



CHAPTER clxxii.

An Act to confer further powers on the Belfast Water Commissioners; and for other purposes. [21st July 1879.] A.D. 1879.

WHEREAS by the Belfast Water Act, 1840 (in this Act called "the Act of 1840"), provision was made for better supplying the town and borough of Belfast and the precincts thereof with water, and by the Belfast Water Act, 1865 (in this Act called "the Act of 1865"), and by the Belfast Water Act, 1874 (in this Act called "the Act of 1874"), the powers of the Corporation of the Belfast Water Commissioners (in this Act called "the Commissioners") were varied and increased :

3 & 4 Vict.
c. lxxix.

28 & 29 Vict.
c. clxxxix.
37 & 38 Vict.
c. cli.

And whereas the present supply of water to the borough is inadequate, and it is expedient that an additional supply should be provided, and that with this view the Commissioners should be empowered to acquire certain lands and waters, and to execute certain works, and to raise further sums of money for that purpose :

And whereas it is expedient that the periods limited by the Act of 1874 for the compulsory purchase of lands, and for the completion of certain works authorised by that Act, should be extended as herein-after provided, and also that certain works authorised by that Act which will be rendered unnecessary by the construction of some of the works authorised by this Act should be abandoned :

And whereas it is expedient that some of the provisions of the recited Acts should be repealed or amended, and that further powers should be granted to the Commissioners :

And whereas plans and sections showing the lines and levels of the works authorised by this Act, and also books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of the lands and waters required or which may be taken for the purposes or under the powers of this Act, were duly deposited with the respective clerks of the peace for the county of Antrim and the county of the town of Carrickfergus, and are herein-after respectively referred to as the deposited plans, sections, and books of reference :

A.D. 1879. — And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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

Short title. 1. This Act may be cited as the Belfast Water Act, 1879.

Construction of Act. 2. This Act and the Acts of 1840, 1865, and 1874, as amended and varied by this Act, shall be read and construed together as one Act.

Incorporation of general Acts. 8 & 9 Vict. c. 18. 14 & 15 Vict. c. 70. 23 & 24 Vict. c. 97. 27 & 28 Vict. c. 71. 31 & 32 Vict. c. 70. 8 & 9 Vict. c. 20. 23 & 24 Vict. c. 106. 10 & 11 Vict. c. 17. 26 & 27 Vict. c. 93. 3. The Lands Clause Consolidation Act, 1845, save so far as any provisions thereof are inconsistent with the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, and the Railways Act (Ireland), 1864, and the Railways Traverse Act respectively ; the clauses and provisions of the Railways Clauses Consolidation Act, 1845, with respect to the temporary occupation of lands near the railway during the construction thereof, and also the sections of the last-mentioned Act, numbered 53, 54, 55, 56, 57, and 58, relating to the substitution of other roads for roads interfered with, and to the restoration of roads interfered with ; the Lands Clauses Consolidation Acts Amendment Act, 1860 ; the Railways Act (Ireland), 1851 ; the Railways Act (Ireland), 1860 ; the Railways Act (Ireland), 1864 ; the Railways Traverse Act ; the Waterworks Clauses Act, 1847, except sections 68, 69, 70, 71, 72, and 73, and the clauses or sections with respect to the amount of profit to be received by the undertakers when the waterworks are carried on for their benefit, and the Waterworks Clauses Act, 1863, are, except where expressly varied by or inconsistent with this Act, incorporated with and form part of this Act ; and in the said incorporated Acts, or any of them, unless there be something in the subject or context repugnant to the respective constructions herein-after defined, the expression "the special Act" means this Act ; the expressions "the promoters," "the promoters of the undertaking," "the undertakers," and "the company" mean respectively the Commissioners ; the word "secretary" means the clerk of the Commissioners ; the expressions "the railway" and "the undertaking" mean respectively the works by this Act authorised to be executed ; the expressions "purchase money" and "compensation" and other equivalent expressions shall include the compensation in money or water to be made in respect of the damage to any lands, mills, manufactories, or works situate in the course of or using any of the waters by this Act authorised to be taken and appropriated by the Com-

missioners; the word "mines" shall include salt mines and salt springs, and the word "minerals" shall include salt; and the provisions of the Waterworks Clauses Acts, 1847 and 1863, which are incorporated herewith, except so far as the same or any of them are expressly varied by or inconsistent with this Act, shall apply not only to the works by this Act authorised to be made and executed, but also (subject to the provisions herein-after contained) to the waterworks, lands, hereditaments, rights, easements, and effects now vested in the Commissioners, or in, over, or upon which the Commissioners have by this Act, or by the Acts of 1840, 1865, and 1874 any power or right; and subject as aforesaid, the words "lands" and "streams" in the Waterworks Clauses Act, 1847, mean respectively not only the lands, loughs, rivers, streams, and waters from which the water is authorised to be taken under the provisions of this Act, but also the lands, loughs, streams, and waters over or in which the Commissioners now have or will have any power or right.

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4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction :

Interpreta-
tion of
terms.

The expression "the Act of 1840" means the Belfast Water Act, 1840 :

The expression "the Act of 1865" means the Belfast Water Act, 1865 :

The expression "the Act of 1874" means the Belfast Water Act, 1874 :

The expression "the Acts of 1840, 1865, and 1874," means the Act of 1840, the Act of 1865, and the Act of 1874 :

The word "Commissioners" means "the Corporation of the Belfast Water Commissioners" as acting under the Acts of 1840, 1865, and 1874, and this Act :

The expression "the corporation" means the mayor, aldermen, and burgesses of the borough of Belfast :

The expression "borough of Belfast" and the word "borough" mean respectively the entire borough and municipal district of Belfast as extended and defined by the Belfast Borough Extension Act, 1853, and the Schedule (A.) thereto annexed, and any extension of the borough which may hereafter be sanctioned by Parliament :

16 & 17 Vict.
c. 114.

The word "person" includes a company or a corporation, whether aggregate or sole :

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The word "streams" includes springs, brooks, rivers, and other running water :

The expression "quarter sessions" includes the recorder's court for the borough.

Definition
of street.

5. In this Act the term "street" shall apply to and include any highway, and any bridge, road, lane, footway, square, court, quay, dock, alley, passage (whether a thoroughfare or not) open to the public, and any part or parts of any such highway, bridge, road, lane, footway, square, court, quay, dock, alley, or passage, whether existing or made before or after the commencement of this Act.

Power to
execute and
maintain
works.

