*; and for the Purpose of doing the same, and of distributing such Water to the different Inhabitants of the said Town and Borough and the Precincts thereof, and effectuating the several Purposes of this Act, it shall be lawful for the said Commissioners, their Engineer, Agents, Officers, Workmen, and Servants, to dig and break up the Soil and Pavements of any of the Lands and Streets within the several Townlands, Townships, Parishes, and Counties aforesaid, and from Time to Time to sink and lay Mains, Pipes, Tanks, and other Conveniences for the Purposes aforesaid, and to make, erect, and construct Engines, Cisterns, Ponds, Reservoirs, Basins, Main Pipes, Rider Pipes, Hand Pipes, Stand Pipes, Service Pipes, Branches of Lead, and other Metal Cocks, Chamber Cocks, Cocks in common, Stop-cocks, Valves, Fire Plugs, Mains, Feeders, Fanapers, Engines, Pumps, and such other Works as the said Commissioners shall think requisite for the several Purposes of the said Undertaking, and also from Time to Time to divert, alter, repair, widen, enlarge, amend, and discontinue the same; they the said Commissioners doing as little Damage as may be in the Execution of the Powers hereby granted, and making Satisfaction in manner herein-after mentioned to the Owners, Proprietors, and all other Persons interested in the Lands or Waters which shall be used for the Purposes of this Act, or which shall be injured or damaged by means of the Exercise of any of the Powers hereby granted, or to be by them sustained by reason of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Commissioners, their Engineers, Agents, Officers, Servants, Workmen, Assistants, and all other Persons whomsoever, for what they or any of them shall do or cause to be done under or by virtue of the Powers hereby granted, doing as little Damage as may be in the Execution of the Powers hereby granted, and making Compensation for any Damage that may be done in the Exercise of such Powers: Provided nevertheless, that no Pipe shall be laid down in any Lands or Streets at a less Depth than Eighteen Inches from the Surface thereof: Provided also, that nothing herein contained shall

interfere with the Rights of any Proprietors or Occupiers of Land situate on the Line of the *Milewater* River at present entitled to a Supply of Water therefrom, when they may require the same, such Supply not to exceed in the whole what may be furnished by a Pipe having a Bore of the Diameter of not more than One Inch, to be affixed in such Place as the said Commissioners may direct.

IX. Provided always, and be it further enacted, That when and as often as any of the Pavement or Surface of any Street shall or may be opened or broken up by the Directions of the said Commissioners for the Purpose of laying, taking up, or repairing any Aqueduct, or any Main Pipe or communicating or Service Pipe, under the Provisions of this Act, then and in every such Case the Commissioners, or their Contractor or other Person employed by them for that Purpose, shall, at the Expence of the said Commissioners, with all convenient Speed, lay, take up, or repair such Aqueduct, Main, or Pipe, and well and sufficiently fill in the Ground, and repair and make good the Pavement or Surface so opened or broken up, and carry away the Rubbish occasioned by the opening or breaking up of the same, and shall in the meantime cause the Place where any such Pavement or Surface shall be opened or broken up to be fenced and guarded, and set up and maintain a sufficient Light upon or against the same every Night, and during the whole Night, from the Time it becomes dark until the Return of Light, so that the same may not be dangerous to Passengers, Cattle, or Carriages: Provided always, that if there shall be any wilful or negligent Delay on the Part of the said Commissioners, or their Contractor or other Person employed by them, in laying, taking up, or repairing any such Aqueduct, Main, or Pipe, or in filling in the Ground, or repairing and making good the Pavement or Surface so opened and broken up, or in carrying away the Rubbish so occasioned thereby as aforesaid, or in causing to be fenced, guarded, and lighted as hereby required the Place where such Pavement or Surface shall have been opened or broken up as aforesaid, then and in every such Case such Commissioners, or their Contractor or other Person as aforesaid, so offending shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings; and in every Case of such wilful or negligent Delay it shall further be lawful for the Commissioners of Police, or any other Board, Corporation, or Commissioners in whom the said Streets for the Time being may be vested, to cause to be done the Matter or Thing so as aforesaid required to be done by the said Commissioners, or their Contractor or other Person employed by them, and in respect of which he or they shall have been guilty of such wilful or negligent Delay, in case they the said Commissioners should, after Twenty-four Hours Notice from such Commissioners of Police, or such other Board, Corporation, or Commissioners, still neglect or delay to do the same; and the Expence of such Works, together with such Forfeitures as may be incurred by the Commissioners, or their Contractor or other Person employed by them in that Behalf as aforesaid, shall and may, together with the Costs of suing for the same, be recovered of and from the Treasurer or Clerk to the said Commissioners in such Manner as other Penalties and Forfeitures are directed to be recovered under this Act, and when so recovered shall be paid to such Commissioners of Police,

Ground
broken up
for laying
Pipes to be
filled in and
Pavement
made good.

or

or such other Board, Corporation, or Commissioners as aforesaid, to be applied to and for the Purposes of the Trusts vested in them.

Pavements,
&c. to be
broken up or
relaid under
the Inspec-
tion of Sur-
veyors, &c.

X. And be it further enacted, That all such public Streets shall be broken up under the Inspection of the Surveyor of the aforesaid Commissioners of Police, or other Board, Corporation, or Commissioners, (as the Case may be,) and according to such Plan as such Surveyor shall approve, and in case of any Difference or Dispute between such Surveyor and the said Commissioners or their Agents or Servants thereon, then according to such Plan as shall be approved or ordered by any Justice of the Peace, who is hereby empowered to make such Order in the Premises as he shall think fit, on the Application of the said Commissioners or their Agents or Servants, after hearing both Parties, or after hearing the Party only making such Application, upon Proof of Service of Notice on such Surveyor, specifying the Day or Time and Place when and where the Appearance before such Justice is intended to take place, and the Non-appearance of such Surveyor at the Day or Time and Place so specified in such Notice.

Not to alter
Course of
Drains with-
out Notice.

XI. Provided also, and be it further enacted, That the Course and Direction of the present or any future public Sewer or Drain shall not be altered, changed, or interfered with without Twenty-four Hours Notice being previously given in Writing to the Clerk for the Time being of the Commissioners or Committee for putting in execution the Acts for paving the said Town of *Belfast*, or left at his Dwelling House; and whenever any such Sewer or Drain shall be so altered, changed, or interfered with the Commissioners for executing this Act shall, at their own Expence, well and sufficiently replace, reinstate, and make good the same with as little Delay as may be.

For prevent-
ing Injury
being done
to Turnpike
Roads.

XII. And be it further enacted, That whenever it shall be found necessary by the said Commissioners, their Agents or Workmen, to lay down any Pipe in, upon, or under any Part of any Turnpike Road or County Road, such Pipe shall be made with Metal of the best Construction, and shall be laid down on the North or Upper Side of the said Road only at a Depth of not less than Three Feet under the Surface of the said Road, or as near thereto as can conveniently be done, unless in such Cases where the Intervention of a Common Sewer or other unavoidable Hindrance or Obstruction shall make a Deviation necessary; and in case any Pipes shall be laid down in such Road otherwise than as aforesaid, or in case any Pipes laid down in such Road shall break, burst, or decay, the Surveyor to the Trustees appointed or to be appointed for executing any Act of Parliament for the Repair of such Road respectively, or to the Grand Jury of any County in which such Road may be situate, shall give Notice to the said Commissioners or their Agent to take up and remove or repair the same; and in case they or he shall neglect or refuse, for the Space of Three Days after such Notice, to take up and remove or repair such Pipes, then and in such Case the said Commissioners shall forfeit and pay to the said Trustees or Grand Jury the Sum of Five Pounds, and the like Sum of Five Pounds upon every Neglect

Neglect for the Space of Twenty-four Hours, or Refusal after every subsequent Notice, until the same shall be taken up and removed or repaired; and whenever it shall be found necessary by such Commissioners, their Agents or Workmen, to open the Ground in or under any Part of the said Road, for the Purpose of mending or laying their Water Pipes or Plugs, or for any other Purpose, the same shall be done on each Part of such Road within the Space of Three Days respectively, and the Ground filled and rammed in, and the Road made good; and in case the said Commissioners, their Agents or Workmen, shall neglect or refuse, by the Space of Twenty-four Hours next after such Pipes shall have been laid down or repaired as aforesaid, to fill and ram in the Ground and make good the Road in manner aforesaid, or to repair any Injury otherwise done to the said Road, then the Surveyor to such Trustees or Grand Jury respectively is hereby empowered to cause the same to be done, and the Expence thereof shall be paid by the said Commissioners to the said Trustees or Grand Jury, or their Treasurer for the Time being; and in the meantime such Agent or Workmen so opening the Ground shall secure in the respective Parts in such Manner as to prevent any Damage or Inconvenience happening to Passengers, Cattle, or Carriages, upon pain of forfeiting for every such Offence any Sum not exceeding Five Pounds, to be levied and applied as next herein-after provided; and whenever it shall happen that by bursting, breaking, or running of any such Pipes or Plugs the Water shall overflow any Part of the said Road so as to occasion any Damage or Inconvenience to Passengers, Cattle, or Carriages, or Injury to the Road, then and in such Case, if the said Commissioners or their Agent shall, after Twenty-four Hours Notice thereof, neglect to do what shall be necessary to remedy the Danger and Inconvenience arising therefrom, it shall be lawful for the Surveyors of the said Road to do what they shall judge requisite to drain off the Water and to prevent any Danger or Inconvenience therefrom in future, the Expence whereof shall be reimbursed to such Surveyors by the said Commissioners; which respective Forfeitures and Sums shall and may from Time to Time be recovered of and from the Treasurer or Clerk to the said Commissioners in such Manner as other Penalties and Forfeitures are by this Act to be recovered, and when so recovered shall from Time to Time be paid to the said Trustees or Grand Jury respectively, or their Treasurer for the Time being, and shall be applied for and towards amending the said Road.

XIII. And whereas Maps or Plans describing the Line or Lines of the said intended Works, and the Lands through which the same respectively are intended to be carried, and the Situation of the intended Reservoirs, together with Books of Reference containing a List of the Names of the Owners or reputed Owners, Lessees, Sub-Lessees, and Occupiers respectively of such Lands, have been deposited in the Office of the Clerk of the Peace for the said County of *Antrim*; be it therefore further enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons shall at any reasonable Time have Liberty to inspect the

Maps and
Books of
Reference to
remain with
the Clerks of
the Peace.

[*Local.*]

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same,

same, and have a Copy thereof, or such Part thereof as such Person or Persons shall require, such Copy or Copies to be made by the said Clerk of the Peace, or his Deputy, on being paid the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies; and the said Maps or Plans and Books of Reference, or Copies thereof, or of so much thereof as shall relate to any Matter which shall be in question, certified by the said Clerk of the Peace, shall be and are hereby declared to be good Evidence in all Courts of Law or elsewhere.

Unintentional Errors in Plan or Book of Reference not to prevent the Execution of the Act.

XIV. And be it further enacted, That it shall be lawful for the said Commissioners to set out and make the said Cuts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Waterwheels, Engines, Erections, and such other Works and Conveniences aforesaid, in the Line or Course, and upon, over, or through the Lands and Waters delineated on the said Maps or Plans, although such Lands or Waters, or any of them, or the Situation thereof respectively, or the Names thereof, or of the Owners, Lessees, Sub-Lessees, or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act, or in the Schedule hereto, or in the said Books of Reference, if it shall appear to any Two or more of Her Majesty's Justices of the Peace acting for the County or Place wherein such Lands or Waters may be, in case of Dispute about the same, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the Clerk of the Peace for such County or Place.

Commissioners empowered to deviate from Plans to a certain Extent.

XV. And be it further enacted, That the said Commissioners, in setting out and making the said Cuts, Culverts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Waterwheels, Engines, Erections, and such other Works and Conveniences by this Act authorized, shall have full Power and Authority to deviate from the Line delineated on the Maps or Plans so deposited with the Clerk of the Peace as herein-before mentioned: Provided always, that no such Deviation shall extend to the present Turnpike Roads, or to a greater Distance than One hundred Yards from the Line so delineated upon the said Maps or Plans, nor shall such Deviation extend into the Lands of any Person whose Name is not mentioned in the said Book of Reference (except as herein-before mentioned) without the previous Consent in Writing of the Person or Persons or Corporations through whose Lands such Deviation shall be made; and no such Deviation shall be made in any Lands as to which it shall be expressly denoted on the said Map or Plan that no Deviation is intended to be made; and in every Case in which a Limit to such Deviation is expressly denoted on such Map or Plan, as to any Land, the actual Deviation shall not exceed the Limit so denoted.

Certain Property not to be taken without Consent,

XVI. Provided always, and be it further enacted, That nothing in this Act contained shall authorize the said Commissioners, or any Person acting under their Authority, to take, injure, or damage, for the Purposes of this Act, any House or other Building which was erected

erected on or before the First Day of *November* One thousand eight hundred and thirty-nine, or any Land then set apart and used as and for a Garden, Orchard, Yard, Park, Paddock, Plantation, planted Walk or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to any Dwelling House, or planted or set apart as a Nursery for Trees, other than and except such as are specified in the Schedule to this Act annexed, without the previous Consent in Writing of the Owner and Occupier thereof respectively, except as herein-before mentioned.

except such as is specified in the Schedule.

XVII. Provided always, and be it further enacted, That nothing herein contained shall authorize the said Commissioners to interfere with the Rights of *William Gray*, his Heirs, Administrators, or Assigns, in or to the Spring, Surface, Rain, or other Waters, (which now flow or have heretofore been accustomed to flow, or which of Right could or should flow, to the Bleach Green of the said *William Gray* at *Greencastle* aforesaid,) whereby the Supply of Water usually enjoyed by the said *William Gray*, or to which he is entitled, shall be in any Manner curtailed, lessened, diverted, or diminished, unless by and with the Consent of the said *William Gray*, his Heirs, Executors, Administrators, or Assigns, for that Purpose first had and obtained in Writing; and that it shall not be lawful for the said Commissioners to convey the intended Supply of Water through the Townland of *Greencastle* by an open Cut or Channel, but that the same shall be conveyed through the said Townland in Metal Pipes, or by a good and sufficient and close Culvert formed of sound Bricks or Stones, laid and embedded in Roman Cement, and that the Crown or Top of such Culvert shall be at least Eighteen Inches from the Surface of the Ground; and also that the said Commissioners shall, at their own Expence, and with the least possible Delay, well and sufficiently connect all Cuts, Watercourses, Pipes, and Channels of the said *William Gray* which shall be temporarily obstructed in the Execution of the said Works; and in case of their Neglect or Refusal so to do for Twenty-four Hours after Demand thereof made by the said *William Gray*, his Heirs, Executors, Administrators, or Assigns, then it shall and may be lawful to and for the said *William Gray*, his Heirs, Executors, Administrators, or Assigns, forthwith to proceed to connect the said Cuts, Watercourses, Pipes, and Channels, the Expence whereof shall be reimbursed and paid to him or them by the said Commissioners, and in case of their Refusal to pay the same it shall and may be lawful to and for the said *William Gray*, his Heirs, Executors, Administrators, or Assigns, to recover the same by Action at Law or otherwise, together with all Costs and Expences of suing for the same.

As to Construction of Works through the Lands of *William Gray*.

XVIII. And be it further enacted, That it shall be lawful for the said Commissioners, by themselves, their Engineer, Officers, Agents, Servants, Workmen, and Assistants, and for all such Persons as they shall respectively appoint, to search for, cut, dig, gather, and take away any Materials for making, constructing, or repairing the said Works, or any Part thereof, or for other the Purposes of this Act, out of any Common or Waste Ground, River, or Brook in any of the said Parishes, Townlands, or Places aforesaid, without paying any thing

For getting Materials to make and construct Works.

thing for the same, and without being deemed a Trespasser, the said Engineer or other Person aforesaid filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be so taken, or railing or fencing off such Pits or Quarries so that the same may not be dangerous to Passengers or Cattle; and also that such Surveyor or other Persons as aforesaid may, by Order of the said Commissioners (such Order to be made at some Meeting of the said Commissioners to be holden in pursuance of this Act, and a Copy thereof to be given to such Engineer or other Person, signed by the Clerk to the said Commissioners), search for, cut, dig, get, gather, and take away any such Materials as aforesaid, in, off, from, and out of the private Lands, Fields, or Grounds of any Person within the Parishes, Townlands, or Places aforesaid, where the same may be had or found, (such Lands, Fields, and Grounds not being a Garden, walled in Orchard, Yard, Park, or Paddock, Walk or Avenue to a House, or any Piece of Ground planted or set apart as a Nursery for Trees,) making or rendering such Satisfaction for such Materials, as well as for the Damages done to the Soil thereby, to the Owners and Occupiers of such Grounds where and from whence the same shall be cut, dug, gotten, gathered, and carried away, or over which the same, or any other Materials for constructing, making, or repairing the said Works, or any Part thereof, or for other the Purposes of this Act, according to their respective Rights and Interests in the said Grounds, as the said Commissioners shall judge reasonable; and in case of any Difference between the said Commissioners, Engineer, or other Person employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such Damages, it shall and may be lawful to and for any One or more Justice of the Peace of the County, City, or Place where such Materials shall be so cut, dug, gotten, gathered, taken, and carried away, on Application made to them for that Purpose, and Fourteen Days Notice thereof in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine such Payment and Damages; and the Judgment or Order of the said Justices shall be final and conclusive on all Parties.

Notice to be given to Occupiers of inclosed Lands before Materials, &c. for making the Works be taken therefrom.

XIX. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Engineer or other Person acting under the Authority of this Act to dig, gather, get, take, or carry away any Materials for constructing, making, or repairing such Works, out of or from any inclosed Lands or Grounds, until Fourteen Days Notice in Writing, signed by the Engineer or other Person aforesaid, shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before the said Commissioners, or any One or more Justices of the Peace acting for the County, City, or Place where such Premises shall lie, to show Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier or his Agent shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, then and in such Case the said Commissioners or such Justices shall and may authorize such Engineer or other Person to dig, get, gather, take, and carry away such Materials at such Time or Times as to

the said Commissioners or Justice shall seem proper; and if such Occupier shall neglect or refuse to appear, without sufficient Excuse, by himself or his Agent, pursuant to such Notice, the said Commissioners or Justice shall and may make such Order therein as they respectively shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended.

XX. And be it further enacted, That it shall be lawful for the said Commissioners to treat and agree, and to employ any Person to treat and agree, for the Purchase of any Lands or Waters authorized to be taken and used by them as aforesaid, and of any subsisting Leases, Terms, Estates, Rights, and Interests therein, and Charges thereon, or such of them or such Part thereof as the said Commissioners shall think proper, and also to treat and agree and make Arrangements with the Owners and Occupiers of Lands through or near which the said Waterworks may pass for the Purchase or for the Construction and Maintenance of such Cuts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Waterwheels, Engines, Erections, and such other Works and Conveniences as may be deemed expedient, and as may be from Time to Time agreed on between the Owners and Occupiers of the said Lands or Waters and the said Commissioners.

Power to
treat for the
Purchase of
Lands.

XXI. And be it further enacted, That it shall be lawful for any and every Person who shall be beneficially entitled for an Estate or Interest of Freehold or Inheritance in Possession to any Waters authorized to be purchased for the Purposes of this Act, or to the Rents, Issues, and Profits thereof, either subject or not subject to any Charge or Incumbrance, Charges or Incumbrances affecting the same, and who shall be willing to sell the same Waters or any of them, or any Part thereof, or any Rights, Easements, Privileges, or Authorities in relation thereto, either subject or not subject to such Restrictions or Conditions relative to the Use, or such Prohibitions against the Use, by any other Person, Corporation, or Company, of any other Waters of any Person beneficially interested as aforesaid within the Half Baronies of *Upper Belfast*, *Lower Belfast*, and *Upper Antrim*, or any of them, as shall be necessary or proper for the better Protection of the Interests of the said Commissioners, or the Promotion of the Purposes of this Act, for a perpetual yearly Rent-charge in lieu of a Sum in gross, to sell and grant or convey the same unto the said Commissioners, their Successors and Assigns for ever, and in consideration of a perpetual yearly Rent-charge payable by the said Commissioners, their Successors and Assigns; and all such Sales, Grants, and Conveyances shall be made at the Expence of the said Commissioners, and according to the following Form, or as near thereto as the Circumstances of the Case will admit of; *videlicet*,

Power to
purchase
Waters on
perpetual
Rent-charges.

‘ I of in consideration of the Form of
‘ perpetual yearly Rent-charge to be paid as herein-after men- Conveyance
‘ tioned by the *Belfast* Water Commissioners established and incor- of Waters,
‘ porated by an Act of Parliament passed in the Year of in considera-
‘ the Reign of Her present Majesty Queen *Victoria*, intituled [*here* tion of a
‘ set forth the Title of this Act], do hereby grant and convey to the Rent-charge.
[*Local.*] 21 H said

‘ said Commissioners, their Successors and Assigns, all [*describing the*
‘ *Premises to be conveyed*], to hold unto and to the Use of the said
‘ Commissioners, their Successors and Assigns, for ever, according to
‘ the true Intent and Meaning of the said Act, they the said Commis-
‘ sioners, their Successors and Assigns, yielding and paying therefore
‘ one perpetual clear yearly Rent-charge of by equal
‘ quarterly or half-yearly [*as may be agreed upon*] Payments hence-
‘ forth on the [*stating the Days*], clear of all Taxes
‘ and Deductions. In witness whereof I have hereunto set my Hand
‘ and Seal the Day of in the Year of our
‘ Lord One thousand eight hundred and .’

And that any and every such Grant and Conveyance as last aforesaid shall be valid and effectual to all Intents and Purposes without any Enrolment or Registry except as herein-after mentioned, and shall operate to vest in the said Commissioners the Fee Simple in Possession of and in the Hereditaments to be thereby conveyed, freed and discharged of and from all Estates, Rights, Titles, Charges, and Incumbrances whatsoever, whether prior or subsequent to the Estate or Interest of the conveying Party; and the Clerk of the said Commissioners shall, within Fourteen Days after the Date of every such Grant and Conveyance, cause an Entry or Memorial to be made thereof, containing the Date thereof, and the Name or Names and Addition or Additions of the granting or conveying Party or Parties, and the Amount of the yearly Rent-charge thereby made payable, and the Times of Payment thereof, to be entered in a Book to be kept by the said Clerk for that Purpose, which Book may be inspected and perused at all reasonable Times by any Person or Persons interested in any Rent-charge or Rent-charges to be created and made payable as aforesaid, or by any of the Creditors of the said Waterworks and Undertaking, or any Agent or Agents duly authorized by any such Person or Persons, Creditor or Creditors: Provided always, that the perpetual Rent-charge in consideration whereof every and any such Conveyance as last aforesaid shall be made shall, from and immediately after the Execution of such Conveyance, be and remain limited, settled, charged, and incumbered, and the same are hereby limited, settled, charged, and incumbered, to, for, and upon and with such or the like Uses, Trusts, Intents, and Purposes, and such or the like Charges and Incumbrances, and in such or the like Manner in all respects, as the Hereditaments granted or conveyed to the said Commissioners in consideration of such perpetual yearly Rent-charge stood limited, charged, and incumbered immediately before the Execution of such Grant or Conveyance: Provided also, that the perpetual Rent-charge or perpetual Rent-charges to be created and made payable by virtue of this Act shall not exceed in the whole the Sum of One thousand three hundred and fifty Pounds.