6. Subject to the provisions of this Act, the Commissioners may make and maintain, in the lines and according to the levels shown on the deposited plans and sections, the works herein-after described, with all proper approaches, works, and conveniences connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose; and they may take, appropriate, divert, and use the streams and waters following, or some or one of them; that is to say, South Woodburn and North Woodburn Streams, Copeland Water, Lough Mourne, streams flowing from Craigboy through Broadisland to Milltown Mill, Kilroot; also the cut or mill race diverting the Lough Mourne and Copeland waters to mills and other works near the town of Carrickfergus, the French Park and Duncrue Streams; also to appropriate and use the waters of certain springs arising in a quarry situate near the Antrim Road, in the townlands of Drumnadrough and Colinward parish of Carnmoney county of Antrim; also to further increase the supply of water from the Whitewell Spring, which lough, streams, springs, watercourses, and tunnels above-mentioned flow directly or indirectly into Belfast Lough; also to appropriate the waters of the Beltoy Streams which flow into Larne Lough, together with all the streams flowing into the same respectively between their respective sources and the respective points of interception by the Commissioners; and also any springs, streams, or waters which may be found in the course of the construction of the intended works, or any of them.

The works herein-before referred to and authorised by this Act are—

1. A line of pipes (No. 1), commencing in the townland of Edenderry parish of Shankhill and county of Antrim, in or under the public street known as the Crumlin Road, which leads from Belfast to Crumlin, at a point thirty-one yards or thereabouts, measured in a south by east direction from the south-

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east corner of the spinning mill known as the Brookfield Spinning Company's Mill, thence passing in a northerly direction through the said townland and through and into the townlands of Townparks and Oldpark parish of Shankhill and county of Antrim, and terminating in the said townland of Oldpark by a junction with an existing pipe belonging to the Commissioners situate on the southern margin of the reservoir known as Carr's Glen Reservoir, and belonging to the Commissioners, at a point seventy yards or thereabouts, measured in a northerly direction from the north-west corner of the dwelling-house belonging or reputed to belong to the Reverend George Glover, and in the occupation of George McAuliffe and Neill Mulvany, or one of them, in the said townland of Oldpark. The intended line of pipes above described will be situate partly within and partly without the municipal boundary of the borough of Belfast:

2. A road (No. 2), commencing at the northern boundary fence of the high service reservoir belonging to the Commissioners, at a point ninety-five yards or thereabouts, measured in a south-westerly direction from the south-west corner of the said dwelling-house belonging or reputed to belong to the said Reverend George Glover, and in the occupation of the said George McAuliffe and Neill Mulvany, or one of them, and thence passing in a north-easterly direction through the said townland of Oldpark, and terminating at the southern boundary fence of the said Carr's Glen Reservoir belonging to the Commissioners, at a point sixty-one yards or thereabouts, measured in a north-westerly direction from the north-western corner of the said dwelling-house belonging or reputed to belong to the said Reverend George Glover, and in the occupation of the said George McAuliffe and Neill Mulvany, or one of them, the said intended road being wholly situate within the said townland of Oldpark parish of Shankhill and county of Antrim:
3. A line of pipes (No. 3), commencing in the townland of Townparks parish of Shankhill and county of Antrim, by a junction with the said intended line of pipes (No. 1) above described, at a point in or under the Oldpark Road three furlongs seven chains and fourteen yards or thereabouts, measured along the said intended line of pipes (No. 1) from its commencement in the Crumlin Road, thence passing through and terminating in the said townland, parish, and county by a junction with the existing pipe belonging to

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the Commissioners, situate in or under the road known as Cliftonville Road, at a point thirty-two yards or thereabouts, measured in a south-easterly direction from the eastern face of the northern pillar of the entrance gate to the demesne and house of Oldpark, belonging or reputed to belong to William T. B. Lyons, and in the occupation of William J. B. Lyons. The said intended line of pipes (No. 3) will be wholly situate within the said municipal boundary :

4. A line of pipes (No. 4), commencing at a point in a street known as Ardilea Street, belonging or reputed to belong to the Marquis of Donegall, William T. B. Lyons, Sir John Savage, John Armstrong, and Gilbert K. Dunn, or some of them and others, at a point seven yards or thereabouts, measured in a north-westerly direction from the north-west corner of a dwelling-house belonging or reputed to belong to Sir John Savage and in the occupation of Alexander McClintock, thence extending in a north-easterly direction along the said Ardilea Street and through the said townland, and terminating by a junction with the said intended line of pipes (No. 3) in the Oldpark Road at a point seven chains seven yards or thereabouts, measured in a south-easterly direction along the said intended line of pipes (No. 3) from its commencement above described, all being situate in the townland of Townparks parish of Shankhill and county of Antrim. The said intended line of pipes (No. 4) will be wholly situate within the said municipal boundary :
5. A line of pipes (No. 5), commencing in the townland of Oldpark parish of Shankhill and county of Antrim, by a junction with the existing discharge pipe from the high service reservoir belonging to the Commissioners, situate near the south-east angle of the embankment which incloses the said reservoir, at a point two hundred and fifty-three yards or thereabouts, measured in a south-westerly direction from the southern face of the southern pillar of the entrance gate leading to the said high service reservoir from the occupation road known as the Barleymill Road, passing along the eastern boundary of the said high service reservoir, thence extending in a south-easterly direction through, and terminating in the said townland of Oldpark near the western boundary fence of the middle basin reservoir belonging to the Commissioners, at a point forty-two yards or thereabouts, measured in a westerly direction from the southern end of the west parapet wall of the stone bridge which crosses the small arm of the said middle basin reservoir on its western margin. The said intended line of

pipes (No. 5) will be situate partly within and partly without the said municipal boundary :