Rent-
charges to
be payable
out of Rates,
&c.

XXII. And be it further enacted, That such perpetual yearly Rent-charge or Rent-charges as shall be created and made payable by virtue of this Act as aforesaid shall be specifically charged and chargeable upon and issuing out of all the Rates of Applotment, Water Taxes, and other Rates and Taxes arising by virtue of this Act, and all the Lands and Tenements of the said Commissioners, and all other
their

their Estate and Effects, subject nevertheless to the Payment of the said Annuity to the *Belfast* Charitable Society as in this Act mentioned, and shall be paid by the said Commissioners as the same shall become due and payable; and in case the same Rent-charge or Rent-charges respectively shall be in arrear and unpaid for the Space of Forty Days next after the same shall become due and payable, it shall be lawful for the Person or Persons to whom the Arrears of such yearly Rent-charge or Rent-charges shall be due and owing to sue for and recover the same from the said Commissioners, with Costs of Suit, by Action of Debt, in any of Her Majesty's Courts of Record in *Ireland*, or otherwise to seize and distrain any Engines, Carriages, Buckets, Tools, or other Goods and Effects of the said Commissioners which shall be found upon the Warehouses and other Works belonging to the said Commissioners, (Information of such Distress being immediately given to the said Commissioners by Notice in Writing,) and to detain the same until Payment of all Arrears of such yearly Rent-charge or Rent-charges then due and owing, together with the reasonable Charges attending such Distress; and if such Distresses shall not be redeemed within Ten Days next after making the same, and Notice thereof given in Writing as aforesaid, then such Engines, Carriages, Buckets, Tools, or other Goods and Effects so distrained shall and may be sold or disposed of in such Manner as the Law directs in Case of a Distress for Rent.

XXIII. And be it further enacted, That it shall be lawful for all Corporations, Tenants for Life or in Tail, or for any other partial or qualified Estate or Interests, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy after them, though incapacitated, unborn, or not to be found, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wards, Wives, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femmes Covert, or other Persons, and to and for all Femmes Covert seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of or interested in any Lands or Waters authorized to be taken under the Powers of this Act, or any Interests therein or Charges thereon, to contract for, sell, and convey the same or any Part thereof to the said Commissioners; and all Conveyances for the Purposes of this Act shall be made at the Expence of the said Commissioners, and may be in the Words or to the Effect following, or with such Variations, Covenants, or Conditions as the Number of the Parties and the Circumstances of the Case may render expedient; (that is to say,)

‘ I of the Sum of ‘ Water Commissioners, do hereby, in pursuance and by virtue of	of	in consideration to me paid by the <i>Belfast</i> the	Form of Con- veyance of Lands to the Company.
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‘ the Powers in that Behalf contained in an Act passed in the
 ‘ Year of the Reign of Her Majesty Queen *Victoria*,
 ‘ intituled [*here insert the Title of this Act*], grant, release, assign,
 ‘ and convey unto the said Commissioners all
 ‘ and all my Estate, Right, Title, and Interest to and in the same,
 ‘ and every Part thereof, to hold unto and to the Use of the said
 ‘ *Belfast Water Commissioners* as aforesaid, and their Successors, for
 ‘ ever, according to the true Intent and Meaning of the said Act.
 ‘ In witness whereof I have hereunto set my Hand and Seal the
 ‘ Day of in the Year of our Lord One thousand
 ‘ eight hundred and .’

And all such Sales, Conveyances, and Assurances so made shall be good and effectual in the Law, and shall operate as and be a Merger of all outstanding Terms of Years, and be a complete and effectual Bar of all Estates Tail, and other Estates, Rights, Titles, Remainders, Reversions, Trusts, and Interests whatsoever, of and to the Lands and Waters in such Conveyances respectively comprised, which shall be compensated for by the Payment of the Money mentioned in such Conveyances.

Where small
 Parcels of
 Land are in-
 tersected,
 Commis-
 sioners com-
 pellable to
 purchase the
 whole.

XXIV. And be it further enacted, That if in making the said Waterworks and other Works hereby authorized to be made any Pieces or Parcels of Land shall be cut through and divided so that what shall be left on each or either Side thereof shall be less than Half an Acre in Quantity or less than Fifty Yards in average Breadth throughout the whole Length thereof, and if the Owner of any such Pieces or Parcels of Land shall not have any other Land adjoining to that which shall be so left on each or either Side thereof, then and in every such Case, if the Owner or Person entitled to the Possession or to the Rents and Profits of the same shall so require, but not otherwise, the said Commissioners shall also take and purchase the Pieces or Parcels of Land so left on each or either Side thereof being less than Half an Acre in Quantity or less than Fifty Yards in average Breadth throughout the whole Length thereof as aforesaid, the Value thereof to be ascertained in the same Manner as is directed concerning any Land to be taken and used for the Purposes of this Act.

In case the
 Parties re-
 fuse or are
 incapable to
 treat, the
 Amount of
 Satisfaction
 and Compens-
 ation to be
 settled by a
 Jury.

XXV. And for settling all Differences which may arise between the said Commissioners and the several Owners and Occupiers of or Persons or Corporations interested in any Lands or Waters which may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested or entitled and capacitated to sell, contract, or convey as aforesaid, shall not agree with the said Commissioners as to the Amount of such Purchase Money or Satisfaction or other Compensation as aforesaid, or if any of such Parties shall refuse to accept such Purchase Money or Satisfaction or other Compensation as aforesaid as shall be offered by the said Commissioners, and shall give Notice thereof in Writing to the said Commissioners within One Calendar Month next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the
 Determination

Determination of a Jury, or if any of such Parties as aforesaid shall, for the Space of One Calendar Month next after Notice in Writing shall have been given to the Clerk, Agent, or principal Officer of any such Corporation, or to any such Trustee or Person respectively, either personally or by being left at his last or usual Place of Abode, neglect or refuse to treat or shall not agree with the said Commissioners for the Sale and Conveyance of the respective Estates and Interests which they respectively are hereby capacitated to convey, or shall by reason of Absence be prevented from treating, or shall by reason of any Impediment or Disability be incapable of making such Agreement or Conveyance as shall be necessary or expedient for enabling the said Commissioners to take such Lands or Waters, and to proceed in making the said Cuts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Waterwheels, Engines, Erections, and such other Works and Conveniences aforesaid, or shall not disclose and prove the State of Title to the Premises of which they respectively may be in Possession, or the Share, Interest, or Charge which they may claim to be entitled unto or interested in, in case they shall be required by the said Commissioners to do so, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of any of the Powers of this Act cannot be made, then and in every such Case the said Commissioners shall and they are hereby required from Time to Time to issue a Warrant under their Common Seal to the Sheriff of the County in which the Lands or Waters in question shall be situate or the Matter in dispute shall arise; or in case the said Sheriff or his Sub-Sheriff shall be one of the said Commissioners, or enjoy any Office of Trust or Profit under the said Commissioners, or shall be in anywise interested in the Matter in question, then to any of the Coroners of the said County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person then living in the said County who shall have filled the Office of Sheriff or Coroner in the said County, and be free from personal Disability, and not interested as aforesaid, (a Person having more recently served either Office being always preferred,) commanding such Sheriff, Sub-Sheriff, Coroner, or other Person to impanel, summon, and return, and the said Sheriff, Sub-Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impanel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Dublin*; and the Persons so to be impanelled, summoned, and returned are hereby required to appear before the said Sheriff, Sub-Sheriff, Coroner, or other Person, at such Time and Place as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Men shall be drawn by the said Sheriff, Sub-Sheriff, Coroner, or other Person, or by some other Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Dublin* are by Law directed to be drawn; and in case a sufficient Number of Jurymen shall not appear at the Time and Place so to be appointed as aforesaid such Sheriff, Sub-Sheriff, Coroner, or other Person shall return other honest and indifferent Men of the Standers-

[*Local.*]

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by,

by, or of others that can be speedily procured, (being so qualified as aforesaid,) to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff, Sub-Sheriff, Coroner, or other Person is hereby empowered and required, on Request in Writing by either Party, to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and may order and authorize such Jury, or any Six or more of them, to view the Place or Matter in controversy; and such Jury shall, upon their Oaths, (which Oaths, as well as the Oaths of all Persons who shall be called upon to give Evidence, the said Sheriff, Sub-Sheriff, Coroner, or other Person is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the Sum or Sums of Money to be paid for the Purchase of such Lands or Waters (except for such Interest therein as shall have been of Right purchased by the said Commissioners from any other Person or Corporation), and also the separate and distinct Sum or Sums of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages to be so done or sustained as aforesaid, and the Cause or Occasion of which shall have been in part only obviated, removed, or repaired by the said Commissioners, and which cannot or will not be further wholly obviated, removed, or repaired by them; and the said Sheriff, Sub-Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation as shall be assessed by the Verdict of such Jury, which said Verdict, and the Judgment thereon to be pronounced as aforesaid, shall be binding and conclusive, to all Intents and Purposes, upon all Corporations and Persons whomsoever: Provided always, that not less than Seven Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Commissioners to the Party with whom any such Controversy shall arise, by personally serving or leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of any such Corporation: Provided also, that in all such Cases the Party claiming such Satisfaction or Compensation shall be the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are, in the Actions tried in any of Her Majesty's Courts of Record at *Dublin*, by Law entitled.

Value of
Land and
Compensa-
tion for Da-
mages to be
ascertained
separately.

XXVI. And be it further enacted, That on ascertaining the Money to be paid for the Purchase of any Lands or Waters to be taken for the Purposes of this Act, the Jury shall also ascertain and assess the Compensation and Satisfaction to be made by the said Commissioners for any Damages which shall or may be sustained by any Persons interested in such Lands or Waters for or by reason of the severing or dividing the same from other Lands or Waters whereof, wherein, or whereto any such Persons as aforesaid shall be seised, possessed, or entitled, and also for or on account of any Damage, Loss, or Inconvenience whatsoever which shall or may accrue to or be sustained by such Persons by reason of the Execution of any of the Powers of this

Act ; such Damages, Compensation, and Satisfaction to be settled and ascertained separately and distinctly from the Value of the Lands or Waters so to be taken as aforesaid.

XXVII. And be it further enacted, That the said Juries shall and they are hereby respectively empowered, if thereunto required, to apportion the Shares and Proportion of the Purchase Money or Compensation for Damages which shall be assessed as aforesaid among the several Persons interested in any Manner in the Premises, according to their respective Interests therein, and the Loss or Damage which they may respectively sustain.

Compensation Money to be apportioned.

XXVIII. And be it further enacted, That the said Verdicts and Judgments, being first signed by the said Sheriff, Sub-Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be entered on the Rolls of Her Majesty's High Court of Chancery in *Ireland*, and shall be deposited with and deemed to be Records of the said Court to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever ; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and no more, and also to take and make Copies thereof, paying for every Copy after the Rate of Sixpence for every Seventy-two Words.

Verdicts of Juries to be recorded.

XXIX. And be it further enacted, That if such Sheriff or his Sub-Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds ; and if any Person so summoned and returned upon any such Jury as aforesaid shall, without having sufficient Excuse for such Nonappearance, not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn or to give Evidence, every Person so offending, having no reasonable Excuse (such Excuse to be judged of and determined by the said Sheriff, Sub-Sheriff, Coroner, or other Person), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds ; all which Penalties and Forfeitures shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace for the County or Place in which the said Lands or Waters shall be situate or the said Inquisition shall be held, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced, if any, after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Penalty on Sheriff or Jury making default.

XXX. And be it further enacted, That every such Jury and Jurymen as aforesaid shall, in addition to the Penalties hereby inflicted, also be liable and subject to the same Regulations, Pains, and those of the

Juries to be under the same Regulations as those of the

Courts of
Dublin.

and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Dublin*; and every Person who, in any Examination to be taken by virtue of this Act, upon his Oath shall wilfully and corruptly give false Evidence before any such Jury, or before any such Sheriff, Under Sheriff, Coroner, or other Person, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to the same Pains and Penalties to which Persons guilty of wilful Perjury shall and may, by the Laws in being, be subject or liable.

Expences of
Jury and
Witnesses
how to be
paid.

XXXI. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Commissioners for the Purchase of any Lands or Waters to be used or taken by them for the Purposes of this Act, or as a Compensation or Satisfaction for any Damage or Loss which may happen or arise in or be occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impanneling, and returning such Jury, taking such Inquisition, and in procuring the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, together with the reasonable Fees of One Counsel and the Expences of the Bond to be given as herein-after mentioned by the Party requiring the Jury to be summoned, shall be borne by the said Commissioners, and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Sub-Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Commissioners which may come into their Hands by virtue of this Act, unless the Treasurer of the said Commissioners shall pay such Costs, Charges, and Expences out of any Monies received by him by virtue of this Act (and which he is hereby authorized to do), such Distress and Sale being under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the Jury shall be given for a less Sum than shall have been previously offered by or on behalf of the said Commissioners, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Commissioners shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Commissioners; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid as so much Money advanced to and for his Use,
and

and the Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a good Payment or Tender and Satisfaction of the whole thereof.

XXXII. And be it further enacted, That all Parties with whom the said Commissioners shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Commissioners shall be obliged to issue their Warrant for summoning such Jury, enter into a Bond to the said Commissioners in a Penalty of Two hundred Pounds to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

Persons requesting Juries to enter into Bonds to prosecute their Complaints and pay Expences.

XXXIII. And be it further enacted, That if at any Time hereafter any Person shall sustain any Damage in his Lands or Waters, by reason of the Execution of any of the Powers given by this Act, for which a Compensation is not herein-before provided, then and in every such Case such Damages shall from Time to Time be settled and ascertained or assessed in the same Manner as other disputed Damages are by this Act directed to be settled; and the Sum or Sums of Money to be paid for the same shall be levied, recovered, and applied in such and the same Manner as is herein-before directed with respect to such Damages as are herein-before provided for, and the Money to be paid as a Recompence for the same.

Compensation not otherwise provided for to be settled by a Jury.

XXXIV. And be it further enacted, That the said Commissioners shall not be obliged, nor shall any Jury to be summoned by virtue of this Act be allowed, to receive and take notice of any Complaint to be made by any Person whomsoever for any Injury or Damage by him sustained or supposed to be sustained by virtue or in execution of any of the Powers of this Act, unless Notice in Writing, stating the Particulars of such Injury or Damage, and the Amount of the Compensation claimed in respect thereof, shall have been given by or on behalf of such Person to the said Commissioners within the Space of Three Calendar Months after the Time of such supposed Injury or Damage shall have been sustained, or the doing or committing thereof shall have ceased.

Notice of the Injury to be given to the Commissioners.

XXXV. And be it further enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties, or assessed by any Jury or Juries in manner aforesaid, for the Purchase of any such Lands or Waters, or as a Recompence for the yearly Produce or Profit thereof, or as a Satisfaction or Compensation for Damages as herein-before mentioned to the Proprietor of such Lands or Waters, or such other Person as shall be interested therein or entitled to receive such Compensation, within Twenty-one Days after the same shall have been so agreed for, determined, or awarded, or if the Person so entitled or interested cannot be found, or shall refuse to receive the

Power to enter Lands, Houses, Mills, &c. on Payment or Tender of Purchase Money.

same, or shall not be able to make a good Title to or shall refuse to execute a Conveyance of the Lands or Waters which shall be required for the Purposes of this Act, then upon Payment of the said Sum of Money into the Bank of *Ireland* as herein-after directed and required, for the Use of such Person so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Engineer, Agents, Servants, or Workmen, thereupon, and not before, to enter upon and take and use such Lands or Waters respectively, and then and thereupon all the Estate, Use, Trust, and Interest of any Person therein, paid or compensated for by such Payment, Tender, or Deposit, shall from thenceforth become vested in and become the sole Property of the said Commissioners, to and for the Purposes of this Act, for ever; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Interest, Claim, and Demand of the Person to whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder of his, her, or their Issue, and of every other Person whomsoever therein so compensated or paid for: Provided nevertheless, that before or until such Payment, Tender, or Deposit as aforesaid it shall not be lawful for the said Commissioners, or any Person acting by or under their Authority, or under the Provisions of this Act, to dig, cut, or use any Land or Water for the Purposes of this Act without the Leave or Consent in Writing of the Proprietor thereof entitled to such Payment.

Tenants at
Will and
from Year to
Year to quit
Lands, &c.
after Notice.

XXXVI. And be it further enacted, That every Tenant at Will, Lessee for a Year, and other Person in Possession of any Lands or Waters through, in, or upon which the said intended Cuts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Waterwheels, Engines, Erections, and such other Works and Conveniences hereby authorized to be made, are intended to pass or be made, which shall be taken or used for the Purposes of this Act, and who shall have no greater Interest in the Lands or Waters than as Tenant at Will or Lessee for a Year or from Year to Year, shall deliver up the Possession of such Lands or Waters to the said Commissioners, or to such Person as they shall appoint to take possession of the same, at the Expiration of Six Calendar Months next after Notice in Writing to that Effect shall have been given by the said Commissioners to such Tenant or Lessee or Person in Possession, or left upon the said Lands, or at such other Time after the Expiration of Six Calendar Months as he shall be required, whether such Notice be given with reference to the Time of the Commencement of such Tenant's holding or not, and whether such Notice be given before or after the said Lands or Waters shall be purchased by the said Commissioners; and in case any such Tenant or Lessee or Person so in Possession as aforesaid shall refuse to give up such Possession as aforesaid, it shall be lawful for the said Commissioners to issue their Precept to the Sheriff for the County in which such Lands or Waters shall be situate, to deliver Possession of the said Lands or Waters to such Person as shall in such Precept be nominated to receive the same; and the said Sheriff is hereby required forthwith after the Receipt of the said Precept to deliver Possession of the said Lands or Waters accordingly,

accordingly, and to levy such Costs as shall accrue from the issuing and Execution of such Precept on the Person so refusing to give Possession as aforesaid by Distress of his Goods and Chattels.

XXXVII. Provided also, and be it further enacted, That where any such Tenant or Lessee shall be required to deliver up the Possession of any Lands or Waters so occupied by him to the said Commissioners, or to any Person authorized by them to take possession thereof as aforesaid, before the Expiration of the Term or Interest of such Tenant or Lessee as aforesaid in the said Lands or Waters, the said Commissioners shall and they are hereby directed to make a Tender unto the said Tenant or Lessee, before they shall issue their Precept to the Sheriff to give Possession of the Lands or Waters in the Occupation of such Tenant or Lessee as herein-before mentioned, of Satisfaction or Compensation for the Value of his unexpired Term or Interest in the said Premises, which Satisfaction or Compensation, in case of Difference, shall be settled and ascertained in the same Manner as any other Satisfaction or Compensation for any Lands or Waters intended to be taken or made use of by the said Commissioners is in and by this Act provided for and directed to be made and assessed.

Interests of such Tenants may be settled by a Jury.

XXXVIII. Provided always, and be it further enacted, That in all Cases where any Person shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest in any Lands or Waters through, in, or upon which the said Cuts, Canals, Conduits, Pipes, Reservoirs, Aqueducts, Water-wheels; Engines, Erections, and such other Works and Conveniences hereby authorized to be made, are intended to pass or be made, under or by virtue of any Demise, Lease, or other Grant thereof, the said Commissioners shall and they are hereby authorized to require such Person to produce or show the Lease, Demise, or Grant in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence of the same in his Power; and if such Lease, Demise, or Grant shall not be produced or shown, the Person claiming under the same shall be considered as holding only from Year to Year.

Persons holding under Leases, &c. to produce the same.

XXXIX. And be it further enacted, That all Corporations and all Persons who shall have any Mortgage on any Lands or Waters to be taken or used for the Purposes of this Act shall, on Payment or Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners or their Engineer or Clerk, immediately convey, assign, and transfer such Mortgage to the said Commissioners, or to such Person as they shall appoint; or in case such Mortgagee shall have Notice in Writing from the said Commissioners or their Clerk or Agent that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of Six Calendar Months, upon Payment of the Principal Money and Interest so due, such Mortgagee shall convey, assign, and transfer his or their Interest in the Lands or Waters to the said Commissioners, or to such

Mortgagees to convey.

such Person as they shall appoint, and in case such Mortgagee shall refuse to convey and assign as aforesaid on such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due for Principal and Interest upon any such Mortgage shall amount to more than the real Value of the Lands or Waters to be taken and made use of for the Purposes of this Act, and which shall be ascertained in manner herein-before directed by this Act, then the said Commissioners shall not be liable to pay the said Mortgagee more than the real Value of the Lands or Waters so ascertained as aforesaid, or the Residue thereof, and such Allowance and Payment thereout to any Lessee or Tenant as herein-before directed: Provided also, that in case any such Mortgagee shall neglect or refuse to convey and assign as aforesaid, then upon Payment of the Principal Money and Interest due on any such Mortgage as aforesaid into the Bank of *Ireland*, at the End of Six Calendar Months after giving such Notice as aforesaid, for the Use of such Mortgagee, the Cashier of the said Bank shall give a Receipt for the said Money, in like Manner as in and by this Act is directed in Cases of other Payments into the said Bank, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee shall vest in the said Commissioners; and in case any such Mortgage shall comprise any other Land or Water than those which shall be so purchased or taken by the said Commissioners, such Mortgagee shall, upon Payment or Tender of the Sum so ascertained as the Value of the respective Lands or Waters as aforesaid, forthwith convey, assign, and transfer his, her, or their Interest in such Lands or Waters to the said Commissioners, or to such Person as shall be appointed in Trust for them; and in default of such Conveyance, Assignment, or Transfer, and on Payment of such Money into the Bank of *Ireland* for the Use of such Mortgagee, the Cashier of the Bank of *Ireland* shall give such Receipt as aforesaid, and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of the said Mortgagee, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Commissioners, and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Mortgagee by virtue of such Mortgage.

As to Cases where Mortgage Money is more than the Value of the Land, or a Part only of the Land is taken.