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6. A road (No. 6), commencing in the townland of Oldpark parish of Shankhill and county of Antrim, near the eastern boundary fence of the high service reservoir belonging to the Commissioners, at a point two hundred and fifty-three yards or thereabouts, measured in a south-westerly direction from the southern face of the southern pillar of the entrance gate leading to the said high service reservoir from the said occupation road known as the Barleymill Road, passing along the eastern boundary of the said high service reservoir, thence extending in a south-easterly direction through, and terminating in the said townland of Oldpark near the western boundary fence of the middle basin reservoir belonging to the Commissioners, at a point forty-two yards or thereabouts, measured in a westerly direction from the southern end of the west parapet wall of the stone bridge which crosses the small arm of the said middle basin reservoir on its western margin. The said intended road will be situate partly within and partly without the said municipal boundary :
7. A covered or open conduit, aqueduct, watercourse, or waste channel (No. 7), commencing in the townland of Oldpark parish of Shankhill and county of Antrim, in the river or stream known as the Carr's Glen River (or the Milewater River), near the commencement of the Carr's Glen Reservoir belonging to the Commissioners, at a point one hundred and eighty-nine yards or thereabouts, measured in a north-easterly direction from the north-east corner of a dwelling-house belonging or reputed to belong to the said William T. B. Lyons, and in the occupation of Elizabeth Magee, thence extending in an east by south direction into and through the said townland of Oldpark and the townland of Skegoniel, or one of them, and terminating in the said townland of Oldpark by a junction with the existing waste channel of the said Carr's Glen Reservoir at a point seventy-seven yards or thereabouts, measured in a south-easterly direction, from the eastern angle of the existing waste weir or overflow of the said reservoir :
8. An embankment (No. 8), on the line of the river or stream known as the Carr's Glen River (or Milewater River), commencing in the townland of Oldpark parish of Shankhill and county of Antrim, on the west bank of the said river, at a point one hundred and eighty yards or thereabouts,

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measured in a north-easterly direction from the north-east corner of the said dwelling-house belonging or reputed to belong to the said William T. B. Lyons, and in the occupation of the said Elizabeth Magee, thence extending in an easterly direction across the said Carr's Glen River for a distance of thirty-eight yards or thereabouts, and terminating on the east bank thereof in the said townland of Oldpark, at a point one hundred and eighty-one yards or thereabouts, measured in a north-easterly direction from the north-east corner of the said dwelling-house belonging or reputed to belong to the said William T. B. Lyons, and occupied by the said Elizabeth Magee :

9. A line of pipes (No. 9), commencing in the townland of Oldpark parish of Shankhill and county of Antrim, by a junction with the existing discharge pipe from Carr's Glen Reservoir belonging to the Commissioners, at the point where that discharge pipe enters the tailbay of that reservoir, thence extending through the said townland into and through the townland of Skegoneil in the same parish and county, and terminating in the said townland of Skegoneil by a junction with an existing pipe belonging to the Commissioners in or under the road or street known as the Limestone Road, at a point thirty-nine yards or thereabouts, measured in a south-westerly direction from the south-west corner of a dwelling-house belonging or reputed to belong to and in the occupation of the Reverend John B. Wylie. The said intended line of pipes (No. 9) will be situate partly within and partly without the said municipal boundary :
10. A line of pipes (No. 10), commencing in the townland of Drumnadrough parish of Carnmoney and county of Antrim, by a junction with the tank belonging to the Commissioners which collects the waters of the Whitewell Spring, situate on the western side of the public road leading from Belfast to Antrim, thence extending along an occupation road in a south-south-east direction for a distance of two hundred and twelve yards or thereabouts, thence extending in a south-westerly direction for a distance of seventy-seven yards or thereabouts, and terminating in the townland of Colinward in the said parish and county in a quarry belonging or reputed to belong to the Marquis of Donegall, Robert C. Thompson, and others, and in the occupation of the said Marquis of Donegall and James Turner.
11. A filtering reservoir (No. 11), of a rectangular form, measuring three and a half chains or thereabouts in length by three chains or thereabouts in width, to be situate on the north-

western side of the Woodburn Conduit belonging to the Commissioners, and occupying portions of two fields belonging or reputed to belong to the Municipal Commissioners of Carrickfergus and to the Marquis of Donegall, one of the fields being in the occupation of James Johnstone, and the other in the occupation of Thomas Johnstone, the southern angle of the said reservoir being situate at a point one hundred and thirty yards or thereabouts, measured in a north-easterly direction from the north-eastern corner of a dwelling-house belonging or reputed to belong to the Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of the said James Johnstone, the whole being situate within the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus : A.D. 1879.

12. A filtering reservoir (No. 12), of an almost rectangular form, measuring three and a half chains or thereabouts in length by three chains and ten links or thereabouts in width, to be situate to the north-east of the filtering reservoir (No. 11) above described, and on the north-western side of the said Woodburn Conduit belonging to the Commissioners, and occupying a portion of a field belonging or reputed to belong to the Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of Thomas Johnstone, the southern angle of the said intended filtering reservoir (No. 12) being situate at a point two hundred and eighteen yards or thereabouts, measured in a north-easterly direction from the north-eastern corner of the said dwelling-house belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of James Johnstone, the whole being situate within the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :
13. A filtering reservoir (No. 13) of a trapezoidal form, measuring three and a half chains or thereabouts in length by a mean width of three chains or thereabouts, situate on the north-western side of the said Woodburn Conduit belonging to the Commissioners and occupying portions of two fields and a portion of a small haggard or garden belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of Robert Apsley, also a portion of one field belonging or reputed to belong to the said last-named owners, and in the occupation of Thomas Johnstone, the southern

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angle of the said intended reservoir being situate at a point three hundred and two yards or thereabouts, measured in a north-easterly direction from the north-eastern corner of the dwelling-house belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of James Johnstone, the whole being situate in the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :

14. A filtering reservoir (No. 14), of a rectangular form, measuring five and a half chains or thereabouts in length by one and a quarter chain or thereabouts in width, situate on the south-eastern side of the Woodburn Conduit, and occupying portions of one field belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of James Johnstone, and also portions of two fields and an occupation road belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of Thomas Johnstone, the southern angle of the said reservoir being situate at a point one hundred and thirty yards or thereabouts, measured in a north-easterly direction from the north corner of the dwelling-house belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of James Johnstone, the whole being situate in the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :
15. A filtering reservoir (No. 15), of a generally trapezoidal form, measuring five and a half chains or thereabouts in length by a mean width of one and a quarter chain or thereabouts, to be situate on the south-eastern side of the said Woodburn Conduit, and occupying portions of two fields belonging or reputed to belong to the Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of Thomas Johnstone, also occupying portions of a field and of a small haggard or garden belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of Robert Apsley, the southern angle of the said reservoir being situate at a point two hundred and seventy-seven yards or thereabouts, measured in a north-easterly direction from the north-eastern corner of the said dwelling-house belonging or reputed to belong to the said

Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of James Johnstone, the whole being situate in the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :

16. A line of pipes (No. 16), commencing on the south-west of a well on the said Woodburn Conduit (which well is situate eight miles one furlong and four chains from the commencement of the said Woodburn Conduit at the high service reservoir in Belfast), at a point one hundred and seventy yards or thereabouts, measured in a north-easterly direction from the north corner of the said dwelling-house belonging or reputed to belong to the said Municipal Commissioners of Carrickfergus and to the said Marquis of Donegall, and in the occupation of James Johnstone, thence passing in a north-westerly direction alongside and over the said Woodburn Conduit to and entering the outlet, culvert, and discharge tunnel of the Dorisland Settling Reservoir belonging to the Commissioners, and terminating by a junction with the stand pipe of the said settling reservoir, the whole being situate in the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :
17. An open or close conduit, watercourse, or waste channel (No. 17), commencing by a junction with the existing connexion well on the Woodburn Conduit belonging to the Commissioners, where the outlet of the said Dorisland Settling Reservoir joins the said Woodburn Conduit at a point eight miles three furlongs and nine chains or thereabouts, measured along the said Woodburn Conduit, from its commencement at the high service reservoir in Belfast, thence passing in a south-easterly direction through the said townland of West Division, and terminating by a junction with the Woodburn River at a point thirty-three yards or thereabouts, measured in a north-westerly direction from the north quoin of the west abutment of the west arch of the stone bridge which carries the Belfast and Northern Counties Railway across the said Woodburn River, the whole being situate within the said townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :
18. A line of pipes (No. 18), commencing by a junction with the aqueduct, tunnel, conduit, or line of pipes from the Copeland Reservoir authorised to be constructed under the powers of

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the Act of 1874, the said junction being situate where the said aqueduct, tunnel, conduit, or line of pipes will cross under the public road leading from the town of Carrickfergus to the village of Straid on the south-west side of the said public road at a point three miles six chains and eight yards or thereabouts, measured along the said aqueduct, tunnel, conduit, or line of pipes from its authorised commencement at the said Copeland Reservoir, thence extending in a south-westerly direction, and terminating by a junction with the well near the end of the said Woodburn Conduit, which is situated at nine miles four chains measured along the said Woodburn Conduit, from its commencement at the high service reservoir in Belfast, the whole being situate in the townlands of West Division and Middle Division, or one of them, parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :

19. An impounding reservoir (No. 19), to be situate on the South Woodburn River and valley of the same, on the eastern side of the existing South Woodburn Reservoir belonging to the Commissioners, on lands and premises purchased by the Commissioners under the powers of the Act of 1865, the said intended reservoir to be formed by an embankment across the said South Woodburn River, commencing in a field belonging to the Commissioners and in the occupation of the Commissioners or their tenants at a point three hundred and seven yards or thereabouts, measured in a northerly direction, from the north-east corner of a dwelling-house belonging or reputed to belong to the Municipal Commissioners of Carrickfergus, Francis Elcock Massey, William Adams, John Adams, and others, and in the occupation of Mary Elizabeth Howard, the said embankment thence extending (first) in a nearly northerly direction for a distance of three hundred and eighty-two yards or thereabouts, and (second) proceeding in a north-westerly direction for a distance of eighty-three yards or thereabouts, and terminating in a field belonging to the Commissioners, and in the occupation of the Commissioners or their tenants, at a point two hundred and fifty-five yards or thereabouts, measured in a north-westerly direction, from the west corner of the dwelling-house belonging or reputed to belong to the Municipal Commissioners of Carrickfergus, and to the Marquis of Downshire or his trustees, and in the occupation of Anthony McBrinn, the said intended reservoir thence extending in a generally westerly direction, on both sides of the South Woodburn

River, and converging to a point on the said river four hundred and fifty-one yards or thereabouts, measured in a westerly direction, from the centre line of the portion of the said embankment first above described, the whole being situate within the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus : A.D. 1879.

20. An open or close conduit, watercourse, waste channel, or line of pipes (No. 20), commencing at or near the south end of the embankment of the existing South Woodburn Reservoir belonging to the Commissioners, on the inner margin of that reservoir, at a point one hundred and seventy-three yards or thereabouts, measured in a westerly direction from the north-western corner of the dwelling-house belonging or reputed to belong to the Municipal Commissioners of Carrickfergus, and to Francis Elcock Massey, and in the occupation of Paul Picken, thence extending in a north-easterly direction, and terminating in a field forming part of the site of the said intended impounding reservoir (No. 19), belonging to the Commissioners, and in the occupation of the Commissioners or their tenants, at a point three hundred and forty yards or thereabouts, measured in a northerly direction from the north-western corner of the said dwelling-house belonging or reputed to belong to the Municipal Commissioners of Carrickfergus, and to the said Francis Elcock Massey, and in the occupation of Paul Picken, the whole being situate in the townland of West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus :
21. An open or close conduit, watercourse, or line of pipes (No. 21), commencing by a junction with the aqueduct, tunnel, conduit, or line of pipes or syphons authorised by the Act of 1874, numbered 10, and described in section five of that Act, at a point seven furlongs six chains eleven yards or thereabouts, measured along the said aqueduct, tunnel, conduit, or line of pipes numbered 10 from its commencement in Lough Mourne, and thence following the general course and direction of the stream which flows from Lough Mourne towards the site of the Copeland Reservoir authorised to be constructed by the Act of 1874, and numbered 7 in section five of that Act, and terminating at the upper or up stream end of the said Copeland Reservoir. The whole of the said intended open or close conduit, watercourse, or line of pipes numbered 21 will be situate in the townland of

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North-east Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus.

Applying
28 & 29 Vict.
c. clxxxix.
s. 39.

7. Section 39 of the Act of 1865 with reference to outlets for drainage of land shall apply in the case of the conduit, watercourse, or waste channel (No. 17) by this Act authorised so far as it will pass through any land forming part of the estates of the Marquis of Downshire, and the said Marquis and his successors in estate shall at all times have the free right to cause water from the adjoining lands to drain into the said conduit or waste channel.

As to interference with lands and property of the harbour commissioners.

8. In the event of the Belfast Harbour Commissioners requiring any of their lands for the construction of docks or for other harbour purposes, the Commissioners shall remove and divert any mains or pipes which may be laid therein for the conveyance of water. The harbour commissioners shall pay the costs of and incidental to such removal and diversion where the pipes have been or shall be laid with their consent, and the Commissioners shall pay the costs of and incidental to such removal and diversion where the pipes have been or shall be laid by them without the consent of the harbour commissioners. The said diversion shall be made in such manner as may be agreed upon by the engineer for the Commissioners and the engineer for the harbour commissioners for the time being; and in the event of such engineers not agreeing as to the mode of diversion, the matters in difference shall be settled by an arbitrator to be appointed by the Board of Public Works of Ireland, upon the application of either party, whose decision shall be final, and the costs of such arbitration shall be defrayed as such arbitrator shall direct.