XL. And be it further enacted, That in all Cases in which any Lands or Waters subject to any Mortgage shall be required for the Purposes of this Act, which Lands or Waters shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands or Waters subject to any Mortgage shall be required for the Purposes of this Act, and Part shall be of less Value than the Principal Money, Interest, and Costs secured on such Lands or Waters, and the Mortgagee thereof shall not consider the remaining Part of such Lands or Waters to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Lands or Waters, or, as the Case may be, of such Part of the said Lands or Waters as shall be so required for the Purposes aforesaid,

said, and also the Compensation (if any) for any Damage done in respect of the Part so required, shall be settled and agreed upon by and between such Mortgagee and the Person or Corporation entitled to the Equity of Redemption of such Lands or Waters, whether absolutely or for such Estate as might capacitate him or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners on the other Part; and in case of any Difference between them, then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee in satisfaction of his Claim, so far as the same will extend, and such Mortgagee shall thereupon convey, assign, and transfer all his Interest in such mortgaged Lands or Waters the Value whereof shall so have been agreed upon or determined as aforesaid, or in case of his neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation shall be paid into the Bank of *Ireland* to the Credit of the said Mortgagee, as by this Act is provided in Cases of a like Nature; and such Payment to the Mortgagee or into the Bank as last aforesaid shall be accepted in satisfaction of the Claim of such Mortgagee, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon, and thereupon such mortgaged Lands or Waters shall become absolutely vested in the said Commissioners, and the said Commissioners shall be deemed to be in the actual Possession thereof, to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof, (as the Case may be,) or the Interest thereof respectively, upon and out of the Residue of the mortgaged Lands not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Lands or Waters originally comprised in such Mortgage: Provided also, that when a Part only of the Lands or Waters (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands or Waters so taken shall, on the Assignment thereof to the said Commissioners, have been paid to the Mortgagee thereof in part Satisfaction of his Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment to the said Commissioners, and shall be signed by such Mortgagee; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners, at their Expence, to the Person so entitled as aforesaid to the Equity of Redemption of the Lands or Waters comprised in such Mortgage Deed.

XLI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands or Waters by virtue of the Powers and under the Authority of this Act, or of any Interest therein, or for the Release of any such Lands or Waters

Application
of Com-
pensation
Money when
amounting
to 200l.

[*Local.*]

21 L

from

from any Incumbrances charged thereon, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, Feme Covert, or any Person whosoever, for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person whose Lands or Waters are limited in strict or other Settlement, or any Person under any other Disability or Incapacity or unborn, shall be entitled unto, interested in, or hereby capacitated to convey, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in that Part of *Great Britain* and *Ireland* called *Ireland*, to be placed to his Account there *ex parte* "The *Belfast* Water Commissioners," pursuant to the Method prescribed by the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the Lands and Waters in respect whereof such Money shall be paid, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting such Lands and Waters, or affecting other Lands standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out, by Order of the said Court made in a summary Way, in the Purchase of other Lands, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands and Waters which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands and Waters so to be purchased and settled in case the same had been so purchased and settled.

When less
than 200*l.*
and not less
than 20*l.*

XLII. And be it further enacted, That if any Money so agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall amount to or

exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Parties for the Time being entitled to the Rents and Profits of the Lands or Waters in respect whereof such Money shall be so awarded or agreed to be paid, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Commissioners signified in Writing under their Common Seal, be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, and be placed to his Account as last aforesaid, to be applied in manner last herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Commissioners), and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under such Common Seal of the said Commissioners; and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as herein-before directed with respect to the Money to be paid into the Bank of *Ireland* in the Name of the Accountant General of the Court of Chancery, but without being required to obtain any Order of the said Court touching the Application thereof.

XLIII. And be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall be less than the Sum of Twenty Pounds, then the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands or Waters in respect whereof such Money, Compensation, or Satisfaction shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid, for their Use, to their respective Husbands, Guardians, Committees, or Trustees.

When less than 20^l.

XLIV. And be it further enacted, That in case any Party to whom any Sum of Money shall be agreed or awarded to be paid for the Purchase of any Lands or Waters to be taken under or by virtue of the Powers of this Act, or for the Release of any such Lands or Waters from any Incumbrance charged thereon, or for any other Right or Interest to, in, or affecting any such Lands or Waters, or otherwise for Compensation or Satisfaction as aforesaid, shall refuse or neglect to accept the same, or shall refuse, neglect, or be unable to make a Title to such Lands or Waters to the Satisfaction of the said Commissioners for the Purposes of this Act, or shall be absent from *Ireland*, or cannot be conveniently found, or if the Right or Interest of any Party entitled unto or by this Act capacitated to convey any such Lands or Waters be not known or discovered, or if such Party shall be absent from *Ireland* or shall refuse to convey the same, then and in every such Case, where not otherwise provided for by this Act, it shall be lawful for the Commissioners to order the Money so agreed or awarded as aforesaid to be paid into the Bank of *Ireland* in the Name and with the Privity of the said Accountant General of the said Court of Chancery to be placed to

In case of not making out Titles, or of Absence, or Refusal to convey, Money to be paid into the Bank.

to his Account to the Credit of the Parties interested in the said Lands or Waters, describing them so far as the said Commissioners can do so, subject to the Control and Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money, or any Part thereof, by Petition, is hereby empowered, in a summary Way of Proceeding or otherwise as to such Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Parties making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the Bank of *Ireland* who shall receive such Money is hereby required to give to the said Commissioners, or to the Party so paying any Money into the Bank of *Ireland* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same has been so paid in.

In case of
disputed
Title, Per-
sons in Pos-
session to be
deemed pre-
sumptively
entitled.

XLV. And be it further enacted, That when any Question shall arise in reference to the Provisions aforesaid, or otherwise upon this Act, touching the Title of any Party to any Lands or Waters, or to any Interest in any Lands or Waters, or to any Compensation in respect of any Damage done to any Lands or Waters, or to any Money to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Waters, or of any Estate, Right, Title, or Interest in any Lands or Waters, to be taken or used, in pursuance of this Act, for the Purposes aforesaid or for Compensation or Satisfaction as aforesaid, or to any Annuities or Securities to be purchased with any such Money as aforesaid, or to the Dividends or Interest of any such Annuities or Securities, the Parties respectively who shall have been in possession or receipt of the Rents and Profits of such Lands or Waters at the Time of taking or using the same, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands or Waters, or to such Interest therein, or to such Money as aforesaid, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly.

Court of
Chancery
may order
reasonable
Expences of
Purchases
and Costs to
be paid by
the Commis-
sioners.

XLVI. And be it further enacted, That where, by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands or Waters to be purchased, taken, or used under the Authority of this Act, or from any other Cause, except wilful Refusal of such Person or Corporation to convey the said the Lands or Waters, or to accept the Purchase or Compensation Money herein mentioned, the Purchase Money for any Lands or Waters, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *Ireland*,
it

it shall be lawful for the said Court of Chancery to order the reasonable Costs, Charges, and Expences attending any such Purchase, taking, or using of such Lands or Waters, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Re-investment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the Commissioners, and the said Commissioners shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

XLVII. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Lands or Waters which shall be purchased or taken by the said Commissioners for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Commissioners may require to the said Lands, and of making out and furnishing such Abstract and such attested Copies as the said Commissioners may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Commissioners; and the said Commissioners, before entering into Possession of the Lands or Waters so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Lands or Waters shall be purchased or taken: Provided always, that the said Commissioner shall not be prevented from entering into Possession of the Lands or Waters so purchased, by reason of the Non-payment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands or Waters shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Commissioners, deliver a Bill of their said Costs, Charges, and Expences to the said Commissioners; provided also, that in case the said Commissioners shall not require the making out or furnishing such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Lands or Waters purchased or taken, such Seller shall be bound, at the Expence of the said Commissioners, to produce or cause the Production of the Title Deeds relating to the

Expences of
Titles to be
paid by the
Commis-
sioners.

[*Local.*]

21 M

said

said Lands or Waters, when required by the said Commissioners so to do, without furnishing any Abstract of his Title.

How such
Expences are
to be ascer-
tained.

XLVIII. And be it further enacted, That if the said Commissioners and the Party aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Chancery; and it shall be lawful for the said Court, on Petition to be presented by the said Commissioners, to order and direct that such Costs, Charges, and Expences shall be referred to one of the Masters of the said Court to be taxed in the usual Manner; and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation thereof, or so much of the same as shall be payable by the said Commissioners to the Party from whom such Lands or Waters shall have been purchased or taken, shall be paid to the Party aforesaid: Provided always, that the said Commissioners shall not be at liberty to enter into Possession of the Lands or Waters so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Commissioners shall have deposited the Sums claimed in respect of the same in the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to the Account there *ex parte* "The *Belfast* Water Commissioners," pursuant to the Method prescribed by the General Orders of the said Court: Provided always, that the Expence of determining such Costs, Charges, and Expences as aforesaid, and of obtaining the Order referring the same to be taxed, shall be paid and borne by the said Commissioners, unless One Sixth of the Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Lands or Waters were purchased or taken, and the Amount thereof shall then be paid to the said Commissioners out of the said Sum so deposited by them as aforesaid.

Power to re-
sell Lands
not wanted.

XLIX. And whereas, in order more effectually to carry into effect the Purposes of this Act, the said Commissioners may purchase Lands or Waters which, or Part thereof, may afterwards be considered as unnecessary to be made use of for the Purposes of this Act; be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required, within Ten Years after the passing of this Act, to sell and dispose of, and by Indentures under their Common Seal absolutely to grant and convey, such Part of the Lands or Waters which shall be so purchased by and conveyed to the said Commissioners as aforesaid, and as shall not be wanted for the Purposes aforesaid; and all such Conveyances, Leases, and Deeds shall be good, valid, and effectual, any Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by the Sale of such Lands or Waters, or any Parts or Parcels thereof, it shall be lawful for the Treasurer for the Time being to the said Commissioners to sign and give Receipts for the

Monies for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person for the Purchase Money for which the said Lands or Waters shall be sold, or for so much thereof as in such Receipts shall be expressed to be received, and such Person shall not be answerable for any Loss, Misapplication, or Non-application of the said Purchase Money or any Part thereof: Provided always, that the said Commissioners, before they shall sell and dispose of such Lands or Waters, or any Estate or Interest therein, shall first offer to sell the same to the Person whose Lands or Premises shall immediately adjoin the Lands or Waters so proposed to be sold, such Person being in the United Kingdom and conveniently to be found, and capable of entering into a Contract for the Purchase of such Lands or Waters; and in case such Offer shall not be accepted, or if the said Commissioners and such Person shall not agree as to the Price or Rate thereof, and such Person shall signify his Desire to purchase the same by a Notice in Writing to be given or left with the Treasurer of the said Commissioners within Fourteen Days after such Offer at a Price, to be settled and adjusted by a Jury to be summoned as in case of Purchases made by the said Commissioners as herein mentioned, *mutatis mutandis*, such Notice shall be deemed an actual Contract for the Purchase of the said Lands or Waters as against the Party giving the same, at a Price which shall be adjusted and settled by such Jury; and in case such Person shall not agree to purchase such aforesaid Interest therein, or shall not give Notice of his Intention of purchasing the same, within Fourteen Days next after such Offer of Sale, then and in every such Case a Declaration in lieu of an Oath, pursuant to the Statute in such Case made and provided, being made before a Master Extraordinary in the High Court of Chancery in *Ireland*, or before One of Her Majesty's Justices of the Peace for the Counties of *Antrim* or *Down*, by some competent Person, stating that the Person entitled to such Right of Pre-emption was not in the United Kingdom, or not conveniently to be found, or was not capable of entering into a Contract for the Purchase of such Lands or Waters, or that such Offer was made by or on behalf of the said Commissioners, and was not then and thereupon agreed to by the Person to whom the same was so made, and that no such Notice as aforesaid was given, shall in all Courts be sufficient Evidence and Proof that such Offer was made and was not agreed to by the Person to whom it was made (as the Case may be), and that such Notice as aforesaid was not given: Provided always, that if such Lands shall not be sold within the Time herein-before limited, the same shall vest in and become the Property of the Owners of the adjoining Lands according to the Extent of the Lands of such Owners adjoining the same respectively.

L. And be it further enacted, That in all Conveyances to be made by the said Commissioners under or by virtue or in pursuance of the several Powers and Authorities to them hereby given the Word "grant" shall amount to, and be construed and adjudged in all Courts of Judicature to be, express Covenants to the Grantees or other Purchasers, their Heirs, Executors, Administrators, or Assigns, by the said Commissioners, for themselves and their Successors, that they the said Commissioners, notwithstanding any Act done by them, were,

The Word "grant," in Conveyances from the Commissioners, to amount to certain Covenants.

were, at the Time of the Execution of such Conveyance, seised of the Inheritance and Premises thereby granted for an indefeasible Estate of Inheritance in Fee Simple or Freehold, or otherwise for such Estate or Interest as therein expressed to be thereby granted, free from all Incumbrances, and that the Purchaser thereof, his Heirs and Assigns, shall quietly enjoy the same against the said Commissioners, their Successors and Assigns, and all claiming under them, and be indemnified and saved harmless by the said Commissioners and their Successors from all Incumbrances committed by the said Commissioners, their Successors and Assigns, and all claiming under them, unless the same shall be restrained and limited by express particular Words contained in such Conveyances or any of them; and such Purchasers or Grantees, and his, her, and their several Heirs, Executors, Administrators, and Assigns respectively, shall and may, in any Action or Actions to be brought, assign Breach or Breaches thereupon, as they might do in case such Covenants were expressly inserted in such Conveyances.

If Land not contracted for within Five Years, Power to take Property on Compulsion to cease.

LI. And be it further enacted, That unless the said Commissioners shall within the Space of Five Years, to be computed from the passing of this Act, pay for as in this Act is mentioned the Lands and Waters which they are by this Act empowered to take or use, or otherwise so much thereof as shall be by them deemed necessary and proper for the Purposes of making the said Waterworks hereby authorized, then and from thenceforth the compulsory Powers which are hereby granted to them for taking or using such Lands and Waters shall cease and be utterly void, save and except with the Consent in Writing of the Owners and Occupiers thereof respectively.

If Works not completed in Seven Years, Power to cease, except as to such as shall be completed.

LII. And be it further enacted, That in case the said Works hereby authorized to be made shall not have been made and completed within the Space of Seven Years so as to answer the Purposes thereof, then from and after the Expiration of the said Term of Seven Years all Powers and Authorities given by this Act shall cease and determine, save only as to so much of the said Works as shall have been completed within the said Term.

Commissioners to raise 66,000*l.*

LIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized to borrow and take up at Interest any Sum of Money, not exceeding in the whole the Sum of Sixty-six thousand Pounds, on the Credit of the said Undertaking, and on the Credit of the Rates arising therefrom, and of such other Lands, Waters, Tenements, and Hereditaments as the said Commissioners are by virtue of this Act or may hereafter become possessed of or be entitled unto, as to them shall seem meet and convenient, to be applied towards the Payment to the President and Assistants of the *Belfast* Charitable Society of the Consideration Money herein-before mentioned for the Transfer to them of their Right, Title, and Interest in the said Waterworks as herein-before set forth, the Purchase of Lands and Waters, and the Construction and Erection of the Works by this Act authorized to be made, and to grant, assign, and make over, by way of Mortgage or by way of collateral Security, to any Person, Body Politic or Corporate, or any other public Board
or

or Body appointed by Government or Act of Parliament, or otherwise lending any such Money for the Use of the said Commissioners, the said Undertaking, and the Rates or Monies arising or to arise by virtue of any Applotment or special Agreement authorized by this Act, and any other Lands, Waters, Tenements, and Hereditaments of or belonging or to belong to the said Commissioners, (the Costs and Charges of such Assignment to be paid out of such Rates or Monies,) as a Security for the Sum of Money so to be borrowed as aforesaid, with Interest for the same, to such Person, Body Politic or Corporate, or any other public Board as aforesaid, or to his or their Trustee, as shall advance the same; all which said Mortgages or Assignments shall be made, under the Common Seal of the said Commissioners, in the Words or to the Effect following; (that is to say,)

' Number ' BY virtue of an Act passed in the ' of Queen <i>Victoria</i> , intituled [<i>here insert the Title of this Act</i>], ' we, the <i>Belfast</i> Water Commissioners incorporated by Act of Par- ' liament, in consideration of the Sum of ' Hand paid by ' bargain, sell, and demise unto the said ' Executors, Administrators, and Assigns, the said Waterworks, ' Undertaking, and all and singular the said Rates of Applotment, ' special Agreements, or Water Tax arising by virtue of the said Act, ' and all other the Lands, Waters, Tenements, and Hereditaments ' vested in the <i>Belfast</i> Water Commissioners, and all the Estate, ' Right, Title, and Interest of us the said <i>Belfast</i> Water Commis- ' sioners in and to the same; to hold unto the said ' his [<i>or her</i>] Executors, Administrators, and Assigns, until the ' said Sum of ' payable on every ' of ' One hundred Pounds for a Year, shall be fully paid and satisfied. ' Given under our Common Seal this ' the Year of our Lord One thousand eight hundred and	Year of the Reign Pounds in do hereby grant, his [<i>or her</i>] the said Waterworks, the said Rates of Applotment, the said Act, the said Hereditaments the said <i>Belfast</i> Water Commis- together with Interest for the same, and Day for every Day of in	Form of Mortgage.
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Or any other Form or to any other Effect which may be better adapted to the Circumstances under which any such Sum of Money shall be borrowed or collateral Security given; and every Person or Corporation to whom such Mortgage or Assignment shall be made shall be equally entitled one with the other to his or their Proportion of the said Rates of Applotment, special Agreements, or Water Tax, and other the Lands, Waters, Tenements, and Hereditaments of and belonging to the said Commissioners, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of the Priority of Date of any such Mortgage or Assignment, or on any Account whatsoever: Provided always, that an Entry or Memorial of every such Mortgage or Assignment, containing the Number and Date thereof, and the Name of the Person or Corporation, with their proper Additions, to whom the same shall have been made, and of the Sum borrowed, together with the Rate of Interest to be paid thereon, shall, within Fourteen

[Local.]

21 N

Days

Mortgages may be trans- ferred.

**Memorials of
Transfer to
be made be-
fore the
Assignees
shall be
entitled.**

LIV. And be it further enacted, That in case the said Commissioners shall raise the Whole or any Part of the said Sum of Sixty-six thousand Pounds by Mortgages, Assignments, or Annuities, and shall afterwards be required or be desirous to pay off all or any Part of the Principal Sum secured by the said Mortgages, Assignments, or Annuities, or any of them, then and in every such Case it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, immediately or at any Time thereafter, again to raise, in lieu of the Principal Money so paid off or to be paid off by them, so much and such Sum of Money as they shall from Time to Time have paid off or be desirous to pay off to the Holders of the Mortgages, Assignments, or Annuities, or any of them, or any Part thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Commissioners shall not in any Event borrow, upon Mortgage, Assignment, or Annuity, more than the said Sum of Sixty-six thousand Pounds in the whole at any One Time.

LV. And be it further enacted, That in case the said Commissioners shall think it more advisable and proper to raise the Sum of Sixty-six thousand Pounds hereby authorized to be raised as aforesaid, or any Part or Parts thereof, by granting Annuities payable out of the said Rates of Applotment or special Agreements, or other the Lands, Waters, Tenements, and Hereditaments belonging or to belong to the said Commissioners, or out of the Monies to be raised by virtue of this Act, then and in every such Case it shall be lawful for the said Commissioners to raise any such Sum by the granting of any such Annuities as aforesaid, redeemable or otherwise, to or for the Use of the Person who shall contribute, advance, or pay into the Hands of the Treasurer of the said Commissioners any Sum of Money for the absolute Purchase of every such Annuity, to be paid and payable for any Term or Number of Years, or for or during the natural Life of any such Contributor or such other Person as shall be nominated by or on behalf of such Contributor at the Time of Payment of his Contribution and Purchase Money, and with or without Benefit of Survivorship, and redeemable upon such Terms and Conditions as shall be agreed upon; and the said Commissioners are hereby authorized and empowered to grant every such Annuity so to be purchased as aforesaid out of the Rates of Applotment, special Agreements, or Water Tax or other Revenue of the said Waterworks and Undertaking, or other the Lands, Waters, Tenements, and Hereditaments, or out of the Monies to be raised by virtue of this Act, to the Person who shall agree to purchase the same, or to his Trustee.

For raising
Money by
Annuities.

LVI. And be it further enacted, That the Grant of every such Annuity as aforesaid shall be by Deed under the Common Seal of the said Commissioners, and may be according to the Form or to the Effect following; that is to say,

Form of
Grant of
Annuity.

WE, the *Belfast* Water Commissioners, in consideration of the
Sum of _____ to us paid by _____ of
[or if intended to be granted with the Benefit of Survivorship
by _____] do hereby, by virtue of an Act passed
in _____ Year of the Reign of Queen *Victoria*, intituled
[here insert the Title of this Act], grant unto the said
and his [or her] Assigns [or, if by Survivorship, unto the
said _____ and to the Survivors and Survivor of them],
One Annuity or yearly Sum of _____ to be issuing out
of all and singular the Rates of Applotment, special Agreements, or
Water Tax arising by virtue of the said Act, and all other the Lands,
Waters, Tenements, and Hereditaments vested in us the said *Belfast*
Water Commissioners, to hold unto the said _____ his [or her]
Executors, Administrators, and Assigns, for the Term of
Years [or, as the Case may be] to hold unto the said
his [or her] Executors, Administrators, and Assigns, for and during
the natural Life of _____ [or, if by Survivorship, unto
and amongst them the said _____ and the Survivors and
Survivor of them]; and such Annuity or yearly Sum shall be paid
and payable at _____ upon the _____ Day
of _____ yearly, and the first Payment thereof shall be made
on the _____ Day of _____ [here insert the
Terms

' *Terms and Conditions, if any, upon which such Annuities shall be*
 ' *redeemable*]. Given under our Common Seal this
 ' Day of _____ in the Year of our Lord One thousand
 ' eight hundred and _____.

**Annuities
may be trans-
ferred.**

Form of Transfer of Annuity.

' I of in consideration of the Sum of
 ' to be paid by of hereby transfer unto
 ' the said a certain Grant made by the *Belfast Water*
 ' Commissioners, bearing Date the Day of
 ' of an Annuity of payable [*here insert the Duration*
 ' of the Annuity], and all my Right, Title, and Interest in and to
 ' the said Annuity thereby secured, to hold the same unto the said
 ' his [*or her*] Executors, Administrators, and Assigns.
 ' In witness whereof I have hereunto set my Hand and Seal this
 ' Day of in the Year of our Lord One
 ' thousand eight hundred and .

And every such Transfer shall, within Fourteen Days after the Date thereof, be produced and notified to the Clerk of the said Commissioners, who shall thereupon cause an Entry or Memorial to be made thereof in the said Book, containing the Date and Names of the Parties, and the Annuity or Annuities thereby transferred, for which Entry such Clerk shall be paid the Sum of Two Shillings, and no more; and after such Entry made every such Assignment shall entitle such Assignee, his Executors, Administrators, and Assigns, to the full Benefit of the original Grant, and it shall not be in the Power of the Person who shall have made any such Transfer at any Time afterwards to make void, release, or discharge the said Annuity or any Part thereof.

LVII. And

LVII. And for preventing any improvident Grants of Annuities, be it further enacted, That the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, in the Manner and at a Rate not exceeding by more than One Sixth the Rate prescribed by any Act for the Time being in force for granting Annuities on Government Securities.

For prevent-
ing impro-
vident Grants
of Annuities.

LVIII. And be it further enacted, That all the Monies which shall arise and be produced from the Rates of Applotment or Water Tax by this Act granted, together with any other Monies to be received under or by virtue of this Act, shall be vested in the said Commissioners, and shall be applied by them, to and for the several Uses, Intents, and Purposes, in Order and Manner following; that is to say, in the first place, in paying the Costs, Charges, and Expences of passing this Act; and, secondly, in satisfying and paying, to and for the Use of the President and Assistants of the *Belfast* Charitable Society, the Annuity herein-before mentioned, and also in paying all Chief Rents, Rent-charges, or Duties payable by reason of any Lease, Demise, Contract, or other Deed under which the said Waterworks or any Part thereof now is or hereafter shall be held, or any Public, Parochial, or Parliamentary Assessment or Duty; in the third place, Payment of all Monies expended by the said Commissioners in maintaining and keeping the said Works in repair, and in the Payment of the Expences necessarily incurred in the Management of the said Works, and the Salaries to the different Officers and Servants employed by the said Commissioners; in the fourth place, in paying the Interest accruing upon the several Principal Sums of Money due and owing on the Credit of the Rates of Applotment, special Agreements, or Water Tax collected and to be collected by virtue of this Act, and of the several Sums of Money which shall be borrowed and be due and owing on the several Securities to be made in pursuance hereof; in the fifth place, in extending or improving the said Works, and in prosecuting or defending any Suit or Suits incident to the said Undertaking, or in soliciting any Acts of Parliament, or in opposing Applications to Parliament, relating to or affecting the said Undertaking; and, in the next place, in reducing, paying off, and discharging the several Principal Sums and Annuities for the Time being due on such Securities as aforesaid, or otherwise as the said Commissioners may think fit.

Application
of Monies.

LIX. And be it enacted, That the Town and Borough of *Belfast*, and the said Precincts thereof, as set out in Schedule (B.) to this Act annexed, shall, for the Purposes of this Act, be divided into Five Wards, in the Manner set forth and specified in the same Schedule, such Wards to be severally called *Saint Anne's Ward*, *Cromac Ward*, the *Dock Ward*, *Smithfield Ward*, and *Saint George's Ward*.

Town to be
divided into
Five Wards.

LX. And be it further enacted, That the said *Matthew Black* and *Clotworthy Dobbin* shall be the first Commissioners for *Saint Anne's Ward*, the said *John Lindsay* and *Charles Thomson* for *Cromac Ward*, the said *John Kane* and *Hugh Halliday* for the *Dock Ward*,
[Local.] 21 O the

Commis-
sioners no-
minated to
each Ward.

the said *James Hunter* and *John Stevelly* for *Smithfield Ward*, and the said *James Thomson Tennent* and *James Blair* for *Saint George's Ward*.

Rules for the Construction of the Descriptions contained in the Schedule (B.)

LXI. And be it further enacted, That in the Construction of the several Descriptions of Boundaries set forth in the said Schedule the following Rules shall be observed :

1. The Words "Northward," "Southward," "Eastward," "Westward," and the like, shall respectively be understood to denote only the general Direction in which any Boundary proceeds from the Point last described, and not that such Boundary shall continue to proceed throughout in the same Direction to the Point next described :
2. When any Road is mentioned merely by the Name of the Place to which such Roads leads, the principal Road thither from the said Town and Borough shall be understood :
3. Whenever a Line is said to be drawn from, to, through, or in the Direction of, or to any Distance to be measured from or to, an Object, such Line shall, in the Absence of any Direction to the contrary, be understood to be drawn from, to, through, or in the Direction of, or such Distance to be measured from or to the Centre of, such Object, as nearly as the Centre can be ascertained :
4. Every Building through which, or through any Part whereof, any Boundary hereby or hereafter to be established shall pass, shall be considered as within such Boundary :
5. Whenever any Boundary by this Act established is said to pass along any other Boundary, or along any Street, Road, Lane, Path, River, Stream, Canal, Drain, Brook, or Ditch, the Middle (as near as the same can be ascertained,) of such other Boundary, or of such Road, Lane, Path, River, Stream, Canal, Drain, Brook, or Ditch, shall, in the Absence of any Direction to the contrary, be understood :
6. The Middle of any Street, Road, or Lane shall be understood as the Middle of the Carriageway along the same :
7. When any Boundary by this Act established is said to proceed, or any Distance to be measured, along a Street, Road, Lane, Path, Stream, River, Canal, or Drain, from or to any Object, such Boundary shall be understood to proceed, or such Distance to be measured, (as the Case may be,) from or to that Point in the Middle of such Road, Lane, Path, River, Stream, Canal, or Drain from which the shortest Line would be drawn to the Centre of such Object, as nearly as the Centre thereof can be ascertained :
8. The Point at which any Fence, Hedge, Wall, Boundary, Street, Road, Lane, Walk, Path, River, Stream, Canal, Drain, Brook, or Ditch so said to cut, meet, join, cross, reach, or leave any Boundary, Street, Road, Lane, Path, Wall, Walk, River, Stream, Canal, Drain, Brook, or Ditch, shall, in the Absence of any Direction to the contrary, be understood as that Point at which a Line passing along the Middle of the one would be cut by a Line drawn along the Middle of the other if such Line were prolonged sufficiently far :

9. When

9. When a Line is said to be drawn to a Road, Lane, River, Stream, or Canal, such Line shall, in the Absence of any Direction to the contrary, be considered as prolonged to the Middle of such Road, Lane, River, Stream, or Canal :
10. By the Words "Sea" and "Sea Coast" shall be understood the Low-water Mark :
11. If any Deficiency shall be found to exist in the Line of any Boundary described in the said Schedule (B.) to this Act annexed, by reason of the Intervention of any Space between any Two immediately consecutive Points, such Deficiency shall be supplied by a straight Line to be drawn from the one to the other of such Two immediately consecutive Points.

LXII. And whereas it is expedient that the Metes and Bounds of the Limits of this Act, and of the several Wards into which the same are to be divided, as described in the Schedule (B) to this Act annexed, should be constantly maintained and known ; be it therefore enacted, That the said Commissioners shall, within Twelve Calendar Months after the passing of this Act, cause to be set up permanent and conspicuous Boundary Marks, of Iron, Wood, Stone, or other durable Material, in conformity with the respective Metes and Bounds of such Limits, and the several Wards thereof, or as near thereunto as Circumstances will permit, and in the most public and convenient Places along or near the Line of such Metes and Bounds.

Commissioners to set up Boundary Marks within Twelve Months after the passing of this Act.

LXIII. And be it enacted, That every Person who shall wilfully or maliciously pull down, deface, obliterate, injure, conceal, or destroy any such Boundary Marks as aforesaid shall for every such Offence forfeit and pay, in addition to the Value of such Boundary Mark or Marks as aforesaid, any Sum not exceeding Forty Shillings, to be recovered, paid, and levied according to the Provisions in this Act contained relative to Offences against this Act punishable upon summary Conviction.

Penalty for defacing or injuring, the Boundary Marks.

LXIV. And be it further enacted, That the Occupiers of Dwelling Houses and Buildings in the respective Wards within the Town and Borough of *Belfast*, and the said Precincts thereof, who shall, for Twelve Calendar Months previous to any Election of Commissioners as herein-after provided, have been rated and assessed for Water, under the Provisions of this Act or any of the Acts hereby repealed, at the annual Rate or Sum of Fifteen Shillings Sterling and upwards, provided the Water Rate assessed upon such Dwelling Houses and Buildings shall have been paid and discharged before the Day of such Election, shall and may from Time to Time elect, nominate, and appoint, as herein-after mentioned, One or more Person or Persons, qualified as herein-after mentioned, to be a Commissioner or Commissioners for such respective Wards for carrying the Purposes of this Act into execution : Provided always, that when any Rate-payer shall have been assessed to the Amount of Fifteen Shillings annual Rates from any Dwelling House or Building situated in different Wards, such Rate-payers shall belong to the Ward in which he shall be assessed for the greatest Amount of Rate, but in case

Qualification of Electors.

case such Rates shall be equal he shall signify in Writing to the Commissioners the Ward in which he prefers to vote for the Election of Commissioners under this Act, and if he shall neglect or refuse so to do within One Week from the Completion of the Applotment the said Commissioners shall assign and signify to him one of the Wards in which his Property is situated as aforesaid, and he shall be permitted to vote in one such Ward so selected by him or assigned to him, and in no other.

A Portion of the Commissioners to retire at the first General Meeting.

LXV. And be it further enacted, That *James Thomson Tennent* and *James Blair*, the Commissioners hereby appointed to be the first Commissioners for *Saint George's Ward*, shall go out of Office on the Fourth *Tuesday* after the passing of this Act; and that *Matthew Black* and *Clotworthy Dobbin*, the Commissioners hereby appointed to be the first Commissioners for *Saint Anne's Ward*, shall go out of Office on the Second *Tuesday* in the Month of *March* One thousand eight hundred and forty-one; that *John Lindsay* and *Charles Thomson*, the Commissioners hereby appointed to be the first Commissioners for *Cromac Ward*, shall in like Manner go out of Office on the Second *Tuesday* in the Month of *March* One thousand eight hundred and forty-two; that *John Kane* and *Hugh Halliday*, the Commissioners hereby appointed to be the first Commissioners for the *Dock Ward*, shall in like Manner go out of Office on the Second *Tuesday* in the Month of *March* One thousand eight hundred and forty-three; that *James Hunter* and *John Stevelly*, the Commissioners hereby appointed to be the first Commissioners for *Smithfield Ward*, shall in like Manner go out of Office on the Second *Tuesday* in the Month of *March* One thousand eight hundred and forty-four; and that on the Second *Tuesday* in every Month of *March* in every subsequent Year such Two of the then Commissioners as shall have been longest in Office for any Ward, or the Person or Persons nominated or appointed as herein-after provided in the Room of such Commissioner or Commissioners who, had he or they continued to be such Commissioner or Commissioners, would have been longest in Office, shall go out of Office; and upon every such Vacancy as aforesaid the Rate-payers of the Ward in which such Vacancy shall take place, being qualified as aforesaid, shall, on the Day upon which such Vacancy shall take place, assemble, and proceed to elect by Ballot Two Persons, qualified as herein mentioned, to be Commissioners in the Stead of the Persons so going out of Office as aforesaid: Provided always, that if in consequence of any Delay in the Election of Commissioners or otherwise the Number of Commissioners for the Time being shall fall short of Ten, then and in every such Case the Commissioners actually in Office shall be competent to act in all respects as if the Number of the said Commissioners were complete: Provided also, that any Commissioner going out of Office as aforesaid shall and may be capable to be re-elected a Commissioner if otherwise duly qualified according to the Provisions of this Act,

Notice of Election of Commissioners.

LXVI. And be it further enacted, That the Clerk to the Commissioners for the Time being shall and he is hereby required to cause Notice of all such Elections to be given in One or more Newspaper or Newspapers circulated within the Town and Borough of *Belfast*,
and

and shall specify in such Notice the Name of the Commissioners going out of Office, and shall require therein the Rate-payers of the Ward for which such Commissioners shall have been elected, being qualified to vote in the Election of Commissioners, to assemble at such Place and at such Hour, not being later than Twelve o'Clock at Noon, as by the Commissioners shall be appointed; and such Notice shall be given on or before the Sixth Day before the Day of such Election; and if the said Clerk shall neglect to cause such Notice to be given as aforesaid he shall for any such Neglect forfeit and pay the Sum of Five Pounds, to be levied and applied in the same Manner as Penalties and Forfeitures by this Act are directed to be levied and applied: Provided always, that one of the continuing Commissioners, to be appointed by the Majority of the Commissioners, or in his Absence any Person being entitled to vote at such Meeting, and appointed by Writing under his Hand, shall preside at such Election, and in case the Number of Votes shall be equal such Person shall have the casting Vote; and the Commissioner or other Person so presiding shall, upon the Morning of the Day following the Election, make a Return under his Hand, in Writing, of the Person or Persons elected to be the said Commissioners, unless unable to do so from any unavoidable Circumstance to the Satisfaction of the Commissioners, who shall thereupon name a subsequent Day for such Return to be made; and the said Commissioners are hereby required to direct their Clerk or Collector to attend at such Election with the Rating Book, wherein shall be specified the Amount of the Rate or Rates which shall have been paid up to the Day of such Election, and the Entries therein contained shall be conclusive Evidence of the Right to vote of any Persons claiming to vote at such Election: Provided also, that if on any such Meeting no such Nomination and Appointment of such Commissioners shall be made, or in case no Meeting shall have been called as herein-before directed, then and in every such Case another Meeting of the said Rate-payers of the said Ward shall and may be called as aforesaid, within Ten Days thereafter, for the Purpose of making such Election.

In case of no Appointment another Meeting to be called.

LXVII. And be it enacted, That in case no Election shall take place according to the Provisions of this Act, by reason of the Non-appointment of a Commissioner to preside thereat, or of no Notice being duly given thereof, or for any other Cause whatever, it shall be lawful for Her Majesty's Court of Queen's Bench in *Dublin*, upon the Application of any Inhabitant of the Town and Borough of *Bel-fast*, to grant a Writ of Mandamus requiring the Rate-payers of the Ward for which such Election is to be made to proceed with and make such Election, at such Place and Time, and before such Person, being one of the said Commissioners or other Person entitled to vote at such Election, and upon such Notice, as the said Court shall direct and appoint; and the Commissioners to be chosen at such Election shall continue in Office for the same Time as if the Election had been duly made, and no longer.

In case Commissioners are not appointed on the Day mentioned, the Court of Queen's Bench may grant a Mandamus.

LXVIII. And be it enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold or enjoy any Office or Place of Profit under this Act

Qualification of Commissioners.

[*Local.*]

21 P

(except

(except the Office of Commissioner or Treasurer), nor whilst he shall be in anywise personally or beneficially interested in any Contract relating to the Execution of the Powers of this Act (except as a Creditor on the Rates or Assessments under this Act), nor unless he shall reside within the Limits of this Act, nor unless he shall be and shall have been, for One Year at least previous to his Election as such Commissioner, a Tenant or Occupier of a Dwelling House or Building situate in the said Town and Borough, and shall have been during the same Time rated in respect of such Premises at the annual Sum of Thirty Shillings at the least of Water Rate, nor until he shall have made and subscribed a Declaration in the Form of Words following (of which, and of the Date of making the same, an Entry or Minute shall be made in the Book of Proceedings of the Commissioners); (that is to say,)

Form of
Declaration.

‘ I do solemnly and sincerely declare, That I will
‘ faithfully, truly, and impartially, according to the best of my
‘ Skill and Judgment, execute and perform the Powers and Autho-
‘ rities reposed in me as a Commissioner by virtue of an Act passed
‘ in the Year of the Reign of Queen *Victoria*,
‘ intituled [*here insert the Title of this Act*], and that I am duly
‘ qualified as a Commissioner under the said Act.’

Provided always, that if any Dwelling House or Building rated at the annual Sum of Thirty Shillings or upwards shall be in the Occupation of Two or more Persons as Copartners, and such Rate shall be paid out of the Partnership Funds, any One of the Persons being a Partner in such Firm shall, if qualified in other respects, be capable of being elected and of acting as a Commissioner under this Act.

Commis-
sioner not to
act as a Jus-
tice under
this Act.

LXIX. And be it enacted, That it shall not be lawful for any Commissioner who shall be in the Commission of the Peace to act as a Justice of the Peace in the Execution of this Act during the Time he shall be such Commissioner.

Disqualifica-
tion of Com-
missioners.

LXX. And be it further enacted, That if any Commissioner to be elected by virtue of this Act shall cease to be an Inhabitant as aforesaid, or shall be declared bankrupt, or shall apply to take the Benefit of any Act for the Relief of Insolvent Debtors, or shall neglect, for the Space of Six Calendar Months in succession, to attend the Meetings of the said Commissioners, then and in every such Case such Person shall thereupon become disqualified and shall cease to be a Commissioner under this Act; but every Person so becoming disqualified and ceasing to be a Commissioner on account of his ceasing to be an Inhabitant as aforesaid may, on his returning to reside within the Limits of this Act, if otherwise qualified, be re-elected a Commissioner; and every Person becoming disqualified on account of his being declared a Bankrupt, or of his applying to take the Benefit of any Act for the Relief of Insolvent Debtors, shall, on obtaining his Certificate, or on Payment of his Debts in full, be capable, if otherwise qualified, of being re-elected a Commissioner; and every Person becoming disqualified on account of his having neglected to attend the Meetings of the Commissioners for Six Calendar Months

as aforesaid shall be capable of being re-elected a Commissioner, provided he shall then be otherwise qualified.

LXXI. And be it enacted, That if any Person, not being qualified as aforesaid, and not having made and subscribed such Declaration as aforesaid, or being or becoming in any Manner disqualified as aforesaid, shall act as a Commissioner in the Execution of this Act, every such Person shall, for every Occasion on which he shall so act, forfeit and pay the Sum of Five Pounds: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, shall be valid and effectual as if such Person had been duly qualified as aforesaid.

Penalty on disqualified Persons acting as Commissioners.

LXXII. And be it further enacted, That if any Commissioner by this Act appointed or to be appointed shall die, resign, or decline or be or become incapable to act, or shall cease to be qualified in manner aforesaid, or shall otherwise vacate his Office, then and in any of the said Cases the Ward represented by such Commissioner shall, so far as regards such Commissioner, be declared by the said Commissioners to be vacant, and the Persons qualified to vote as aforesaid in the said Ward shall within One Month thereafter proceed to fill up such Vacancy.

For supplying occasional Vacancies in the Number of Commissioners.

LXXIII. And be it further enacted, That an Election shall be held for supplying such Vacancy on the Second *Tuesday* after the Vacancy shall have been declared by the said Commissioners to have taken place, and such Election shall be had and made with the like Notice, and in the same Manner, and subject to the same Provisions in all respects, as is herein provided in the Case of any other Election of Commissioners: Provided always, that no Person so elected in the Room of any Commissioner so dying, or vacating his Office, or being disqualified as aforesaid, shall continue in Office for any longer Period than such Commissioner so dying, being disqualified, or vacating his Office could have done in case such Commissioner had not so died, become disqualified, or vacated his said Office as aforesaid.

Mode of Election in Cases of casual Vacancies.

LXXIV. And be it enacted, That the Commissioners shall hold their First Meeting for the Execution of this Act at the Commissioners Room in the said Town of *Belfast*, within One Calendar Month next after the passing of this Act, between the Hours of Ten in the Forenoon and Four in the Afternoon, or on such other Day and Time as the Commissioners or any Five or more of them, although not assembled at a Meeting, shall think fit to appoint, by Notice in Writing to be given to the other Commissioners by leaving the same at their usual Place of Abode Twenty-four Hours before the Day of Meeting; and after such First Meeting the Commissioners shall and they are hereby required to meet once in every successive Calendar Month, or oftener, in case they shall think fit; and the said Commissioners, or any Three or more of them, or the Clerk to the said Commissioners, may adjourn such Meetings from Time to Time as may be found expedient, but no Adjournment shall at any Time or under any Circumstances be made for any longer Time than Two Weeks; and the said Commissioners who shall attend any such Meetings upon the Hour appointed for that Purpose, or within One Quarter of an

First and other Meetings.

an Hour after the Time specified in such Notice, and shall remain until such Meeting is duly dissolved by the Chairman presiding thereat, shall be entitled to receive, out of the Monies collected under this Act, any Sum not exceeding Ten Shillings for every Attendance ; provided always, that the total Sum so to be paid any Commissioner in any One Year shall not exceed the Sum of Sixteen Pounds.

Provision
for calling
Special Meet-
ings.

LXXV. And be it further enacted, That if it shall at any Time be thought necessary to hold a Meeting in the Interval between the Days appointed for holding Meetings, or previous to the Day to which the said Commissioners may have adjourned, then and in every such Case it shall be lawful for the Commissioners or any Three or more of them, or for their Clerk at the Request in Writing of any Three or more of the Commissioners, and they or he are and is hereby required, to call a Special Meeting, of which Twenty-four Hours previous Notice at the least shall be given to the said Commissioners by Notice left at their last or usual Place of Abode as aforesaid, stating the Business proposed or intended to be done at such Special Meeting: Provided always, that no other Business shall be transacted at any such Special Meeting as aforesaid than what shall have been specified in such Notice as being the Purpose for which such Meeting shall be called.

Proceedings
by Five or
more Com-
missioners to
be as valid
as if all the
Commis-
sioners had
acted ;

except
where di-
rected other-
wise.

Chairman to
have casting
Vote.

LXXVI. And be it further enacted, That the Powers and Authorities by this Act given to, and all the Provisions, Matters, or Things by this Act directed and authorized to be done, performed, or executed by or with relation to or before the Commissioners for executing the same, shall and may be done, performed, and executed by, with relation to, or before any Five or more of the Commissioners assembled at any Meeting to be held in pursuance of this Act, and the same shall be of as full Force and Effect as if performed, executed, or done by all the Commissioners (except only in such Cases in which any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be done, performed, or executed by any other Number of Commissioners or in any other Manner); and all Acts, Orders, Proceedings, and Determinations of the Commissioners acting in the Execution of this Act, made or done at any such Meeting consisting of Five or more Commissioners, wherein the major Part of the Commissioners present at such Meeting shall concur, shall be as valid and effectual as if all the Commissioners present at such Meeting had concurred therein ; and at all such Meetings some One of the Commissioners shall be appointed Chairman by the Majority of the Commissioners then present, and in case there shall be an Equality of Votes in the Election of such Chairman then the Person first entering the Room shall have a casting Vote ; and in all Cases where there shall be upon any Question an Equality of Votes, including the Vote of the Chairman, such Chairman shall have an additional or casting Vote.

No Order to
be revoked
or altered,
except after
special No-
tice.

LXXVII. And be it enacted, That no Order, Appointment, or Proceeding whatever made at any Meeting of the Commissioners holden in pursuance of this Act shall be revoked or altered at any subsequent Meeting, unless at a Meeting holden for that express Purpose,

Purpose, nor unless Notice specifying the Revocation or Alteration proposed or intended to be made, signed by Three or more of the Commissioners, shall be given at least Twenty-four Hours before such subsequent Meeting, nor unless a Majority of the Commissioners present at such subsequent Meeting shall decide in favour of such Revocation or Alteration, nor unless Two Thirds at least in Number of the Commissioners shall be present at such subsequent Meeting.

LXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to nominate and appoint out of their own Body One or more Committee or Committees, with such Powers and Authorities as the said Commissioners shall think proper to delegate or intrust to them, and all Matters and Things which the said Commissioners shall in Writing order and direct to be done by such Committee or Committees shall and may, by virtue of such Orders, be done by such Committee or Committees as fully and effectually as if the same had been done by the said Commissioners; and it shall be lawful for the said Commissioners to break up and dissolve any such Committee, and to remove or displace any of the Members thereof, and to appoint others in their Place and Stead, or to appoint from Time to Time One or more other Committee or Committees in manner aforesaid, with such and the like or any other Powers or Authorities, when and so often as the said Commissioners shall think expedient.

Commissioners may appoint Committees.

LXXIX. And be it enacted, That if any Person who shall be appointed or elected a Commissioner under this Act, not being incapacitated as aforesaid, shall refuse or neglect to undertake such Office, or, after undertaking the same, shall refuse or neglect to execute the Duties thereof, unless excused by the said Commissioners, every such Person shall for such Neglect or Refusal forfeit and pay to the said Commissioners the Sum of Ten Pounds: Provided always, that no Person shall be obliged to act as a Commissioner oftener than once every Ten Years, if such Person shall decline such Appointment or Election within the Time and in the Manner herein-after mentioned and directed, nor shall any Person be subject or liable to the before-mentioned Penalty for refusing to undertake or to execute the Office of Commissioner, who shall at the Time of such Refusal hold any Contract or enjoy any Place of Profit under this Act, or be in any Manner interested, directly or indirectly, in supplying any Articles or Materials for the Use of the said Works, or shall assign to the said Commissioners a reasonable and sufficient Excuse to the Satisfaction of the said Commissioners.

Penalty or Persons appointed Commissioners neglecting to attend.

LXXX. And be it further enacted, That every Person who shall be appointed a Commissioner under this Act shall be informed of such Appointment by Notice signed by the Clerk to the said Commissioners, such Notice to be left, within Three Days after such Appointment, at the Place of Business or Residence of every Person so appointed; and if any Person shall be appointed a Commissioner who shall, under the Provisions of this Act, claim to be exempted from acting as a Commissioner, such Person, in order to entitle him to such

Appointment to be notified.

[Local.]

21 Q

Exemption,

Exemption, shall, unless in case of Illness or Absence, within Three Days after Notice shall have been left at his usual Place of Business or Residence, signify his Intention of declining to act as a Commissioner, by Notice in Writing left at the Office of the said Commissioners.

Clerk not to
be Treasurer,
and vice
versâ.

LXXXI. Provided also, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Clerk or Person in the Employ of such Treasurer or of his Partner, to be the Clerk of the said Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or any Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of such Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of the Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Dublin*, by Action of Debt or on the Case.

Officers to be
appointed.

LXXXII. And be it further enacted, That it shall be lawful for the said Commissioners to nominate and appoint a Treasurer, Applotters, Engineer, Clerk, Collector, and such other Officers as to them the said Commissioners shall seem proper, and from Time to Time to remove any such Treasurer, Applotter, Engineer, Clerk, Collector, or other Officer, or any of them, and to nominate and appoint another Person in his Room or Stead, in manner aforesaid, taking such Security from every such Treasurer, Applotter, Engineer, Clerk, Collector, or other Officer for the due Execution of their respective Offices, and granting them such Salary or Compensation as the said Commissioners shall think proper (except as herein-after is provided for the said Applotters); and such Clerk shall, in a proper Book or Books to be provided by the said Commissioners for that Purpose, enter and keep a true and perfect Account of all Acts, Proceedings, and Transactions of the said Commissioners.

Appointing
Officers in
case of Sus-
pension,
Removal, or
Vacancy.

LXXXIII. And be it further enacted, That it shall be lawful for the said Commissioners to suspend or remove any Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or other Person so appointed by them, for any Neglect, Misconduct, or Inability, or for any other Cause they shall deem reasonable, and to appoint some other Person
in

in their respective Places, and also to fill up the Vacancies that may occur by Death, Resignation, or otherwise.

LXXXIV. And be it further enacted, That every such Treasurer, Officers to
 Applotter, Engineer, Clerk, Collector, and all other Officers and account.
 Persons so to be appointed as aforesaid, shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person as they shall respectively appoint, true and perfect Applotments and Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Clerk, Collector, or Officer and Person respectively received by virtue and for the Purposes of this Act, and how much thereof has been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners or to such Person as they respectively shall appoint; and if any such Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, all Applotments, Books, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, or shall refuse or neglect to pay any such Monies as upon the Balance of any Account shall appear to be in their respective Hands to the said Commissioners, or as they shall direct or appoint, then and in either of the Cases aforesaid the said Commissioners may and they are hereby authorized and empowered to bring or cause to be brought any Action against the Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person so neglecting or refusing as aforesaid, for the Recovery of the Monies, Books of Account or Applotment, and all other Books, Papers, and Writings, of what Nature or Kind soever, that shall be in the Hands of such Treasurer, Engineer, Clerk, Collector, Officer, or Person respectively; or if Complaint shall be made by the said Commissioners, or by such Person as they shall respectively appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice of the County, City, or Place wherein the said Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person so neglecting or refusing shall have resided or shall be and reside, such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person so neglecting or refusing to be brought before him, and upon his appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, it shall appear to such Justice that any of the Monies, Books of Account or Applotment, and any other Books, Papers, and Writings, of what Nature or Kind soever, which shall have been applotted, collected, raised, intrusted to, or possessed by virtue of this Act, shall be in the Hands of such Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person, such Justice
 may

may and is hereby authorized, upon Nonpayment of such Monies, by a Warrant under his Hand and Seal, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Clerk, Collector, Officer, or Person respectively; and if no Goods or Chattels of such Treasurer, Engineer, Clerk, Collector, Officer, or Person can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same, or if such Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person shall persist in refusing or neglecting to deliver up all such Books, Applotments, Papers, and Writings as aforesaid in his Custody or Power to the said Commissioners, or to such Person as they respectively shall appoint, then and in any or either of the Cases aforesaid such Justice may commit every such Offender to the Common Gaol of such County, City, or Place, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners and shall have paid such Composition in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Applotments, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof, to the said Commissioners; but no Treasurer, Applotter, Engineer, Clerk, Collector, Officer, or Person so committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space than Three Calendar Months.

Powers and
Duties of the
Commis-
sioners.

LXXXV. And be it further enacted, That the said Commissioners shall and may and they are hereby required to fix the Rate or Rates to be annually paid or payable by the said Dwelling Houses and Buildings, not however to exceed the Limit herein-after mentioned, and which Rate or Rates, together with any other Monies to be received under or by virtue of this Act or otherwise, shall be sufficient to raise a Sum adequate to the Payment of the Costs, Charges, and Expences herein-before mentioned or referred to and directed to be paid, and of the said annual Sum of Eight hundred Pounds, and the Rents, Rates, Assessments, or Duties herein-before mentioned, and of all Monies expended in maintaining, improving, and keeping the said Works in repair, and in Payment of the Salaries to the different Officers and Servants employed by the said Commissioners, and for paying the Interest accruing upon the several Principal Sums of Money borrowed under the Powers of this Act, and Money expended in the Construction of such other or additional Works as may be considered necessary, and in the soliciting or obtaining of any future Act or Acts of Parliament necessary for that Purpose, and for creating a Sinking Fund of not less than One *per Centum per Annum* on the Principal Sum to be borrowed and due and owing on the Credit of this Act; and the said Commissioners shall have full Power and Authority to direct and manage the Affairs of the said Waterworks, and shall, by themselves or their Clerk, keep a full and true Account of all Money disbursed and Payments made by the said Commissioners, and by all Persons employed by or under them, and of all Sums of Money which they shall receive, in behalf or in respect of the said Undertaking, from any Collector or other Officer, or from any other Persons whomsoever employed in or having any

any Concerns, Dealings, or Transactions with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly, by themselves or their Clerks as aforesaid, write, insert, and enter in a Book to be from Time to Time provided by the said Commissioners, Minutes or Copies, as the Case shall require, of every such Contract, Bargain, Receipt, and Disbursement, and of all other their Orders and Proceedings, which Book shall be deposited with and kept locked up under the Care and Direction of the said Commissioners, and shall also pay and reimburse out of all Monies in their Hands all Costs, Expences, and other Charges to which they now are or hereafter may be subject or liable by virtue of acting as such Commissioners.

LXXXVI. And be it further enacted, That the said Rate-payers qualified to elect Commissioners as aforesaid shall assemble at a General Meeting to be held in the Town Hall of the said Town on the Second *Tuesday* in the Month of *May* in every Third Year after the passing of this Act, between the Hours of Ten in the Morning and Two in the Afternoon, or at such Place as the said Commissioners shall from Time to Time direct and appoint, and at each of which said Meetings the said Commissioners shall submit the general Statement of Accounts for the previous Three Years, duly audited by the Auditors appointed as herein-after mentioned, with any Report the said Auditors may make thereon: Provided always, that Six Days previous Notice of every such Meeting shall be given by public Advertisement to be inserted in Two Newspapers usually circulating in the said Town of *Belfast*, or in such other Manner as the said Commissioners shall direct; and provided also, that a simple Majority of the Persons present at all Meetings, whether of Commissioners or Rate-payers, mentioned in this Act, and qualified to vote thereat, shall be deemed, construed, and taken to be of equal Force and Effect as if it were a Majority of all those who were entitled to vote thereat in case they had all attended at such Meeting: Provided also, that the said Commissioners shall, Six Days at least prior to such Meeting, cause a correct and true Abstract of the said Account to be in like Manner published in such Newspapers.

General Meetings.

Notice of Meetings.

LXXXVII. And be it further enacted, That the said Commissioners shall nominate Three Persons, being qualified Rate-payers of Twenty Shillings and upwards, to audit and examine the Accounts of the said Commissioners for Three Years, and that thereafter the Rate-payers so qualified as aforesaid shall, at their First General Meeting after the passing of this Act, or any Adjournment of the same, nominate Three other Persons, or continue all or any of the Members so chosen, being qualified Rate-payers of Twenty Shillings and upwards, to audit and examine the Accounts of the said Commissioners for the Three Years ensuing the Date of the said Appointment, and shall, on the Second *Tuesday* in the Month of *May* in every Third Year thereafter, appoint Three other Members in their Room, or continue all or any of the Members before chosen, to be Auditors for the Three Years then ensuing, to investigate into and report on the said Accounts; and such Auditors shall have full Power and Authority, from Time to Time, during their Continuance in Office, to call for the Production of all Books, Vouchers, and Documents, and that the

Auditors to be appointed.

ssid Commissioners shall, as soon as may be after the Thirtieth Day of *April* in every Year, furnish to the said Auditors the several Accounts herein-before directed, which Accounts shall be made out in such Form and Manner as the said Commissioners or Rate-payers so qualified as aforesaid may from Time to Time direct; and the said Auditors, after having examined such Accounts, shall make a Report thereon, and the same, together with the said Accounts, shall be submitted to the Rate-payers at their next subsequent Meeting.

Treasurer
not to issue
Money with-
out an Order
duly signed.

LXXXVIII. And be it further enacted, That no Sum of Money shall be issued by the Treasurer or other Officer to be appointed by the said Commissioners on account of the said Commissioners, without an Order in Writing made at a General Meeting or Special General Meeting of the said Commissioners, and signed by the Chairman of such Meeting for the Time being; and the Receipts of such Treasurer for all Monies payable to the said Commissioners shall be effectual Discharges for the same.

Orders and
Proceedings
to be entered
in a Book.

LXXXIX. And be it further enacted, That the Orders and Proceedings of every such Meeting of the said Rate-payers so qualified as aforesaid, and of the said Commissioners, shall be entered in a Book to be provided and kept for that Purpose, and shall be signed by the Chairman of each respective Meeting; and such Orders and Proceedings, when so entered and signed, together with the Book of Valuation or Applotment, to be signed as herein-after mentioned, shall be deemed and taken to be original Orders and Valuations or Applotments, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others.

Occupiers of
Dwelling
Houses with-
in the Limits
of the Act to
be rated for
Water.

XC. And be it further enacted, That from and after the passing of this Act every Occupier of every Dwelling House within the Limits of this Act (save and except that Part thereof in the District of *Ballymacarrett* in the County of *Down*) so situated that it may receive the Benefit of such Water, and opposite to which, or in the Street in which such Dwelling House is situate, a Service Pipe shall have been laid, shall pay to the said Commissioners and their Successors, or to the Person or Persons authorized to receive the same, such Sum or Sums of Money as shall from Time to Time be applotted by the said Commissioners, to be paid or payable by the Occupier of such Dwelling House as herein-after is mentioned, in proportion to the annual Value of such Dwelling House, to be ascertained as herein-after is mentioned: Provided nevertheless, that it shall be lawful for the said Commissioners to exempt from rating or reduce the Rate or Rates of the Occupiers of any Dwelling House being rated for Water under this Act, who shall prove to their Satisfaction that such Dwelling House had, prior to the passing of this Act, obtained a sufficient Supply for the Use of such Dwelling House by Pipes from Wells or Shafts.

Exemption.

Occupiers of
Buildings not
being Dwelling
Houses
to pay Rates

XCI. And be it further enacted, That the Occupiers of any Building not being a Dwelling House shall pay to the said Commissioners, or to the Person by them authorized to receive the same, such Sum or Sums of Money as shall from Time to Time be applotted by
Order

Order of the said Commissioners to be paid or payable in respect of such Building as herein-after is mentioned, in proportion to the annual Value of such Building, to be ascertained as herein-after mentioned; provided there shall be constructed in the Street in which such Building is situate Plugs or Pipes to be supplied with Water for the Extinguishment of Fires, such Plugs or Pipes to be placed at such Distances and in such Manner as the said Commissioners may from Time to Time direct.

according to
the annual
Value.

XCII. And be it further enacted, That if the said Commissioners shall not recover the Sum of Money or any Part thereof so apportioned as aforesaid from the Occupier of any Dwelling House or Building, without any Default on the Part of the said Commissioners, then and in such Case it shall be lawful for the said Commissioners, by Action of Debt or on the Case, to be commenced at any Time within the Space of Nine Calendar Months from the First Day of *February* in each Year, to recover such Sum of Money from the Owner of such Dwelling House or Building: Provided nevertheless, that in no Event shall such Owner be liable to pay more than One Year's Arrear of such Rate.

Owners lia-
ble in certain
Events.

XCIII. And be it further enacted, That no Dwelling House or Building beyond the general Boundary of the Town and Borough of *Belfast*, as set forth in Schedule (B.) to this Act annexed, though within the Precincts set forth in the same Schedule, shall, unless the same be situate in a Street containing at least Twelve Houses, or shall be actually supplied with Water from the Works of the said Commissioners at the Request of the Occupier thereof, be assessed to the Water Rate under this Act.

As to the
rating of
Dwelling
Houses be-
yond the
Boundary of
the Borough.

XCIV. And be it further enacted, That when and so often as any such Dwelling House or Building so rated as aforesaid shall not belong to any Ward, it shall be lawful for the said Commissioners and they are hereby required to declare the same annexed to such Ward as may be most convenient and to them may seem meet, by entering the same in their Books among the Houses belonging to such Ward; and such Dwelling House or Building, after such Entry, and Notice given to the Occupier thereof (such Notice to be conclusive Evidence of such Entry), shall be and become, for all the Purposes of this Act, Part of the Ward to which it shall be so annexed as aforesaid.

Commis-
sioners to
declare to
what Ward
rated Build-
ings shall
belong.

XCV. And be it further enacted, That the annual Sums to be paid to the said Commissioners in respect of every Dwelling House within the Limits of this Act shall not in any Case exceed the Rates and Sums following; that is to say, if such Dwelling House is of the annual Value of Five Pounds and not amounting to Ten Pounds, Eight-pence in the Pound; if of the annual Value of Ten Pounds and not amounting to Twenty Pounds, One Shilling in the Pound; if of the annual Value of Twenty Pounds or upwards, One Shilling and Four-pence in the Pound; and for all Buildings not being Dwelling Houses, any Sum not exceeding Two pence in the Pound: Provided always, that no Person who shall be the Owner or Occupier of any Dwelling,

Limiting
Rates for
Water.

ing House within the Limits of this Act under the yearly Value of Five Pounds shall be charged with or liable to pay any Rate or Rates for Water on account of such House, unless any Person inhabiting a House not liable to be assessed as aforesaid shall be desirous to have or shall receive a Supply of Water, in which Case such Person shall be obliged to pay for the same at the same Rate as if it were a House of the annual Value of Five Pounds though not rated at that Value; and provided also, that no Building, not being a Dwelling House so rated as aforesaid, shall be entitled to any Supply of Water unless by special Agreement as herein-after mentioned: Provided nevertheless, that the immediate Owner of any Dwelling House or Building, the Occupier of which shall be rated for Water Tax as aforesaid at or under the annual Rent of Seven Pounds, shall in all Cases pay the Water Tax chargeable thereon.

Supply to be extended to Ballymacarrett on Request of Parish Rate-payers, and with Consent of Commissioners.

XCVI. Provided always, and be it further enacted, That if at any Time hereafter the Parish Rate-payers of the Parish or Townland of *Ballymacarrett* in Vestry assembled shall be desirous of having the said Parish or Townland of *Ballymacarrett* supplied with Water under the Provisions of this Act, and shall signify the same, under the Hand of the Chairman of such Vestry Meeting, to the said Commissioners, and the said Commissioners, at any General or Special Meeting to be held in pursuance of this Act, shall approve thereof, then all the Powers and Authorities by this Act granted shall thenceforth have relation to the said Parish or Townland of *Ballymacarrett* herein-before mentioned, as fully and effectually as if the said District had not been excepted as aforesaid: Provided also, that Two Weeks previous Notice at the least of the intended Meeting of such Vestry shall be given in One Newspaper usually circulated in the said Town of *Belfast*, and a Copy of such Notice affixed for Two successive *Sundays* on the outer Door of the Church of *Ballymacarrett* aforesaid.

Inhabitants may lay Pipes to those of the Commissioners.

XCVII. And be it further enacted, That any Owner or Occupier of any Dwelling House within the Limits of this Act, situate in any Street in which Service Pipes shall have been laid, who shall be desirous of having Water from the said Waterworks conveyed into their Houses, may and are hereby authorized and empowered, at their own Expence, having given Six Days previous Notice of their Intention so to do to the said Commissioners, and having first obtained the Consent of the Owners of the Premises through which Pipes shall be conveyed, to open the Ground between the Service Pipes of the said Commissioners and the respective Houses of such Owners or Occupiers, and to lay any Leaden or other Pipes of the Bore of Three Quarters of an Inch or of a greater Bore, and to be laid in such Manner as the said Commissioners shall require the same, from such respective Houses, to communicate with the said Service Pipes, such respective Owners or Occupiers paying to the said Commissioners the Rates herein mentioned; and in case of Default of Payment of such Rates it shall be lawful for the said Commissioners to cause the Pipes belonging to any Owner or Occupier making such Default, and communicating with the Service Pipes belonging to the said Commissioners, to be separated from the said Service Pipes, and

to

to cause the Water to be stopped from issuing or running into the Houses or Premises of every Owner or Occupier making such Default: Provided always, that no such Owner or Occupier shall lay or put any Pipe to communicate with the Service Pipes of the said Commissioners, except under the Superintendence and Control of some Surveyor or other Officer or Person to be appointed by the said Commissioners for the Purpose, unless no Surveyor, Officer, or Person shall attend after Notice served on the said Commissioners at least Six Days previously to such Notice, specifying the particular Day and Hour when such Pipe is intended to be laid or put or made to communicate as aforesaid with the Pipes of the said Commissioners: Provided also, that all Owners or Occupiers who shall have laid any Leaden or other Service Pipe as aforesaid shall be at liberty to remove and take away such Pipes, and the Cocks belonging thereto, under the Superintendence of some Surveyor, Officer, or Person appointed by the said Commissioners, giving at least Six Days previous Notice in Writing to the said Commissioners of their Intention so to do, and of the Time of the doing thereof, in like Manner as is herein-before required for laying the same, unless such Surveyor, Officer, or Person shall not attend accordingly, and doing no Injury or Damage to the Pipes or wasting the Water of the said Commissioners; and all such Owners or Occupiers so breaking up or removing the Soil or Pavement in any of the Cases aforesaid shall forthwith make good the same, on pain of forfeiting for every Day's Neglect the Sum of Forty Shillings; and every such Owner or Occupier neglecting to make good the same shall also be liable to pay and shall pay any Expences which may be occurred by the said Commissioners or any other Person in making good the same, in addition to such daily Penalty, which said Expences and daily Penalty may be recovered in like Manner as other Penalties are provided for by this Act.

XCVIII. And be it further enacted, That in case the Owners or Occupiers of any Dwelling House in any Street within the Limits of this Act not supplied with Water shall be desirous to have Service Pipes laid in the Street where such Dwelling House is situate, and, upon giving Three Months Notice thereof to the said Commissioners, together with a solvent Guarantee that the Water Rents arising from the Houses opposite to which such Service Pipe shall be placed, shall produce a Sum at least equivalent to Interest on the Money to be expended, at and after the Rate of Three Pounds *per Centum per Annum*, then and in every such Case the said Commissioners are hereby required, within the Period aforesaid, to have such Service Pipes laid and Water supplied thereto, or in default thereof the said Commissioners shall forfeit and pay to the Owner or Occupier of any such Dwelling House the Penalty of Twenty Pounds Sterling, to be recovered as other Penalties are provided for by this Act.

XCIX. And be it further enacted, That in case the said Commissioners shall wilfully neglect or refuse to supply in manner aforesaid any Owner or Occupier occupying any private Dwelling House or Part of a Dwelling House within the Limits of this Act, where such Service Pipes as aforesaid shall be laid, with Water, for the Use of his

[*Local.*]

21 S

own

Penalty for not laying Service Pipes when required by Owners and Occupiers of Dwelling Houses.

Penalty for not supplying Water at Rates specified.

own Family, at the Rates aforesaid, for the Space of Ten Days after Demand in Writing shall have been made by such Owner or Occupier to the Clerk or Surveyor to the said Commissioners for such Supply of Water, and Tender made to such Clerk or Surveyor of the Amount of the Rate for Half a Year for such Supply, the said Commissioners shall forfeit and pay to such Owner or Occupier Treble the Amount of the Rate so tendered, and also the Sum of Twenty Shillings for every Day during which they shall refuse or neglect to supply such Water as aforesaid: Provided always, nevertheless, that the said Commissioners shall not be at any Time obliged to grant any greater Supply of Water to the Persons or Parties making such Demand and Tender than can be afforded without lessening the Supply to the other Persons entitled thereto.