Power to deviate laterally and vertically.

9. In the construction of the works by this Act authorised the Commissioners may make lateral deviations from the lines of such works, provided that such deviations shall not extend beyond the limits of lateral deviation defined upon the deposited plans, except with the consent of the owners, lessees, and occupiers of the lands on which such works shall be situate, and that the Commissioners shall not construct any embankment or wall of any reservoir of a greater height above the general surface of the ground than that shown on the deposited sections; and the Commissioners may deviate vertically from the levels of such works as defined on the said plans and sections with reference to the datum line to any extent not exceeding three feet in the case of reservoirs and in other cases five feet.

Period for compulsory purchase of lands or waters.

10. The powers of the Commissioners for the compulsory purchase of lands or waters for the purposes of this Act shall not be exercised after the expiration of five years from the passing of this Act.

11. The Commissioners may from time to time purchase by agreement for any of the purposes of this Act any quantity of land not exceeding in the whole thirty acres, in addition to any other lands at present held by them, or the lands which they are authorised to purchase under the compulsory powers of this Act: Provided always, that any land purchased or leased by agreement by the Commissioners under the powers of this section shall not be built upon by the Commissioners except for the purpose of offices or buildings requisite for their undertaking, or cottages for labourers and care-takers in the employment of the Commissioners.

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Power to
purchase
lands by
agreement.

12. The Commissioners may from time to time for any of the purposes of this Act purchase by agreement with the respective owners, lessees, and occupiers thereof, the waters of any stream or streams convenient to the works, or intersected by the lines of conduit of the Commissioners, and they may, with the consent of the owners, lessees, and occupiers of all lands affected, make the necessary works for the appropriation of such waters.

Power to
purchase
waters, &c.
by agree-
ment.

13. The Commissioners may contract and agree with any person who may be interested in any streams or waters authorised to be taken under this Act to provide and give to such person such supply of water as may be agreed upon by way of compensation for any injury which he may sustain by or from the works authorised to be executed under this Act, or any of them, and for that purpose the Commissioners may make all such agreements and do all such acts as they shall deem expedient.

Power to
agree for
water com-
pensation.

14. If the works authorised by this Act are not completed within seven years from the passing of this Act, then at the expiration of that period the powers by this Act granted to the Commissioners for making and completing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

Period for
completion
of works.

15. The Commissioners may acquire by compulsion or agreement, for the purposes of their undertaking, and hold in addition to the lands, houses, and hereditaments before mentioned, certain lands and premises shown on the deposited plans situate on the west side of Fountain Street in the borough of Belfast townland of Townparks parish of Shankhill and county of Antrim.

Power to
acquire lands
and premises
in Fountain
Street, Bel-
fast.

16. The powers of the Act of 1874, with respect to the compulsory purchase or taking of lands for the purposes of the following works authorised by and described in section five of that Act; that is to say,

Extension
of time for
compulsory
purchase of
lands.

(1.) An aqueduct, tunnel or line of pipes (No. 6);

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- (2.) An impounding reservoir (No. 7);
- (3.) An aqueduct, tunnel, conduit, catch water, drain, or pipe (No. 8);
- (4.) An impounding reservoir (No. 9);
- (5.) So much of the aqueduct, tunnel, conduit, or line of pipes or syphons (No. 10) as it is not intended to abandon under the powers of this Act;

are hereby extended, and shall continue in force until the expiration of three years from the sixteenth day of July one thousand eight hundred and seventy-nine.

Extension
of time for
completion
of works.

17. The powers of the Commissioners for the construction and completion of the works specified in the immediately preceding section authorised by the Act of 1874 shall be extended and enlarged until the expiration of five years from the sixteenth day of July one thousand eight hundred and seventy-nine, and on the expiration of such extended period the powers of the Commissioners in relation to the said works shall cease to be exercised, except as to so much thereof as shall then be completed.

Certain
works autho-
rised by
37 & 38 Vict.
c. cli. to be
abandoned.

18. The Commissioners may abandon the construction of the following works authorised by the Act of 1874; (that is to say,)

- (1.) So much of the said aqueduct, tunnel, conduit, or line of pipes or syphons (No. 10), authorised by and described in section five of the Act of 1874, as will be rendered unnecessary by the construction of the open or close conduit, watercourse, or line of pipes (No. 21), authorised by this Act:
- (2.) The short cut or tunnel (No. 14), authorised by and described in the said section five of the Act of 1874.

Compensa-
tion for
damage to
land by
entry, &c.

19. The abandonment by the Commissioners under the authority of this Act of any portion of the said works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Commissioners on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the works, and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Commissioners to receive compensation for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof.

Compensa-
tion to be
made in
respect of

20. Where before the passing of this Act any contract may have been entered into or notice given by the Commissioners for the purchasing of any land for the purposes of or in relation to any

portion of the works authorised to be abandoned by this Act, and which shall not be required for the purposes of any of the works by this Act authorised, the Commissioners shall be released from all liability to purchase or to complete the purchase of any such lands, but notwithstanding full compensation shall be made by the Commissioners to the owners and occupiers or other persons interested in such lands for injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice, and the amount and application of the compensation shall be determined in the manner provided by the Lands Clauses Consolidation Act, 1845, as amended by any subsequent Act for determining the amount and application of compensation to be paid for lands taken under the provisions thereof.

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portions of
works abandoned.

21. The Commissioners may discontinue the easement, right of way, and use of a spring at the weir situate on the South Woodburn River, near the south end of the tunnel which conveys water from the North Woodburn River to the South Woodburn River in the West Division parish of St. Nicholas, otherwise Carrickfergus, and county of the town of Carrickfergus; provided that they shall first make on land to be provided for the purpose by the Marquis of Downshire, or the owner for the time being of his estates, at a point to be agreed on between the agent for the time being of the said Marquis, or such owner and the engineer of the Commissioners, not more than fifty yards to the eastward of the said weir, a well and watering place in substitution for such spring, to the reasonable satisfaction of such agent, and keep the same at all times in repair and fully supplied with water; and the Commissioners may also discontinue the easement or right of water for cattle on the south side of the South Woodburn River on or near the site of the Lower South Woodburn Reservoir authorised by the Act of 1865, and thereupon such easements or rights of water or of way shall be extinguished.

Extinguishment of certain easements or rights of way, &c.