Power to
contract with
Maltsters,
Brewers, &c.

C. And be it further enacted, That it shall be lawful for the said Commissioners, or such Person as they shall appoint for that Purpose, to ask, demand, receive, and take, of and from every Maltster, Common Brewer, Distiller, Baker, Tallow Chandler, Spirit Merchant, Dyer, Tanner, Hatter, Woolcomber, Feltmonger, Carpet Manufacturer, Fishmonger, Gardener, Bacon Factor, Chemist, Keeper of Baths, and every other Person, or any Company, Corporation, or public Body, who shall take or use, or cause to be taken or used, any of the aforesaid Water in his, her, or their Trade or Business, or for the Supply of Shipping or Steam Engines, or for any other Purpose for which they may require the same, or for washing, cleansing, or preparing any Article, Matter, or Thing used in and about such Trade or Business, over and besides the aforesaid annual Rates or Assessments hereby granted, such further annual Sum of Money or Rent, to be paid yearly or otherwise, as every such respective Maltster, Brewer, Distiller, Rectifying Distiller, Baker, Tallow Chandler, Spirit Merchant, Dyer, Tanner, Hatter, Woolcomber, Feltmonger, Carpet Manufacturer, Fishmonger, Gardener, Bacon Factor, Chemist, Keeper of Baths, or other Person, Company, or Corporation, or public Body, or any Person or Persons requiring a Supply of Water for Shipping or Steam Engines, or for any of the Purposes aforesaid, and the said Commissioners, shall from Time to Time agree upon; and until such Agreement shall have been made it shall not be lawful for any Maltster, Common Brewer, Distiller, Rectifying Distiller, Baker, Tallow Chandler, Spirit Merchant, Dyer, Tanner, Hatter, Woolcomber, Feltmonger, Carpet Manufacturer, Fishmonger, Gardener, Bacon Factor, Chemist, Keeper of Baths, or other Person, Company, Corporation, or public Body aforesaid, to take or use, or cause or procure to be taken or used, any of the aforesaid Water in his or their Trade or Business, or in the Trade or Business of any other Person, Company, or Corporation whomsoever, or for any of the Purposes thereof, or for the Supply of Shipping or Steam Engines, or for washing or cleansing any Article, Matter, or Thing used in and about the same, or for any other Purpose, any thing in this Act contained to the contrary notwithstanding: Provided nevertheless, that no Water shall be used or applied to Water-wheels outside the Limits of this Act, except as regards the Water to be collected in the Compensation Reservoir; and should Messieurs *Grimshaw*, or any other Person who may become the

the Proprietors of any Works on the Line of the *Carnmoney* River, decline to give a fair Value for the same, the Value thereof is to be ascertained by a Jury as in other Cases authorized by this Act, and should they decline to accept thereof at such Valuation, then it shall and may be lawful for the said Marquis of *Donegal*, his Heirs or Assigns, to accept of the said Waters at such Value, and should he or they decline to accept of such Waters at such Value, then the said Commissioners are hereby authorized to dispose of the same in such Manner as they may consider best.

CI. And be it further enacted, That if any Maltster, Common Brewer, Distiller, Rectifying Distiller, Baker, Tallow Chandler, Spirit Merchant, Dyer, Tanner, Hatter, Woolcomber, Feltmonger, Carpet Manufacturer, Fishmonger, Gardener, Bacon Factor, Chemist, Keeper of Baths, or other Person, Corporation, or public Body aforesaid, who shall not have agreed with the said Commissioners as aforesaid, shall take or carry away, or cause or procure to be taken or carried away, any of the said Water, for the Use or Purposes of his or their Trade or Business, or the Trade or Business of any other Person or Corporation, or for any of the Purposes thereof, or for the Supply of Shipping or Steam Engines, or for washing or cleansing any Article, Matter, or Thing used in and about the same, every such Person or Corporation so offending shall for every such Offence forfeit and pay to the said Commissioners any Sum not exceeding Ten Pounds.

Penalty on
Malsters, &c.
using Water
without such
Agreement.

CII. And be it further enacted, That every Master, Commander, or other Person having the Care or Charge of any Ship or Vessel belonging to or resorting to the Port and Harbour of *Belfast*, who shall be desirous of having Water for his Ship or Vessel from the said Commissioners, may from Time to Time be supplied therewith, paying for such Supply of Water to the said Commissioners, or to such Person as the said Commissioners shall appoint to receive the same, any Sum not exceeding One Shilling and Sixpence for each and every Ton of Water, and not less than One Shilling for any fractional Part of a Ton of Water, with which he shall be supplied as aforesaid, which said Payment shall be made by every such Master, Commander, or other Person as aforesaid, to the said Treasurer for the Time being, or to the Person so to be appointed as aforesaid, before the Delivery of the said Water; and all Sums of Money for any such Water may be recovered, in a summary Way, before any of Her Majesty's Justices of the Peace for the said Counties of *Antrim* or *Down*, as the Case may be, and levied, by Warrant under the Hand and Seal of the said Justice, by Distress and Sale of the Goods and Chattels of the Master, Commander, or other Person neglecting or refusing to pay the same, together with the Costs attending such Distress and Sale; or otherwise, if the Case shall so require, be sued for and recovered, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Dublin*, with full Costs of Suit: Provided always, that if any such Master or Commander or other Person as aforesaid shall refuse to pay such Sum as aforesaid for each and every Ton of Water, and so in proportion for any greater or less Quantity than a Ton of Water, which shall be required by him for

Masters of
Ships how to
pay,

for any Ship or Vessel, before the taking or being permitted to take such Water, then and in every such Case it shall be lawful for the said Commissioners, or any Person acting under them, to refuse to supply the said Master, Commander, or other Person as aforesaid with Water, or to permit him to take such Water.

Penalty on
Masters of
Ships taking
Water with-
out paying,

CIII. And be it further enacted, That if after such Refusal any such Master, Commander, or other Person aforesaid shall secretly, forcibly, or violently take, or cause or procure to be secretly, forcibly, or violently taken, any such Water, or be aiding or assisting therein, contrary to this Act, or shall take or cause to be taken any Water for any Ship or Vessel from any Conduit or other public Waterwork belonging to or which shall hereafter belong to the said Commissioners, or shall be aiding or assisting therein or thereunto, every such Master, Commander, or other Person shall for every such Offence forfeit and pay to the said Commissioners any Sum not exceeding Five Pounds, to be recovered in the same Manner as the Monies for the watering or supplying Ships or Vessels with Water as aforesaid are recoverable.

Mode of
Payment for
extraordinary
Supply of
Water to
Inhabitants.

CIV. And be it further enacted, That it may be lawful for the said Commissioners to agree to allow to any Inhabitant residing within the Limits of this Act an extraordinary Supply of Water, if the said Commissioners can afford the required Supply; and if the said Commissioners and the Person requiring the said extraordinary Supply of Water cannot agree as to the Sum which should be paid by such Person for the same, it shall and may be lawful to and for the said Commissioners and such Person respectively to leave the Sum to be paid for such extraordinary Supply to the Arbitration and Decision of Two Arbitrators, one to be chosen by the Commissioners, and the other by such Person, with Liberty to such Arbitrators, in case they cannot agree, to call in a Third; and the Decision of such Arbitrators, or the Majority thereof, shall be as binding and conclusive on all Parties as if the same had been agreed on by the said Commissioners and the Person requiring such extraordinary Consumption of Water.

Extraordi-
nary Supply
may be
granted to
Commis-
sioners.

CV. And be it further enacted, That the said extraordinary Supply of Water may be allowed to any one of the said Commissioners by the others of them, and that the Sum to be paid for the same shall be fixed by Two Arbitrators, one of whom shall be chosen by the Commissioners requiring such extraordinary Supply, and the other of such Arbitrators shall be chosen by the rest of the said Commissioners, and in case the said Arbitrators cannot agree, then by some Third Arbitrator to be chosen by the said Two Arbitrators in manner herein-before mentioned; and such Decision shall be binding and conclusive on all Parties.

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

CVI. Provided also, and be it further enacted, That in case any Dwelling House or Building hereby made liable to such Rate or Assessment shall be unoccupied during the whole of any One Quarter, commencing on the First Day of *February*, First Day of *May*, First Day of *August*, or First Day of *November* in every Year, such Dwelling

Dwelling House or Building shall be exempt from Water Rate during the Time the same shall be continued unoccupied: Provided always, that in case any Person shall enter into the Occupation of any Dwelling House or Building at any Time during any Quarter such Person shall be liable to the Payment of the Rates under this Act from the Commencement of such Quarter.

CVII. And be it further enacted, That in all Cases where any Person being a Tenant or Occupier shall remove from or quit any Dwelling House or Building which shall be applotted for or liable to pay Water Tax under the Authority of this Act, every Person so removing from or quitting such Dwelling House or Building shall be liable to pay such Tax in proportion to the Time that such Person occupied the same respectively; and in all Cases where any Person shall come into or occupy the same Dwelling House or Building, the Person coming in or occupying the same shall be liable to pay the Remainder of such Applotment, although his Name may not be inserted in such Applotment, 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 Applotment; which said Proportion, in case of Dispute, shall be settled and ascertained by the Commissioners to be appointed under the Authority of this Act, or any Quorum thereof.

How Rates shall be apportioned on Change of Occupation.

CVIII. And whereas many Dwelling Houses and Buildings are let in Lodgings or Tenements to divers Tenants; be it enacted, That in every such Case the Water Tax payable out of such House or Building according to the Provisions of this Act shall be paid, and the said Commissioners are hereby empowered to levy the same upon the Owner or Occupier of any Part of such Dwelling House or Building in such Manner as other Distresses and Sales are by this Act directed; and such Occupier is hereby authorized and required to pay such Sums as herein-before mentioned to be applotted on such Dwelling House or Building in pursuance of this Act, and to deduct the same out of the Rent of his Holding, and the Owners or Proprietors are required to allow such Deductions and Payments upon the Receipt of the Residue of the Rent; and all such Tenants paying such Water Tax shall be acquitted and discharged from so much as such Tax amounts to as if the same was actually paid to the Persons to whom the Rents of their Holdings should have been due and payable: Provided always, that no such Occupier shall at any Time be subject or liable to pay any greater Sum for or towards the Discharge of the said Water Tax than the Amount of the Rent due by such Occupier to the Landlord or Owner of the Premises so occupied by him.

As to rating Lodging Houses.

CIX. And to prevent Dispute touching the Designation of Owner intended to be made liable to the Water Tax by this Act, be it enacted, That the Person receiving or claiming to be entitled to the Rent of any Dwelling House or Building, or Part of a Dwelling House or Building, immediately payable by the Tenant or Occupier thereof, shall be deemed or taken to be the Owner of the same for the Purposes of this Act.

Owners how to be ascertained.

Tenants to
lay down
Pipes to
communicate
with Service
Pipe at their
own Charge.

CX. And be it further enacted, That all Pipes to convey the Water from any Service Pipes belonging to the said Commissioners into any Dwelling House shall be laid down at the Costs and Charges of the Tenant or Owner of such Dwelling House, and shall be of such Bore, Thickness, and Dimensions, and laid down in such Manner, and of such Materials, as shall be determined by the said Commissioners; and in case such Pipes shall be cut off for Waste or any other improper Appropriation of the Water, such Tenant, Occupier, or Owner shall nevertheless be liable to be rated and assessed.

Buildings
for Public
Worship and
charitable
Education to
be excepted.

CXI. Provided always, and be it further enacted, That all Churches, Chapels, Meeting Houses, Buildings, and Hereditaments within the Limits of this Act set apart and appropriated or to be set apart and appropriated for the Purpose of Religions 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 Limits aforesaid set apart and appropriated or to be set apart and appropriated as public Charities for the Purpose of 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 and 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 directed to be raised and levied, provided that any Expence to be incurred in conveying Water from the Service Pipe to such Houses of Worship and Charities shall be borne and paid by such Houses of Worship and Charities: Provided nevertheless, that the said President and Assistants 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, and the said Premises shall also be exempt from any Rate or Rates payable under this Act.

Commis-
sioners shall
appoint Three
Applotters.

CXII. And be it further enacted, That the said Commissioners shall and they are hereby required, on the First *Tuesday* in the Month of *February* in every Year, or at such other Time as the said Commissioners shall appoint, or within Fourteen Days thereof, at a Meeting of the said Commissioners to be specially called for that Purpose, proceed to elect by Ballot Three discreet and intelligent Persons, residing within the Limits of this Act, to be Water Valuers or Applotters for the Purposes of this Act for One Year from the Date of such Appointment; and in case any Person so appointed shall die, or from any other Cause be unable to act or incapable of acting, or shall hold any Place, Office, Employment, or Contract under the said Commissioners, or shall directly or indirectly derive any Benefit from the Funds to accrue from such Valuation or Applotment, except as a Creditor on the Rates of Applotment, then and in every such Case it shall and may be lawful to and for the said Commissioners to elect some Person in his Stead to be a Water Valuator or Applotter; and every Person so nominated shall continue for the same Period in Office, and have the like Powers and Authorities, and subject to the like

like Rules, Regulations, and Restrictions, as the Person so dying or being incapacitated from acting, or in whose Stead he or they shall be so appointed; and if any Person so to be elected as a Valuator or Applotter shall directly or indirectly derive any Benefit from the Funds to accrue from such Valuation or Applotment, except as aforesaid, and shall proceed to act by virtue of such Appointment, he shall forfeit and pay to the said Commissioners the Sum of Ten Pounds, to be recovered as herein-after is provided for the Recovery of Penalties under this Act: Provided nevertheless, that no Person so elected shall act as a Valuator or Applotter in pursuance of this Act unless he shall take and subscribe the 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 following; (that is to say,)

Applotters to be sworn.

I *A. B.* do hereby solemnly declare, That I will diligently, and according to the best of my Skill and Judgment, fairly and impartially, without Favour or Affection, Malice or Ill-will, value the different Dwelling Houses and Buildings which are situated in those Streets liable to be applotted for Water, and applot the annual Value of such Dwelling Houses and Buildings liable to pay Water Rates, according to the Provisions of an Act made in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act.*]

Form of Declaration.

CXIII. Provided always, and be it further enacted, That no Person holding any Place, Office, Employment, or Contract under the said Commissioners shall be capable of being elected a Valuator or Applotter during the Term of his Continuance in such Place, Office, Employment, or holding such Contract.

No Applotter to be concerned in any Contract, &c.

CXIV. And be it further enacted, That the said Water Valuers or Applotters shall, within Ten Days after their Appointment, proceed to ascertain the annual Value of the different Dwelling Houses within the Limits of this Act, including in such Valuation the Coach-houses, Stables, and other domestic Offices thereunto attached, and shall also proceed to value the different Buildings within the Limits of this Act situate in such Streets along which Service Pipes have been or shall be laid and supplied with Water, and which Dwelling Houses and Buildings are so situate that they may receive the Benefit of such Water, and shall applot the annual Value or Rent of such Dwelling Houses and Buildings which shall in their Opinion be of the annual Value of Five Pounds or upwards; and in such Valuation or Applotment the said Valuers or Applotters are hereby required to specify the annual Value of each Dwelling House and of each Building respectively, and the Name of the Occupier or Possessor thereof, and the Name of the Street and the Number of the Dwelling House or Building, where such Street shall be named and such Houses and Buildings shall be numbered: Provided always, that whenever any Part of a Dwelling House in the said Town shall be permanently appropriated and occupied as a Building only, and the Remainder of any Part of such Dwelling House shall be occupied as a Dwelling House, then and in every such Case the Value of such Building shall not be included in the Valuation to be made of such Dwelling

Applotters to value Houses.

Where Dwelling Houses and Buildings are joined, the Value to be separately ascertained.

Dwelling House, but such Dwelling House shall be valued as if the same was separate and apart from such Building, and the Value of such Building shall also be separately ascertained and set forth in such Value as aforesaid.

In case Ap-
plotters shall
neglect, Com-
missioners
may value.

CXV. And be it further enacted, That if the Valuers or Ap-
plotters to be appointed under the Authority of this Act shall at any
Time after the Day fixed by the said Commissioners neglect or omit
to value the several Dwelling Houses and Buildings liable to be
charged for under this Act, or shall neglect or omit to return the
Valuation or Applotment to the said Commissioners as herein directed,
then and in every such Case it shall and may be lawful for the said
Commissioners, or any Three or more of them, (having first made
the Declaration herein-before directed to be made by the Persons
who shall act as Water Valuers or Applotters under this Act,) to
value the Dwelling Houses and Buildings so omitted, and to applot
the Sums to be paid for Water Rate in respect thereof, conformably
to the true Intent and Meaning of this Act; and all such Valuations
and Applotments shall be as valid and effectual as if the same had
been made by the Applotters directed to be appointed under this Act.

Commis-
sioners to
pay the Ap-
plotters any
Sum not
exceeding
Two hundred
Pounds an-
nually.

CXVI. And be it further enacted, That the said Commissioners
shall and they are hereby authorized to pay to the Three Valuers
to be appointed by virtue of this Act, at the Time they shall return
the annual Valuation as directed by this Act, such Sum as the said
Commissioners may consider adequate Remuneration, not, however,
exceeding in the whole the Sum of Two hundred Pounds Sterling, to
be applied in Payment of the said Valuers in such Shares and Pro-
portions as the said Commissioners may direct.

Recovery of
Rates.

CXVII. And be it further enacted, That the several Rates of
Applotment directed to be made and levied under this Act shall be
paid yearly or half-yearly in advance, the first and every future
Rate of Applotment to commence from the Time when the last
Applotment under the said recited Acts and this Act ended, and not
otherwise; and if any Person shall refuse or neglect to pay the Sum
or Sums applotted on him respectively, or to which he, she, or they
may become liable by virtue of this Act, either yearly or half-yearly
as the same shall be required, or shall refuse or neglect to pay the
Sum or Sums he, she, or they shall have agreed to pay, or such Sum
or Sums as he, she, or they shall have been awarded to pay to the
said Commissioners for the extraordinary Supply of Water which
they shall require for their respective Consumptions, for Seven Days
after Demand thereof made by any Collector or Person appointed
to receive the same, or after Demand in Writing left by such Collector
or Person at the Place of Abode or at any other Place in the Occu-
pation of the Person liable to pay such Sum or Sums, it shall and may
be lawful for the said Collector or Person so appointed, by Warrant
under the Hand and Seal of any One Justice of the Peace acting in
and for the Counties of *Antrim* or *Down*, which Warrant such Jus-
tice is hereby authorized and required to grant, without Fee or
Reward, upon Confession, or upon Proof of such Sum of Money being
due to the said Commissioners, and of Demand having been made, by
the

the Oath of One credible Witness, to levy the said Sum or Sums of Money in respect whereof such Refusal or Neglect shall happen by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to pay the same, rendering the Surplus (if any) to such Person so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall have been first deducted.

CXVIII. And be it further enacted, That the Books of Valuation to be delivered by the said Valuers or Applotters, and the Rates therein applotted by the said Commissioners, and all other Books of any Collector or Collectors or other Officers to the said Commissioners, and all Entries made therein in manner by this Act directed, shall be received in Evidence of the Rates payable or assessed by virtue of this Act. Rate Books to be received in Evidence.

CXIX. And to prevent as much as possible the wilful and negligent Waste of Water, be it enacted, That the Owner or Occupier of every Dwelling House, Building, or other Premises supplied with Water by the said Commissioners shall, and he, she, and they is and are hereby required to provide a proper Cistern of Lead, Brick, or Wood, or other Materials approved of by the said Commissioners, to receive and hold such Quantity of Water as shall be by such Commissioners, or their Engineer, Clerk, or other Officer, deemed sufficient for his, her, or their Consumption; and he, she, and they are and is hereby required to provide a Ball and Stop Cock, and to affix or cause to be affixed the same to the Pipe conducting the Water from the Main or Service Pipe belonging to the said Commissioners to such Cistern, for the Purpose of preventing the Water running into such Cistern from running to waste when the same shall be full; and in case any Person supplied with Water by the said Commissioners shall neglect to provide such Cistern and also a Ball and Stop Cock, and to affix or cause to be affixed the same in manner aforesaid, for the Purpose of preventing the Water from running to waste when such Cistern shall be filled as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Person acting by virtue or under Authority of the Commissioners, to cut and turn off the Water, by such Ways and Means as to him or them shall seem right or proper, from the House, Building, or other Premises of every such Person until such Cistern shall be provided and such Ball or Stop Cock added in manner aforesaid; and all Persons obtaining a Supply of Water shall have a Brass Stop Cock on each Branch into their House, to be affixed as near to the Service Pipe as possible, and shall provide convenient and easy Access to all Cisterns and Pipes within such House for all Workmen and other Persons employed by the said Commissioners. Cisterns and Ball Cocks to be provided.

CXX. And be it further enacted, That it shall and may be lawful to and for any Commissioner, or any Engineer or any other Person acting by or under the Authority of the said Commissioners, at any Time between the Hours of Eight in the Forenoon and Six in the Afternoon, to enter into any House, Building, or other Premises rated or supplied with Water by the said Commissioners, in order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water so supplied by the said Commissioners; For enabling the Commissioners to enter the Premises to see there is no Waste of Water.

sioners; and if such Commissioners, or Engineer or other Person acting by or under the Authority of the said Commissioners, shall at any Time between the Hours aforesaid be refused Admittance or Entrance into any such House, Building, or other Premises for the Purpose of making any such Inspection and Examination as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination, then and in every such Case every such Person so refusing Admittance or offering such Obstruction as aforesaid shall forfeit and pay any Sum not exceeding Forty Shillings, and in addition it shall be lawful for the said Commissioners to cut off the Water supplied by the said Commissioners from such House, Building, or other Premises, and such House, Building, or other Premises shall nevertheless be charged and chargeable with the Water applotted or to be applotted thereon.

Water used
in Dwelling
House for
other than
domestic
Purposes to
be charged
for in
addition.

CXXI. And be it further enacted, That in case any Person who shall be rated for a Supply of Water for the Use of any Dwelling House shall consume or use any Water for other than the domestic Purposes of such Dwelling House, such Person shall be obliged to pay for such extra Supply in such and the like Manner as any other Person who shall under this Act pay for a Supply of Water by special Agreement; and in case he, she, or they shall refuse to comply with this Request on the Part of the said Commissioners, it shall and may be lawful to and for the said Commissioners to cut off the Supply of Water to be given to such Dwelling House: Provided nevertheless, that such Dwelling House shall continue to pay such Rate or Rates as shall notwithstanding be assessed thereon.

For prevent-
ing Water
being used for
other than
domestic
Purposes or
wasted, &c.