22. Provided always, that the extinguishment by the Commissioners under the authority of this Act of such easements or rights of water or of way as are mentioned in the immediately preceding enactment shall not prejudice or affect the rights of parties entitled to such easements or rights of water or of way to receive compensation for the loss of the same, such compensation, in case of difference, to be settled by an arbitrator to be appointed by the Board of Public Works of Ireland on the application of either party.

Providing for compensation for extinguishment of easements or rights of way.

23. For the prevention of the pollution of reservoirs, streams, watercourses, and waters over which (for the purpose of affording a supply of water for domestic purposes) the Commissioners for the

Provisions as to fouling of water.

A.D. 1879. — time being have any powers of user, or in which for the same purpose they are for the time being interested, they shall have, and may, if they think fit, from time to time exercise (in addition to all powers now vested in them) such and the like powers as may for the time being be exercised by any sanitary authority under any enactment for the prevention of the pollution of any watercourse or water within their jurisdiction, and the provisions of such enactment shall for the purpose aforesaid extend and apply mutatis mutandis to the Commissioners.

Power to supply water beyond the limits of the borough of Belfast.

24. The Commissioners may make and carry into effect contracts and arrangements with any municipal commissioners, local authority, or board of guardians or company, persons or person, for the supply of water by the Commissioners beyond the limits of the borough of Belfast: Provided always, that no agreement shall be made under this section which may prejudice the supply for domestic purposes to be afforded by the Commissioners within the borough, or the supply which may from time to time be required to be afforded for the use and accommodation of the shipping frequenting the port and harbour of Belfast, in terms of section 102 of the Act of 1840.

Provision as to certain fire plugs.

25. Section 130 of the Act of 1840 shall be deemed (notwithstanding anything in any Act relating to the Commissioners) to be and to remain in force, and nothing in any Act relating to the Commissioners shall be deemed to require the cost of any fire plugs provided under that section, or any expense connected therewith, to be defrayed by the corporation.

As to laying of mains in new streets.

26. Before commencing to pave or otherwise complete any new street within the borough in which there are twelve or more dwelling-houses, the corporation may and shall serve notice in writing upon the Commissioners requiring them within a reasonable time to be specified in such notice to lay down therein a main pipe or pipes sufficient for the supply of the houses erected or to be erected in such street, and the Commissioners shall with all reasonable despatch lay down such main pipe or pipes accordingly, subject to and in accordance with the provisions of the Waterworks Clauses Act, 1847, with respect to the breaking up of streets; provided that if the Commissioners within one month after the service of such notice object to comply therewith on the ground that the outlay involved in complying with such notice would be unreasonable, and shall serve notice in writing of such objections under their common seal upon the corporation, such notice and objections shall be referred to two justices in petty sessions, who shall have power to make such order thereon as they may deem reasonable, which order shall be final.

27. The Commissioners may lay their mains and pipes in any new or partly formed street within the limits of supply, doing as little damage as may be, and making full compensation for any damage done.

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Power to Commissioners to lay pipes in partly formed streets.

28. For the purpose of preventing waste of water, the Commissioners may require that all communication pipes to be hereafter laid from their service pipes shall be laid on from the front of houses requiring a supply of water; and in the case of communication pipes which have been laid on from the rear of houses bursting or leaking the supply of water may, if the Commissioners think fit, be discontinued, unless and until the pipes for supplying the same be laid on from the front of such houses, at the expense of the person liable to pay the rate for the water so supplied, and such expenses may be recovered by the Commissioners, together with full costs of suit, on application to a court of petty sessions, and the decision of such court shall be final and not subject to appeal, and if the person so liable to repay such expenses to the Commissioners shall after demand refuse or neglect to pay the same, it shall be lawful for the Commissioners to turn off the supply of water from the premises of such person.

Communication pipes to be laid on from front of houses.

29. Where water is supplied by the Commissioners by measure the register of the meter or other instrument for measuring the water shall be *prima facie* evidence of the quantity of water consumed, and if the Commissioners and the consumer differ with respect to the quantity consumed the difference shall be determined on the application of either party by a court of petty sessions, and such court may order by which of the parties the costs of the proceedings before them shall be paid, and the decision of such court shall be final and not subject to appeal.

Register of meter to be evidence.

30. If any person wilfully or by culpable negligence injures or suffers to be injured any meter or fittings belonging to the Commissioners, or fraudulently alters the index to any meter, or prevents any meter from duly registering the quantity of water supplied, or fraudulently abstracts or uses water of the Commissioners, he shall (without prejudice to any other right or remedy of the Commissioners) be liable to a penalty not exceeding forty shillings, to be recoverable in a court of petty sessions, and the Commissioners may in addition thereto recover in such court the amount of any damage sustained. The existence of artificial means under the control of the consumer capable of being applied so as to effect such alteration, prevention, abstraction, or use shall be *prima facie* evidence that the consumer has fraudulently effected the same.

Penalty for injuring meters.

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Services of
notices upon
the Com-
missioners.

31. Section one hundred and twenty-six of the Act of 1840 is hereby repealed, and any summons or notice, or any writ or other proceeding requiring to be served upon the Commissioners, shall and may be served by the same being left at the principal office of the Commissioners with the clerk to the Commissioners, or in case there be no clerk, then by copies being given to any three of the Commissioners.

Power to
borrow on
mortgage.

32. For the purposes of this Act, the Commissioners may from time to time borrow on mortgage upon the security of the rates to be assessed and levied under the Acts of 1865 and 1874, and this Act, the balance of any sum or sums which they are authorised to borrow under the Acts of 1840, 1865, and 1874, and also such further sum or sums of money, not exceeding the sum of one hundred and seventy thousand pounds, as shall from time to time in their judgment be requisite, and they may grant mortgages for securing the moneys so borrowed charged on the rates leviable under the Acts of 1865 and 1874, and this Act: Provided always, that the existing amount borrowed and due at the time of the passing of this Act under the authority of the Acts of 1840, 1865, and 1874, and the interest thereof, shall be charged upon the rates leviable or the income derivable under this Act, in the same manner and to the same extent as such amount was charged upon the rates leviable under the Acts of 1865 and 1874.

Appointment
of receiver.

33. The mortgagees of the Commissioners may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Incorporat-
ing certain
provisions of
10 & 11 Vict.
c. 16.

34. For the purposes of borrowing on mortgage all the clauses of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the Commissioners, except sections eighty-four and eighty-five, shall be incorporated with and form part of this Act, and shall be applicable to the borrowing of any sum or sums of money hereby authorised to be borrowed by the Commissioners.

Former
mortgages
to have
priority.