CXXII. And be it further enacted, That in case the Owner, Occupier, or other Inhabitant of any Dwelling House rated as such by this Act shall consume or use any greater Quantity of the Water supplied to such Dwelling House than is necessary for the domestic Purposes of such Dwelling House, or shall waste such Water, or shall consume or use any of such Water for any other than the domestic Purposes of such Dwelling House, or shall wilfully permit any other Person not having the Authority or Consent of the said Commissioners to take any Water at the Pipes or Cisterns of such Owner, Occupier, or other Inhabitant of such Dwelling House, or shall supply any such Person with Water therefrom, or shall negligently suffer his, her, or their Pipes, Tanks, or Cisterns, or the Cocks and Fixtures belonging thereto, to be out of Repair, so as to cause the Water to run waste, then and in every such Case the Person so offending as aforesaid shall, in addition to the Water Rates applotted to be paid in respect of such Dwelling House, forfeit and pay to the said Commissioners for every such Offence any Sum not exceeding Five Pounds, according to the Discretion or Decision of the Justice of the Peace before whom the same shall be recovered, over and above the full Amount of the Damage sustained by the said Commissioners by the Acts or Means in respect of which the said respective Penalties shall be incurred, and the said Commissioners shall be at liberty to cut off the Supply of Water from every Person so offending, and such Dwelling House shall nevertheless be charged and chargeable with the Water Tax applotted or to be applotted thereon.

CXXIII. And

CXXIII. And be it further enacted, That the said Commissioners shall, at the Expence of the Owners or Occupiers of every Dwelling House, Building, or other Place supplied with Water under the Provisions of the present Act, keep in a proper Repair, State, or Condition the Leaden or other Branch Pipe by which the Water shall be conveyed to the same, together with the Cistern to contain the said Water, and all Ball and Stop Cocks and other Fixtures connected therewith; and in case any such Owner or Occupier shall refuse or neglect to pay such Expences within Six Days next after Demand shall be made thereof by the said Commissioners, or their Engineer, Officer, or other Servant, by Notice in Writing left at or posted upon such House or Place, or in some conspicuous Spot near to the same, then and in every such Case the Amount of such Expences shall and may be recovered in the Manner directed and provided by this Act for the Recovery of the Water Rates.

Repairs of
Branches to
Houses.

CXXIV. And be it further enacted, That when any Breach shall happen or take place in any of the Pipes which now are or which hereafter shall be laid to convey Water from the Main or Service Pipe of the said Commissioners into any House or other Place within the Limits of this Act, it shall and may be lawful for the said Commissioners to cause such Pipe to be repaired, and the Expence of such Repair, as well as the opening or repairing the Street or the Flagging or Pavement thereof, shall be borne and paid by the Owner or Occupier of the said House or Place, or by any other Person or Company who may commit such Injury, the Proof whereof shall be established by such Owner or Occupier to exempt him or them therefrom; and in case such Owner or Occupier, Person or Company, as the Case may be, shall neglect or refuse to pay such Expences within Six Days next after Demand shall be made thereof by the said Commissioners, or their Engineer, Officer, or other Servant, by Notice in Writing left at or posted upon such House or Place, or in some conspicuous Spot near to the same, then and in every such Case the Amount of such Expences shall and may in the Manner directed and provided by this Act for the Recovery of the Water Rates.

Repair of
Pipes.

CXXV. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act, or otherwise, against or by or on behalf of the said Commissioners, and in all Arbitrations, References, or other Proceedings in or consequent upon or arising out of any such Actions, Suits, or Proceedings, it shall be lawful for any Three or more of the said Commissioners, by themselves or by their Common Seal, to make, sign, seal, execute, and deliver such general or other Releases as may be or may be deemed necessary for the Purpose of qualifying any Person to give Evidence as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, and also to do any other Act, Matter, or Thing in any such Action, Suit, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, Arbitration, Reference, or other Proceeding; and every such Release, Act, Matter, and Thing shall be valid

Releases may
be granted
to Witnesses.

valid and effectual in all respects and to all Intents and Purposes whatsoever.

Declaring
what shall be
good Service
of Notice on
the Commis-
sioners.

CXXVI. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Commissioners, personal Service thereof upon the Clerk of the said Commissioners, or upon any One of the said Commissioners, or leaving the same at the Office of the said Commissioner or of the Clerk, with some Inmate in such Office of the said Commissioners, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Declaring
what shall be
good Service
of Notice by
the Commis-
sioners.

CXXVII. And be it further enacted, That in all Cases in which it may be necessary for the said Commissioners to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding at Law or in Equity, or otherwise, upon any Person or Corporation, under the Provisions of this Act, personal Service thereof respectively upon any such Person, or upon some Member or upon the Clerk or other Officer of such Corporation, or delivering the same to some inmate of the last or usual Place of Abode of such Person, or of such Member, Clerk, or other Officer of such Corporation, or at the Office of such Clerk or other Officer, shall be deemed good and sufficient Service of the same respectively upon such Person or Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Commissioners, may be signed by One Commissioner, or by the Clerk of the said Commissioners, and may be in Writing or in Print, or partly in Writing and partly in Print.

How Debts
may be
proved in
Cases of
Bankruptcy.

CXXVIII. And be it further enacted, That in case any Person against whom the said Commissioners may have any Claim or Demand shall become bankrupt or insolvent, the Clerk or Treasurer for the Time being of the said Commissioners may do all the same Acts, and have and exercise all the same Powers and Privileges, as to issuing any Commission of Bankruptcy, or as to the Establishment of Proofs of Debts, voting in Choice of Assignees, signing Certificates, and other Matters and Things in respect of or relating to the Claim or Demand of the said Commissioners, as any Person being a Creditor of such Bankrupt or Insolvent, or a Claimant against his Estate, could have or exercise in respect of his Debt or Claim.

Mains to be
laid in par-
ticular Places,
and to be
kept full of
Water during
the Night.

CXXIX. And be it further enacted, That the said Commissioners shall within Three Years from the passing of this Act lay down a Metal Main to join to and be continued from the present Metal Main terminating opposite the *Bank Buildings* in *Castle Street* in the said Town of *Belfast*, and that the Metal Main so laid down shall be continued from the new *Antrim Road*, and carried through *Carrick Hill*, *North Queen Street*, *Donegall Street*, *Bridge Street*, and

High Street, and thence conducted through *Castle Place*, *Donegall Place*, and *Castle Street*, and also along *Waring Street* to the Quay, and likewise to the Foot of *York Street*, and also in such other of the principal Streets in the Town as the said Commissioners shall hereafter direct and determine; and the said Commissioners shall be bound to keep constantly charged with Water, by such Pressure as the Town Basin will afford, the whole Main Pipes belonging to them within the Limits of this Act, to be used in case of Accidents by Fire; and in case the said Commissioners shall fail to keep the said Mains so constantly charged they shall forfeit and pay the Sum of Five Pounds for each Neglect so to do, to be paid to any Inhabitant within the Limits of this Act paying Rates to the said Commissioners, to be recovered in such Manner as other Penalties are by this Act directed to be recovered; provided always, that if through Accident, necessary Repairs or Operations, or from any other Cause which to the Justice before whom such Penalty may be sued for may seem reasonable, the said Main Pipes shall not be so charged, such Penalty shall not be recoverable; and provided further, that the said Commissioners shall not be entitled to make any Charge for keeping the said Mains so constantly charged, or for the Water which may at any Time be used for extinguishing Fires; and the said Commissioners shall also from Time to Time, as the said Rate-payers shall at any of their triennial Meetings direct, or as they the said Commissioners may think fit, construct and erect public Fountains for the gratuitous Supply of Water to the Poor in such convenient Situations within the Limits of this Act as may be considered necessary.

CXXX. And be it further enacted, That the said Commissioners shall and they are hereby required, upon the carrying and laying down any Main Pipe in any Square, Street, Passage, or Place for the supplying of the same with Water, to fix and place or cause to be fixed and placed, at the Time of laying down such Main Pipe, One or more proper and sufficient Fire Plug or Fire Plugs in each Square, Street, Passage, or Place supplied with Water from such Main or Mains for the Supply of Water for the extinguishing of Fires; and when and so soon as any such Fire Plugs shall be laid down they shall and they are hereby authorized and required to cause or procure proper Directions or Marks where the said Fire Plugs are so fixed and placed to be painted or affixed on the House or Building or Premises nearest to which the said Fire Plugs shall be so fixed and placed, and shall immediately deliver and leave a Key or Keys such Fire Plug or Fire Plugs at every Place in the Parish in which such Fire Plug shall be, wherein any Engine shall be kept for the extinguishing of Fires.

Commis-
sioners
to place Fire
Plugs in
every Street,
&c.

CXXXI. And be it further enacted, That in case any Company for Insurance from Fire, or any of their Agents, carrying on Business within the Limits of this Act, shall be desirous of and apply to the said Commissioners for a Key of the Mains, Plugs, or Services belonging to the said Waterworks in order that such Key may be kept by the said Company or their Agents, or the Firemen, or other their Officers or Servants, the said Commissioners shall be bound and obliged to furnish such Key or Keys to such Company or their

Commis-
sioners to
deliver Keys
of Pipes, &c.
to certain
Officers.

[Local.]

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Agents

Agents so applying, in order to their being so kept; and in case the said Commissioners shall refuse such Key to any Company so applying they shall forfeit to such Company or their Agents, for the Use of such Company to whom such Refusal shall be made, the Sum of Fifty Pounds, which Penalty shall and may from Time to Time be recovered by Action, Plaint, or Suit in any of Her Majesty's Courts of Record in *Dublin*.

Commis-
sioners may
agree with
Inhabitants
to water
the Streets.

CXXXII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to agree with the Inhabitants of any Street, District, or Place within the Limits of this Act to water any such Street, District, or Place, and for the Recompence to be paid for the same; and the said Commissioners shall have the like Powers of enforcing the Payment of such Recompence as are hereby given to them in respect of the Rates and Duties hereby authorized to be received and taken, and such Recompence when paid shall be applied as the Rates and Duties payable to the said Commissioners may be applied: Provided always, that the said Commissioners shall not so apply the Water for the Purposes last aforesaid until the Inhabitants have a sufficient Supply of Water, and unless the Majority of the Inhabitants of such Streets shall certify that they require the same to be watered as aforesaid.

Books, Ac-
counts, &c.
declared to
be the Pro-
perty of the
Commis-
sioners.

CXXXIII. And be it further enacted, That all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody of any such Treasurer, Superintendent, Engineer, Surveyor, Clerk, Collector, and every other Officer and Person so to be appointed as aforesaid, his Executors or Administrators respectively, or any other Goods, Chattels, Estate, or Effects belonging to or in anywise relating to the said Waterworks and Undertaking, shall be and the same are hereby declared to be and shall be construed, deemed, and taken to be the Property of the said Commissioners.

Penalty on
Persons
interfering
with the
Works or
committing
Nuisances.

CXXXIV. And be it further enacted, That if any Person shall wilfully or maliciously let or draw off, flush or discharge, or cause to be let or drawn off, flushed or discharged, any Water, so that the same shall run to waste, out of or from any Part of the said Waterworks, Cisterns, Reservoirs, Aqueducts, Trenches, Cuts, Canals, Pipes, Watercourses, or Feeders hereby made or authorized to be made, or shall wantonly, maliciously, or unnecessarily open or cause to be opened any Lock, Gate, Paddle, Valve, Clough, Plug, or Cock appertaining to the said Cisterns, Reservoirs, Aqueducts, Trenches, Cuts, Canals, Pipes, Watercourses, or Feeders and Waterworks as aforesaid, or shall leave any of the said Locks, Gates, Paddles, Valves, Cloughs, Plugs, or Cocks open, or shall draw or cause to be drawn any Paddles, Valves, Cloughs, or Plugs in any of the Locks, Stop or Clue Gates on the said Waterworks, its Cisterns, Reservoirs, Aqueducts, Trenches, Cuts, Canals, Mains, or Pipes; or if any Person shall wash or bathe in any of the said Cisterns, Reservoirs, Aqueducts, Cuts, Canals, or Watercourses belonging to the said Commissioners, or shall wade into, or wash, cast, put, or throw any Dog or Cat or other Animal, alive or dead, or Part of any Animal, or any Cloth, Wool, Filth, or Dust; or if any Person shall

at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever into any Cistern, Reservoir, Aqueduct, Cut, Canal, River, Brook, running Stream, Waterway, Feeder, Pond, Springhead, or Well of the said Waterworks, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such Cistern, Reservoir, Aqueduct, Cut, Canal, Brook, running Stream, Waterway, Feeder, Pond, Springhead, or Well of the said Waterworks, or to any Drain, Sewer, or Ditch communicating therewith as aforesaid, whereby the Water contained therein, or any Part, thereof shall or may be spoiled, fouled, or corrupted, or shall steep any Flax, or place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughterhouse, or any Soap Lees or Ammoniacal Liquor; or if any Person shall wilfully or maliciously wash, rinse, or wet any Skins, Woollen, Linen, Cotton, or other Cloth or Cloths in any Cistern, Reservoir, Aqueduct, Cut, Canal, River, Brook, running Stream, Waterway, Pond, Springhead, Well, Drain, Sewer, or Ditch connected with the said Waterworks as aforesaid; or if any Person shall throw, cast, or lay any Stones, Gravel, Ballast, Dust, Ashes, Vegetables, Rubbish, Dung, or other Manure, or any other Nuisance or offensive Matter whatsoever, into or adjoining any Part of the said Waterworks, Cisterns, Reservoirs, Aqueducts, Cuts, Canals, Rivers, Brooks, running Streams, Waterways, Ponds, Springheads, Wells, Drains, Sewers, and Ditches as aforesaid; or if any Person shall otherwise wilfully foul or in anywise injure or impair the Water of the said Cisterns, Reservoirs, Aqueducts, Cuts, Canals, Rivers, Brooks, running Streams, Waterways, Feeders, Ponds, Springheads, Wells, or any Drains, Sewers, or Ditches connected therewith as aforesaid; every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

CXXXV. And be it further enacted, That if any Corporation, Contractor, or any other Person whomsoever making, furnishing, or supplying any Gas used, burned, or consumed within the Limits of this Act shall at any Time empty, drain, conduct, or convey, or cause or suffer to be emptied, drained, conducted, or conveyed, or to run or flow, any Washings or other waste Liquids, or any noisome or offensive Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring Gas, into any Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any other Annoyance, Act, or Thing to the Water contained in any such Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the Water or any Part thereof shall or may be soiled or contaminated, then and in every such Case such Corporation, Contractor, or other Person as aforesaid shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together

Penalty on Washings from Gas Works being suffered to drain into Streams, Wells, &c.

together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Dublin*, by Action of Debt or on the Case, and the whole thereof shall be paid to the Person who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and become determinable: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in any Manner aforesaid, into any Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Company or Corporation or Person to whom the same shall belong, or by any other Person whomsoever, to any such Corporation, Contractor, or Person as aforesaid, and such Corporation, Contractor, or Person shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being emptied, drained, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case such Corporation, Contractor, or Person shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and the Amount of such last-mentioned Penalty shall and may be adjudged, recovered, and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

For stopping
the Escape
of Gas.

CXXXVI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by any Corporation, Contractor, or any Person whomsoever making, furnishing, or supplying any Gas used, burned, or consumed within the Limits of this Act, such Corporation shall, at their or his own Expence, immediately after receiving Notice by Parole or in Writing of any such Escape of Gas from any Person whomsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case such Corporation, Contractor, or Person aforesaid shall not, within Twenty-four Hours next after such Notice by Parol or in Writing as aforesaid

said being given, effectually stop and prevent the Gas from further escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case such Corporation, Contractor, or Person aforesaid shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation, as the Case may require, of a Witness, before a Justice of the Peace for the County within which such Offence shall be committed, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Corporation, Contractor, or Person.

CXXXVII. And be it further enacted, That when and so often as any Corporation, Contractor, or Persons as aforesaid, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main Pipe or other Apparatus for the Supply of Gas in, upon, or near to which any Water Pipe shall have been laid or placed for the Purposes of conveying Water within the Limits of this Act, or any Branch of any such Water Pipe, for the Service or Supply of any Dwelling House, Manufactory, public or private Building within the Limits of this Act, such Corporation, Contractor, or Person, their or his Servants, Agents, or Workmen, shall and they are hereby required to give previous Notice thereof to the said Commissioners, or to the Occupier of such Dwelling House, Manufactory, public or private Building supplied by such Branch or Service Pipes, as the Case may be; and on every such Occasion such Corporation, Contractor, or Person, their or his Servants, Agents, and Workmen, shall, under the Direction and Inspection of such Commissioners or Occupiers, or their Surveyor or Agent, as the Case may be, protect and secure such Pipe from any Injury or Damage, and shall also repair and make good any Damage that shall and may be done to any such Water Pipe on any such Occasion; and on Default being made in any of the Matters aforesaid such Corporation, Contractor, or Person shall forfeit and pay to such Commissioners or Occupiers, as the Case may be, any Sum not exceeding Five Pounds, and shall also pay to such Commissioners or Occupiers, as the Case may be, the Costs and Expences which shall have been incurred by them in the securing and protecting or in repairing and making good any Injury or Damage that may be done to such Pipe by the Means aforesaid, such Costs and Expences, and also the Amount of such Penalty as aforesaid, to be ascertained and fixed by any Justice of the Peace for the County wherein the Offence may be committed, and to be levied and recovered by Distress and Sale of the Goods and Chattels of such Corporation, Contractor, or Person, together with the Charges of such Distress and Sale.

For the Protection of Water Pipes.

CXXXVIII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street or Place within the Limits of this Act shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet

Gas Pipes to be laid Four Feet from Water Pipes, and in a particular Manner.

[Local.]

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at

at least, from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Roads, Streets, and Places, unless in Cases where it shall be unavoidably necessary to lay the said Gas Pipes or other Conduits across any of such Water Pipes, in which Cases the said Gas Pipes or other Conduits shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle ; and in such Cases the said Gas Pipes or other Conduits so crossing any such Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least ; and in laying down any such Gas Pipes or Conduits no Two or more of such Gas Pipes or Conduits shall in any Case be joined together previous to their being laid in the Trench, but each Pipe shall be laid as near as may be in its Place in the Trench, and the Jointing with the other Pipes to be added thereto shall be done and completed, after such Pipes shall be so laid or placed in the Trench, with proper and sufficient Materials; and all and every such Pipes or Conduits, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, shall be made and kept and continued Air-tight, so that in every respect the said Gas shall be prevented from escaping therefrom and from every Part thereof at all Times, upon pain of Forfeiture by the Corporation, Contractor, or Person offending, for every such Offence, the Sum of Five Pounds, to be recovered, with Costs of Suit, by Action of Debt in any of Her Majesty's Courts of Record at *Dublin*.

For preventing the Contamination of Water.

CXXXIX. And be it further enacted, That whenever the Water supplied by the said Commissioners shall be contaminated or affected by the Gas of any Corporation, Contractor, or Person whomsoever supplying Gas within the Limits of this Act, such Corporation, Contractor, or other Person as aforesaid shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the said Commissioners, or the Party or Person using any such Water and suing for such Penalty ; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case such Corporation, Contractor, or Person as aforesaid shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk for the Time being of the said Commissioners, to be left at the usual Office or Place of transacting Business of the Corporation, Contractor, or Persons furnishing the Gas, cause the most proper and effectual Measures to be taken effectually to stop and prevent the Gas from contaminating or affecting any such Water ; and if such Corporation, Contractor, or Person as aforesaid shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case such Corporation, Contractor, or Person as aforesaid shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time

Time being of the said Commissioners, for the Use and Benefit of the same Commissioners, over and above the before-mentioned Penalty of Twenty Pounds, any Sum not exceeding Ten Pounds for each and every Day during which the said Water shall be and remain contaminated, tainted, or affected by any such Gas as aforesaid; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath (or Affirmation, as the Case may require), of One credible Witness, by and in the Name of the Clerk of the said Commissioners, before any Justice of the Peace for the said Counties of *Down* or *Antrim*, as the Case may be, with Costs, to be assessed by such Justice, and to be levied and recovered as any other Penalty is by this Act directed to be levied and recovered; and such Penalty and Costs, when so levied, shall be paid to the Treasurer for the Time being of the said Commissioners.

CXL. And whereas it may become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for the said Commissioners or other Person using or consuming any Water to dig to and about, and search and examine, the Mains, Pipes, Conduits, and Apparatus of any Corporation, Contractor, or Persons furnishing Gas, for the Purpose of ascertaining whether such Contamination proceeds from or that the said Water has been contaminated by any Escape of Gas of such Corporation, Contractor, or Persons as aforesaid; and if it shall appear that such Water has been contaminated by any Escape of Gas of such Corporation, Contractor, or Person as aforesaid, the Costs and Expences of the said digging, Search, Examination, and Repair of the Pavement of the Street or Place which shall be taken up or disturbed shall be borne and paid by such Corporation, Contractor, or Person as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any Mains, Pipes, or Conduits of such Corporation, Contractor, or Person as aforesaid, then and in such Case the said Commissioners, or other the Person so digging or searching, or causing such digging or searching as aforesaid, shall bear and pay all the Expences of such Examination and Repair and Search, and also make good to the said Corporation, Contractor, or Person as aforesaid any Loss, Injury, or Damage which may be occasioned to the Works of the said Corporation, Contractor, or Person as aforesaid in and by such Search and Examination, and also the Pavement or Ground of the said Streets or Places so broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined (if necessary) by some Justice of the Peace as aforesaid.

For ascertaining if the Water be contaminated.

CXLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding, by Indictment or otherwise, against any of the Officers, Servants, or Workmen of the Corporation; Contractor, or other Person whomsoever making, furnishing, or supplying

Persons supplying Gas liable to be indicted for a Nuisance.

supplying any Gas used, burned, or consumed within the Limits of this Act, for lighting any Street, Highway, Place, or any House, Manufactory, or other Building therein, in respect of any Works, or the Means which shall be employed by them or any of them in making the said Gas, and using the same, as for a public or private Nuisance, or from bringing any Action against the said Corporation, Contractor, or Person as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

In case of Nonpayment of Compensation for Damage, &c. the same to be levied by Distress of the Goods vested in the Commissioners.

CXLII. And be it further enacted, That when and so often as any Sum of Money shall be directed or ordered to be paid by any Justice of the Peace as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Commissioners, or any Person acting by or under their Authority, and such Sum of Money shall not be paid by the said Commissioners to the Party entitled to receive the same within Seven Days after Demand in Writing shall have been made to the said Commissioners, in pursuance of the Direction or Order made by such Justice, then and in such Case the Amount of such Compensation or Satisfaction shall may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners for the Time being under a Warrant to be issued for that Purpose by such Justice, which Warrant such Justice is hereby authorized and required to grant under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum of Money, and the Costs and Expences of hearing and determining the Matters in dispute, and all the Costs and Expences of such Distress and Sale, then and in such Case such Surplus shall be returned, on Demand, to the said Commissioners for the Time being, as the Case may be.