35. All mortgages granted by the Commissioners in pursuance of the powers of any Act of Parliament before the passing of this Act, and subsisting at the passing hereof, shall, during the continuance of such mortgages, have priority over any mortgages granted by the Commissioners by virtue of this Act.

36. If the Commissioners shall otherwise than by or out of the sinking fund or the proceeds of the sale of superfluous lands pay off any part of the moneys which they are authorised to borrow or continue at interest, they may again borrow, in the manner aforesaid, the part thereof so paid off at the like or any other rate of interest, and so on from time to time. A.D. 1879.
Power to re-borrow.

37. All money raised or to be raised by the Commissioners on mortgage under the provisions of the Acts of 1840, 1865, and 1874, or of this Act, shall have priority against the Commissioners, and the property from time to time of the Commissioners, over all other claims on account of any debts incurred or engagements entered into by them after the passing of this Act: Provided always, that this priority shall not affect any claim against the Commissioners or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Consolidation Act, 1845, or the Lands Clauses Consolidation Acts Amendment Act, 1860, or in respect of any rent or sum reserved by or payable under any lease granted or made to the Commissioners in pursuance of any Act relating to the Commissioners which is entitled to rank in priority to or *pari passu* with the interest on their mortgages, nor shall anything in this section contained affect any claim for land taken, used, or occupied by the Commissioners for the purposes of the Commissioners undertaking and works, or injuriously affected by the construction thereof, or by the exercise of any powers conferred on the Commissioners. Priority of mortgages over other debts.

38. The following provisions with respect to the sinking fund applicable to the moneys to be borrowed under the powers of this Act shall take effect; that is to say, As to sinking fund.

(a.) From and after the first day of April one thousand eight hundred and eighty-four, the Commissioners shall annually set apart, from and out of the water rates and income arising under the Acts of 1865 and 1874, and this Act, not less than one pound per centum per annum on the principal money which shall be borrowed under the authority of this Act; and the sums so respectively from time to time set apart shall be invested in the purchase of Government securities, and shall be increased by accumulation in the way of compound interest until such time as is herein-after mentioned:

(b.) The Commissioners may and shall apply the sinking fund to be created as herein-before provided in the redemption or discharge of such of the mortgages of the Commissioners as they may from time to time be able to redeem or dis-

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charge: Provided always, that whenever any mortgages have been so redeemed or discharged, the Commissioners shall thenceforward, until the whole of the mortgages have been redeemed or discharged, pay into the sinking fund every year, in addition to the other sums herein-before required to be set apart and appropriated, a sum equal to the interest which would have been payable on the amount of mortgages so redeemed or discharged: Provided also, that whenever and so long as the yearly income arising from the said sinking fund shall be equal to the annual interest of the mortgages created under the powers of this Act then outstanding, the Commissioners may, in lieu of investing the said yearly income, apply the same in payment of the said interest, and may during such periods discontinue the payments to the said sinking fund of the yearly sums herein-before required to be paid thereto.

Annual
return to
Local Go-
vernment
Board for
Ireland with
respect to
sinking
fund.

39. The clerk to the Commissioners shall, within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under the Acts of 1865 and 1874, or this Act, transmit to the Local Government Board for Ireland a return in such form as may be prescribed by the Board, and verified by statutory declaration if so required by them, showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return, and the description of the securities upon which the same has been invested, and also showing the purposes to which any portions of the moneys invested for the sinking fund have been applied during the same period, and the total amount remaining invested at the end of the year, and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds. If it appear to the Local Government Board for Ireland by such return or otherwise that the Commissioners have failed to set apart the sum required for the sinking fund, or have applied any portion of the moneys set apart for that fund, to any purposes other than those authorised by this Act, the Local Government Board for Ireland may by order direct that a sum not exceeding the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund; and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board for Ireland.

Confirming
agreement
with the Com-
missioners of
the borough
of Carrick-
fergus.

40. The agreement set forth in the Schedule to this Act, made and entered into between the Commissioners and the Municipal Commissioners of the borough of Carrickfergus, dated the second

day of May one thousand eight hundred and seventy-eight, is hereby confirmed, and full effect may and shall be given thereto. A.D. 1879.

41. Nothing in this Act contained shall invalidate or prejudicially affect the rights of the Marquis of Downshire or his trustees, or his predecessors or successors in estate, or relating to him or them or any of them contained in the Acts of 1865 and 1874, or either of them, or the agreement of the twelfth day of May one thousand eight hundred and sixty-five, referred to in the Act of 1874. Saving rights of Marquis of Downshire.

42. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Commissioners out of the rates authorised to be levied, or the moneys authorised to be borrowed by the Acts of 1840, 1865, and 1874, and this Act. Expenses of Act.

A.D. 1879.

The SCHEDULE referred to in the foregoing Act.

AGREEMENT BETWEEN THE BELFAST WATER COMMISSIONERS AND
THE MUNICIPAL COMMISSIONERS OF THE BOROUGH OF CARRICK-
FERGUS.

This indenture, made the second day of May one thousand eight hundred and seventy-eight, between the Belfast Water Commissioners of the one part and the Municipal Commissioners of the borough of Carrickfergus of the other part: Whereas by the twenty-first section of the Belfast Water Act, 1874, it is enacted that if the Belfast Water Commissioners should take any of the waters supplying or which have hitherto supplied the cut or mill race leading from the Copeland Water to mills or other works near Carrickfergus and the town of Carrickfergus they, the said Belfast Water Commissioners, should at all times furnish and deliver or cause to be furnished and delivered into the said race or watercourse ten yards below the point marked A. on a map signed by Edward Ellice, Esquire, chairman of the committee to whom the Bill for said Act was referred, free of all charge, for the use of the inhabitants of said town, a continued flow of water equal to the average flow at Green Street during the then past two years, and in the event of disagreement between the said Belfast Water Commissioners and the said Municipal Commissioners of Carrickfergus as to the said average flow the arbitrator to be appointed under the provisions of said Act for awarding the amount to be paid as and for the purchase money and compensation to be paid by the Commissioners for any land, streams, or water taken by them under said Act is thereby authorised and required to fix or award the quantity of the said average flow at Green Street, and that if any of the parties entitled to the supply so to be furnished should be dissatisfied with the award made by said arbitrator in pursuance of the provisions therein-before contained as to the quantity of water which the said Belfast Water Commissioners were to furnish and deliver at the point aforesaid, they should have all such rights and remedies for impeaching the said award as by the Railways Act (Ireland), 1851, are given and provided for the purpose of impeaching the sufficiency of any accommodation works which might be awarded in pursuance of the provisions in that behalf contained in the said Act: Provided always, that the said Belfast Water Commissioners might by agreement with the said Municipal Commissioners of Carrickfergus substitute for the said supply to the inhabitants of Carrickfergus at the point aforesaid a metal pipe, for the delivery from the pipe from Loughmourne, passing the North Road, of the like quantity or any other quantity of water at the North Gate, the Municipal Commissioners of Carrickfergus undertaking to pay one half of the piping from the said pipe from Loughmourne to the North Gate: And whereas by the twenty-second section of the said Act it is further enacted that if at any time after the completion of the works of the said Belfast Water Commissioners on the Copeland Water by said Act authorised the said Municipal Commissioners of Carrickfergus should be desirous of obtaining a supply of water for the borough of Carrickfergus from the said Belfast Water Commissioners in excess of the quantity fixed in the said twenty-first section of said Act, and should signify such desire by requisition under their corporate seal, made upon the said Belfast Water Com-