Recovery and Application of Penalties.

CXLIII. And be it further enacted, That all Fines, Penalties, and Forfeitures for all and every the Offences in this Act mentioned, in relation to which the Manner of convicting the Offender or Offenders or applying the Penalties is not particularly mentioned or directed, shall, in case of Nonpayment thereof, be adjudged by and be recovered before any Justice of the Peace for the County, Town, or Place wherein the Offence shall arise, in a summary Way; and any such Justice of the Peace is hereby authorized and empowered to convict the Offender or Offenders upon Information by the Oath of any Person or Persons, or on the Confession of the Party offending, which Oath the said Justice is hereby authorized to administer; and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of such Justice, and any Portion, not exceeding One Moiety of the Penalties and Forfeitures,

when recovered, after rendering the Overplus (if any), on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained (the reasonable Charges of such Distress and Sale being first deducted), shall, at the Discretion of such Justice, be paid to the Informer, and the Residue thereof shall be paid to the Commissioners; and in case such sufficient Distress cannot be found, and such Penalties and Forfeitures shall not be forthwith paid upon Conviction by any Person or Persons offending and convicted, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Justice for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no such sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereon such Penalties, Fines, Costs, and Charges can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the House of Correction or Common Gaol for the County, Town, or Place wherein such Offence shall be committed, there to remain for any Time not exceeding Six Calendar Months.

CXLIV. And whereas Persons guilty of Offences against this Act may be transient, and Strangers or Persons unknown to the respective Officers and other Persons acting under this Act; be it therefore further enacted, That it shall be lawful to and for the said Commissioners or any of them, their or any of their Collectors, Surveyors, or other Officers or Servants respectively acting under them, and with such other Person as they or any of them shall call to their Assistance as shall be necessary, and without any other Warrant or Authority than this Act, to seize and detain any such Person guilty of any Offence against this Act, and forthwith to convey him before any Justice or Justices of the Peace for the said County, Town, or Place where any such Offence shall be committed, without any other Warrant or Authority than this Act for so doing, which Justice or Justices is or are hereby required immediately to proceed and act with respect to such Offender according to the Provisions of this Act.

Transient
Offenders
may be ap-
prehended.

CXLV. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the Form following; (that is to say,)

Form of
Conviction.

[*Local.*]

21 Z

• BE

‘ County of } BE it remembered, That on the Day of
 ‘ to wit. } in the Year of our Lord is convicted
 ‘ before me, One of Her Majesty’s Justices of the Peace for the
 ‘ by virtue of an Act passed in the Year of the
 ‘ Reign of Queen *Victoria*, intituled *An Act* [*here set forth the Title*
 ‘ *of this Act,*] of having [*here specify the Offence or Omission, and*
 ‘ *the Time and Place when and where committed, as the Case may be*],
 ‘ contrary to the said Act, for which Offence I do adjudge the said
 ‘ to have forfeited the Sum of
 ‘ Given under my Hand and Seal the Day and Year first above
 ‘ written.’

Proceedings
not to be
quashed for
Want of
Form, or
removed by
Certiorari.

CXLVI. And be it further enacted, That no Order, Verdict, Assessment, Judgment, Conviction, or other Proceedings to be had or taken touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, or any Order made or other Matter or Thing to be done or transacted in pursuance or relative to the Execution of this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari, or by any other Writ or Process whatsoever, into any of Her Majesty’s Courts of Record at *Dublin* or elsewhere; any Law or Statute or Usage to the contrary thereof notwithstanding.

Distress not
unlawful for
Want of
Form.

CXLVII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of or under the Authority of this Act no Replevin shall issue for such Distress, nor shall the Distress itself be deemed unlawful, nor shall the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant, or Distress, or any other Proceedings relating thereto, nor shall the Party distraining be deemed a Trespasser (*ab initio*) on account of any Irregularity which shall be afterwards committed by the Party distraining, but the Person aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage by an Action upon the Case.

Plaintiff not
to recover
after Tender
of Amends.

CXLVIII. And be it further enacted, That no Plaintiff shall recover in any Actions for Irregularity or for any Trespass or other wrongful Proceeding done or committed against any Body or Bodies Politic, Corporate, or Collegiate, or any Person, for any thing done in pursuance of this Act, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant, before such Action brought; and in case no such Tender shall be made it shall be lawful to and for the Defendant in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit or proper, whereupon such Proceedings, Order, and Judgment shall be made and given by the said Court as in other Actions where the Defendant is allowed to pay Money into Court.

CXLIX. And be it further enacted, That if any Person shall consider himself aggrieved by any Rate made by such Applotters, it shall be lawful for such Person to appeal, within Eight Days after such Applotment shall have been made, to the Commissioners acting in the Execution of this Act, which Appeal the said Commissioners are hereby empowered and directed to inquire into, and make such Decision and give such Judgment on such Appeal as to them, or the Majority of them present at any Meeting to be for that Purpose held, shall seem most fit and proper.

Persons aggrieved by any Rates made by Applotters may appeal to the Commissioners.

CL. Provided always, and be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Order of the said Commissioners, or by any Order, Judgment, or Determination of any Justice of the Peace, relating to any Matter or Thing done in pursuance of this Act, may appeal to the General or Quarter Sessions of the Peace to be held at *Belfast* for the County of *Antrim* within Six Calendar Months next after such Cause of Complaint shall arise or such Determination shall be made, such Appellant first giving or causing to be given Twenty-one Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, or to the other Parties concerned in such Appeal, or leaving such Notice for them at their last or usual Place of Abode, and within Three Days after such Notice entering into a Recognizance before One of Her Majesty's Justices of the Peace for the said County, conditioned to try such Appeal, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at such Quarter or General Sessions of the Peace for the said County, upon due Proof of such Notice having been given as aforesaid, and of entering into such Recognizance, shall hear and determine the Cause and Matter of such appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they the said Justices shall think proper; and the Determination of such Justices shall be binding and conclusive upon all Parties.

Power of Appeal to Justices.

CLI. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to or concerning this Act or the said last-recited Act, none of the said Commissioners, nor any Inhabitant within the Limits of this Act, shall be deemed incompetent to give Evidence by reason of his or her being charged with and liable to pay and paying any Rate or Assessment by virtue of this Act.

Commissioners and Inhabitants not incompetent Witnesses.

CLII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal, alter, abridge, or defeat all or any of the Articles, Clauses, Provisions, Powers, and Authorities in the said recited Acts contained which are not hereby expressly varied, altered, or repealed, and which are not inconsistent with the Provisions hereby made; and that the said President and Assistants of the *Belfast* Charitable Society shall have full Power and Authority to act in all and every the

This Act not to affect such of the Powers of the former Acts as are not altered or repealed.

the other Matters in the said recited Acts contained not hereby expressly repealed.

This Act not
to affect
certain Pri-
vileges.

CLIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat, abridge, derogate from, or interfere with, in any Manner whatsoever, the Privileges and Franchises of *George Augustus* Marquis of *Donegal* as the Lord of the Manors of *Belfast*, *Moylinney*, *Ballylinney*, or *Castle Chichester*, or the Lord or Lords of the said Manors for the Time being, or the Powers and Authorities vested in and heretofore exercised by the Courts Leet and Courts Baron within the said Manors, or Dues or Customs of Right payable to the Lord or Lords of the said Manors, or his or their Deputy or Deputies for the Time being, nor shall the same be construed to extend, defeat, prejudice, or interfere with the Rights or Authorities of the Sovereign of the Corporation of the said Borough of *Belfast*, but that the same, and all and every Part thereof, shall be enjoyed and exercised by the said Lord and Lords of the said Manors, and his and their Deputy and Deputies, and also by the said Sovereign, in as full, ample, and beneficial a Manner as at the Time of passing this Act the same and every Part thereof were enjoyed and exercised.

Expences of
Act how to
be paid.

CLIV. And be it further enacted, That the Costs, Charges, and Expences preparatory and relating to the soliciting, obtaining, and passing of this Act, or in anywise incident thereto, with legal Interest for the Money advanced or hereafter to be advanced by any Person or Persons for that Purpose, shall be paid by and out of the first Monies to be raised for the Purposes of this Act, or out of any Monies in the Hands of the said Commissioners, in preference to all other Payments whatsoever.

Public Act.

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

SCHEDULE (A.) to which this Act refers.

Number on Plan.	Description of Property.	Owner.	Lessee.	Sub-Lessee.	Occupier.
1	Turnpike Road -	Trustees of the Turnpike Road from Belfast to Antrim.	Trustees of the Turnpike Road from Belfast to Antrim.	None -	Turnpike Road, occupied by the Public.
4	Garden -	The Marquis of Donegal.	William Sinclair	None -	Willam Sinclair.
5	Farm Road and Planting.	Ditto -	Ditto -	None -	Ditto.
7	Planting -	Ditto -	Hugh Crawford	None -	Mrs. Sadler.
8	Land and Farm Road	Ditto -	Ditto -	None -	Ditto.
10	Land and Farm Road	Ditto -	Andrew Pinkerton.	None -	Andrew Pinkerton.
11	Land, Avenue, and Farm Road, to be occupied by Town Basin.	Ditto -	Ditto -	None -	Ditto.
12	House and Garden, to be occupied by Town Basin.	Ditto -	Ditto -	None -	Ditto.
13	Orchard and Planting, to be occupied by Town Basin.	Ditto -	Ditto -	None -	Ditto.
14	Porters Lodge -	Ditto -	Ditto -	None -	Ditto.
15	Intended Line of Railroad.	The Belfast and Cave Hill Railway Company.	The Belfast and Cave Hill Railway Company.	None -	The Belfast and Cave Hill Railway Company.
18	House and Garden -	The Marquis of Donegal.	John Octavius Glover.	None -	Thomas Lough.
20	House and Garden -	Ditto -	Ditto -	None -	Robert Beatty.
23	House and Garden -	Ditto -	Ditto -	None -	John Dixon.
28	House and Garden -	Ditto -	William Lyons -	Agnes M'Clure	Agnes M'Clure.
29	Intended Line of Railway.	The Belfast and Cave Hill Railway Company.	The Belfast and Cave Hill Railway Company.	None -	The Belfast and Cave Hill Railway Company.
30	Ditto Ditto -	Ditto -	Ditto -	None -	Ditto.
34	House -	The Marquis of Donegal.	Robert Thomson	James Sloan	James Cuming.
35	Cave Hill Limestone Occupation Road.	Ditto -	None -	None -	Public Occupation Road.
36	House -	Ditto -	George Langtry or John Wallace.	George Langtry.	James Baird.
41	House -	Ditto -	Ditto -	None -	Samuel M'Cracken.
42	House -	Ditto -	Ditto -	None -	John Robinson.
44	Deer Park -	The Marquis of Donegal.	None -	None -	The Marquis of Donegal.
47	House and Garden -	The Marquis of Donegal.	Andrew Nash -	None -	Patrick M'Bride.
48	County Occupation Road.	Grand Jury of the County of Antrim.	None -	None -	Public Occupation Road.

Number on Plan.	Description of Property.	Owner.	Lessee.	Sub-Lessee.	Occupier.
49	House - -	The Marquis of Donegal.	Andrew Nash -	Robert Brennan.	Robert Brennan.
50	Bleach Green and Land.	Ditto -	William Gray -	None -	William Gray.
51	Mill and Dam - -	Ditto -	Ditto -	None -	Ditto.

Parish of Carnmoney.

55	Planting - -	The Marquis of Donegal.	John Hartley for the Heirs of the late Thomas Brown.	James M'Ferran.	James M'Ferran.
58	House and Garden -	Ditto -	Ditto -	Ditto -	Ditto.
59	Planting - -	Ditto -	Ditto -	Ditto -	Ditto.
60	House - -	Ditto -	Ditto -	Ditto -	Margaret Russell.
61	House - -	Ditto -	Ditto -	Ditto -	George Barnes.
62	House - -	Ditto -	Ditto -	Ditto -	William Johnson.
63	House - -	Ditto -	Ditto -	Ditto -	Thomas Nesbitt.
65	House - -	Ditto -	Robert and John Thomson.	Ditto -	Robert M'Burney.
66	House - -	Ditto -	Ditto -	Ditto -	Arthur Martin.
67½	Old Antrim Road -	Grand Jury of the County of Antrim.	None -	None -	County Road, occupied by the Public.
68	House - -	The Marquis of Donegal.	Robert and John Thomson.	James Boyd	Henry Megany.
69	House - -	Ditto -	Ditto -	Ditto -	Henry Boyle.
70	House - -	Ditto -	Ditto -	Ditto -	John Dorman.
71	House - -	Ditto -	Ditto -	Ditto -	Edward M'Corrick.
72	House - -	Ditto -	Ditto -	Ditto -	James Brown.
74	House - -	Ditto -	Ditto -	John and James Green.	James Townsley.
75	House and Orchard -	Ditto -	Ditto -	Ditto -	John and James Green.
78	House - -	Ditto -	Ditto -	Charles Russell.	Thomas Andrews.
79	House - -	Ditto -	Ditto -	Ditto -	William John Russell.
90	House - -	Ditto -	William M'Ferran.	Elizabeth Rodgers.	James Boyle.
91	House and Garden, partly to be occupied by Middle Reservoir.	Ditto -	Thomas M'Kinney.	None -	Thomas M'Kinney.
92	Corn and Flax Mill, Dam, and Kiln, and so much of the Carnmoney River and other Waters as flow into the said Dam.	Ditto -	Ditto -	None -	Ditto.
93	House and Garden -	Ditto -	Ditto -	None -	John Rodgers.
100	House, Corn Mill, Dam, and Kiln, and so much of the Carnmoney River and other Waters as flow into the said Dam.	Ditto -	Robert and John Thomson.	None -	William Patterson.
107	House and Garden -	Ditto -	Ditto -	David Watt -	William M'Carroll.
111	House and Garden -	Ditto -	Ditto -	None -	James Kilpatrick.
112	House and Garden -	Ditto -	Ditto -	None -	Jane M'Stockart.

Number on Plan.	Description of Property.	Owner.	Lessee.	Sub-Lessee.	Occupier.
113	Carnmoney River, and Upper Mill Dam, which receives the Water of said River and supplies the Works of James Grimshaw and James Grimshaw junior, Richard Bell, Jacob Bell, and Joseph Calvert.	The Marquis of Donegal.	Thomas Grimshaw, James Grimshaw, and Robert Grimshaw.	James Grimshaw, James Grimshaw junior, Richard Bell, Jacob Bell, and Joseph Calvert.	James Grimshaw, James Grimshaw junior, Richard Bell, Jacob Bell, and Joseph Calvert.
114	Ditto - -	Ditto -	Ditto -	Ditto -	Ditto.
115	House and Garden -	Ditto -	Ditto -	None -	James Young.
120	The Flax Spinning Mill, Mill Dams, and Streams of Water which flow to the said Works from the Carnmoney River and Upper Dam at Nos. 113 and 114.	Ditto -	Ditto -	James Grimshaw senior, and James Grimshaw junior.	James Grimshaw senior and James Grimshaw junior.
121	Flax Spinning Mills, Mill Dam and Stream of Water which flows to the said Works from the last mentioned Flax Spinning Mill and Works.	Ditto -	Ditto -	Ditto -	Ditto.
122	Flax Spinning Mill, Mill Dams, and Streams of Water which flow to the said Works from the last-mentioned Flax Spinning Mill and Works.	Ditto -	Ditto -	Richard Bell, Jacob Bell, and Joseph Calvert.	Richard Bell, Jacob Bell, and Joseph Calvert.
<i>Parish of Belfast.</i>					
123	Land, Streets, Squares, Places, Lanes, Ways, and Passages through the Town of Belfast.	Commissioners and Committee of Police of the Town of Belfast.	None - -	None -	Occupied by the Public.
125	Line of Pipe Track over the Long Bridge of Belfast, or so much thereof as is situate in the County of Antrim.	Grand Jury of the County of Antrim.	None - -	None -	Occupied by the Public.

SCHEDULE (B.) to which this Act refers.

GENERAL BOUNDARY.

All Places lying within a Line drawn from the Point at which the River Blackstaff meets the Watercourse which flows along the Street called Donegal Pass, along the said Watercourse, to the Point at which Donegal Pass crosses the Aqueduct which supplies the Town; thence, Southward, along the Aqueduct to the Point at which the same joins the Stream by which it is fed; thence, Westward, along the said Stream to the Point at which the same meets Blackstaff Lane; thence along the South Side of Blackstaff Lane to the Centre of the Brick Building of the Reservoir or Fountain; thence in a straight Line to a circular Building at a Springhead or Well called Tea Lane Fountain; thence in a straight Line to another circular bricked Fountain or Well in the Grounds near the Flax Mill belonging to Messieurs Murphy and Company; thence in a straight Line to the South-eastern Angle of the Boundary of the Townland of Edenderry; thence, Northward, along the said Townland Boundary to the Point at which the same meets a Stream; thence, Westward, along the said Stream to the Point at which the same meets the Western Wall of Mr. Francis M'Cracken's Rope-walk; thence, Northward, along the Wall of the said Rope-walk to the Point at which the same meets the Shank Hill Road; thence in a straight Line to the South-west Point at which the Boundary of the new Burying Ground meets the Antrim Road; thence, Northward, along the Antrim Road to the Point at which the same meets the Road leading from the Antrim Road to the old Road from Belfast to Carrickfergus; thence, along the said Road leading to the old Road to Carrickfergus to the Point at which the same meets the old Road from Belfast to Carrickfergus; thence, Northward, along the old Road from Belfast to Carrickfergus to the Point at which the same meets the Mile Water; thence, Eastward, along the Mile Water to the Point at which the same meets the Shore of Belfast Lough; thence in a straight Line across Belfast Lough to the North-eastern Point of the Boundary of the Townland of Ballymacarett; thence, Southward, along the Boundary of the Townland of Ballymacarett to the Southernmost Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the Point at which the same meets the River Blackstaff; thence along the River Blackstaff to the Point first described; and also all Places in the Parish of Belfast otherwise Shankhill in the County of Antrim, not more than One Half Statute Mile from the nearest Point of the Boundary of the Town and Borough of Belfast as set forth above.

To be divided into Five Wards, as herein-after specified; and in every such Ward there shall be Two Commissioners.

DOCK WARD.

All Places lying within a Line drawn from the South-eastern Angle of Donegal Quay Westward, along Donegal Quay, to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Mary Street; thence, Northward, along Mary Street to the Point at which the same meets Gordon Street; thence, Westward, along Gordon Street, to the Point at which the same meets Grattan Street; thence along Grattan Street to the Point at which the same meets Green Street; thence along Green Street to the Point at which the same meets Academy Street; thence, Northward, along Academy Street to the Point

Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence, along Frederick Street, to the Point at which the same meets North Queen Street; thence, Southward, along North Queen Street to the Southern Angle of the Boundary Wall of the Belfast Poorhouse; thence, Westward, along the new Antrim Road to the Point at which the same meets the Boundary above mentioned; thence, Northward, and along the Boundary above mentioned, to a Point in the Channel Three hundred Feet from the West Shore of Belfast Lough; thence in a straight Line to the Point first described; together with such Dwelling Houses and Buildings as the Commissioners under this Act may annex to such Ward under and by virtue of the Provisions of this Act.

ST. ANNE'S WARD.

All Places lying within a Line drawn from the Point at which Waring Street meets Mary Street, Northward, along Mary Street, to the Point at which the same meets Gordon Street; thence, Westward, along Gordon Street, to the Point at which the same meets Grattan Street; thence, along Grattan Street to the Point at which the same meets Academy Street; thence, Northward, along Academy Street to the Point at which the same meets Great Patrick Street; thence, Westward, along Great Patrick Street to the Point at which the same meets Frederick Street; thence along Frederick Street to the Point at which the same meets North Queen Street; thence, Southward, along North Queen Street to the Southern Angle of the Boundary Wall of the Belfast Poorhouse; thence, Westward, along the new Antrim Road to the Point at which the same meets the Boundary above mentioned; thence, Westward, along the Boundary above mentioned to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point at which the same meets Waring Street; thence along Waring Street to the Point first described; together with such Dwelling Houses and Buildings as the said Commissioners under this Act may annex to such Ward under and by virtue of the Provisions of this Act.

SMITHFIELD WARD.

All Places lying within a Line drawn from the Point at which North Street meets Rosemary Street, along Rosemary Street, to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, passing in front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Westward, along Donegal Square North to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets College Square East; thence, Northward, along College Square East to the Point at which the same meets College Square North; thence, Westward, along College Square North to the Point at which the same meets Durham Street; thence, Northward, along Durham Street to the Point at which the same meets Pound Street; thence along Pound Street to the Point at which the same meets the Boundary above mentioned; thence, Northward, along the Boundary above mentioned to the Point at which the same meets the Old Lodge Road; thence, Eastward, along the Old Lodge Road to the Point at which the same meets North Street; thence, Eastward, along North Street to the Point first described; together with such Dwelling Houses and Buildings as the Commissioners under this Act may annex to such Ward under and by virtue of the Provisions of this Act.

ST. GEORGE'S WARD.

All Places lying within a Line drawn from the South-eastern Angle of Donegal Quay, Westward, along Merchant's Quay to the Point at which the same meets Waring Street; thence along Waring Street to the Point at which the same meets Rosemary Street; thence along Rosemary Street to the Point at which the same meets Hercules Place; thence, Southward, along Hercules Place, and passing in front of the Northern Bank, to the Northern End of Donegal Place; thence along Donegal Place to the Point at which the same meets Donegal Square North; thence, Eastward, along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary above mentioned; thence, Northward, along the Boundary above mentioned to the Point in the Channel Three hundred Feet from the West Shore of Belfast Lough; thence in a straight Line to the Point first described; together with such Dwelling Houses and Buildings as the Commissioners under this Act may annex to such Ward under and by virtue of the Provisions of this Act.

CROMAC WARD.

All Places lying within a Line drawn from the Point at which the Boundary of the Borough crosses Pound Street, Southward, along Pound Street to the Point at which the same meets Durham Street; thence along Durham Street to the Point at which the same meets College Square North; thence along College Square North to the Point at which the same meets College Square East; thence along College Square East to the Point at which the same meets Wellington Place; thence along Wellington Place to the Point at which the same meets Donegal Square North; thence along Donegal Square North to the Point at which the same meets Chichester Street; thence along Chichester Street to the Point at which the same meets the River Lagan; thence, Southward, along the River Lagan to the new Bridge over the River Lagan; thence, Eastward, along the new Road from Belfast to Bangor to the Point at which the same meets the old Road from Belfast to Bangor; thence, Eastward, along the Bangor Road to the Point at which the same crosses the Boundary above mentioned; thence, Southward, along the Boundary above mentioned to the Point first described; together with such Dwelling Houses and Buildings as the Commissioners under this Act may annex to such Ward under and by virtue of the Provisions of this Act.

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