A.D. 1879.

missioners, they, the said Belfast Water Commissioners, should within six months from the time when such requisition should be made, and in all time thereafter, deliver to the Municipal Commissioners of Carrickfergus at the North Gate of Carrickfergus such quantity of water as might be agreed upon at such price per one thousand gallons, payable quarterly, as might be agreed upon, or, failing agreement, as should be fixed upon by an arbitrator to be appointed by the Board of Works for Ireland on the requisition of either party, and that the arbitrator so appointed should in fixing such price have regard to the quantity taken in proportion to the cost of the works of the Copeland and Loughmourn District as far as the point of delivery of such additional supply, and to all the other circumstances of the case: And whereas the said Belfast Water Commissioners have agreed with the said Municipal Commissioners of Carrickfergus in pursuance of the said twenty-first section of the said Act, in the event of their proceeding under the powers contained in the said Act, to take the said Loughmourn waters as authorised by the said Act to substitute for the said supply in said twenty-first section mentioned to the inhabitants of Carrickfergus at the point in said section mentioned a metal pipe for the delivery from the pipe from Loughmourn, passing the North Road, of the quantity of water herein-after mentioned, and in consideration thereof the Carrickfergus Commissioners have agreed to pay one half the cost of the piping from the said pipe from Loughmourn, passing the North Road to the North Gate, and have further agreed for the considerations aforesaid to consent to have their powers under the said twenty-second section of said Act limited by Parliament, or otherwise, to the obtaining by them of a supply of water for the borough of Carrickfergus from the said Belfast Water Commissioners, in excess of the quantity fixed upon as herein-after mentioned under the said twenty-first section of the said Act, of sixty thousand gallons per day; such quantity in excess to be paid for as provided for in the said twenty-second section of the said Act: Now this indenture witnesseth, that in pursuance of the said agreement and in consideration of the premises they, the said Belfast Water Commissioners, do hereby, for themselves and their successors, covenant and agree with the said Municipal Commissioners of Carrickfergus, their successors and assigns, as follows: That in the event of their proceeding to take any of the waters of Loughmourn and Copeland District, as provided and authorised by the said Act, they shall, within one month from date of their so taking the same, substitute for the said supply provided for the inhabitants of Carrickfergus, and at the point in the said twenty-first section of said Act specified, a metal pipe for the delivery from the pipe from Loughmourn and Copeland District aforesaid, passing the North Road, of forty thousand gallons of water from Loughmourn and Copeland District aforesaid per day of twenty-four hours, free of all costs, said quantity to be delivered at the North Gate of Carrickfergus aforesaid: And this indenture further witnesseth, that in further pursuance of said agreement, and for the considerations aforesaid, the Municipal Commissioners of Carrickfergus do hereby, for themselves and their successors, undertake in the event aforesaid to pay the one half of the cost of purchasing, laying, and from time to time repairing of the piping required for the said supply of forty thousand gallons from the said pipe from Loughmourn passing the North Road to the North Gate of Carrickfergus aforesaid: And further, they do hereby consent that the powers vested in them by the said twenty-second section of the said Act may be limited by Parliament or otherwise to the right to demand under said twenty-

A.D. 1879.

second section of said Act, a supply of water for the borough of Carrickfergus from the said Belfast Water Commissioners in excess of the said quantity of forty thousand gallons herein-before mentioned, not exceeding sixty thousand gallons per day of twenty-four hours, such quantity in excess to be paid for at the price and subject to the terms specified in the said twenty-second section of the said Act: And the said Municipal Commissioners of Carrickfergus agree to pay to the Belfast Water Commissioners from time to time the full cost of purchasing, laying, and repairing any extra piping which may be required to be laid to enable the Belfast Water Commissioners to comply with any requisition or requisitions for any supply or supplies extra of the said supply of forty thousand gallons which may be required by the said Municipal Commissioners of Carrickfergus in the event of the piping already in existence not being sufficient to convey the said extra supply or supplies as well as the said free supply: And the said Municipal Commissioners of Carrickfergus do hereby further consent and agree to indemnify the said Belfast Water Commissioners against any proceedings which may hereafter be taken against them by any of the parties claiming to be entitled to any of the said Green Street supply, and in the event of any such proceedings being taken and being successful, the said Municipal Commissioners of Carrickfergus do hereby undertake forthwith on demand in writing to pay to the said Belfast Water Commissioners any amount for damages and taxed costs which they may have been obliged to pay, or in the event of such proceedings being unsuccessful, and of the plaintiff or plaintiffs not being of sufficient means to pay the costs, then the said Municipal Commissioners of Carrickfergus do hereby agree to pay to the said Belfast Water Commissioners on demand in writing such sum or sums of money as the said Belfast Water Commissioners may be entitled to and could not recover off the said plaintiff or plaintiffs. The said Municipal Commissioners of Carrickfergus hereby further agree by petition under their seal or otherwise as may be reasonably required, but at the expense of the said Belfast Water Commissioners to do all acts which may be requisite to have this agreement ratified by Act of Parliament. In witness whereof the said Belfast Water Commissioners and the said Municipal Commissioners of Carrickfergus have hereunto affixed their corporate seals respectively the day and year first herein written.

Sealed with the corporate seal of the Belfast Water
Commissioners in presence of

J. N. McNEILL,
Secretary of Belfast Water Commissioners.



Sealed with the corporate seal of the Municipal Com-
missioners of Carrickfergus in presence of

T. DIGBY JOHNS,
Town Clerk of Carrickfergus.



M. R. DALWAY, Chairman.