CHAPTER clv.

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An Act to authorise the Belfast Water Commissioners to construct Works for filtering the supply of Water to the City of Belfast and the Suburban Districts adjacent thereto to confer further powers on the Commissioners and for other purposes. [12th August 1889.]

WHEREAS by the Belfast Water Acts 1840 to 1884 the Belfast Water Commissioners (in this Act called "the Commissioners") were incorporated and their powers from time to time defined and regulated:

And whereas it is expedient that the supply of water to the city and suburban districts should be filtered and that the Commissioners should be empowered to acquire lands and waters and to execute works and to raise further moneys for that purpose:

And whereas it is expedient that the Commissioners should be empowered to acquire additional lands for the general purposes of their undertaking:

And whereas it is expedient to extend the time fixed by the Act of 1884 for the taking of lands and the completion of some of the works authorised by that Act:

And whereas it is expedient that the qualification of electors and the mode of electing the Commissioners should be altered and amended:

And whereas it is expedient that the powers of the Commissioners with regard to the repayment of money borrowed under the recited Acts should be altered and amended and that some of the other provisions of the recited Acts should be repealed or amended and that extended borrowing powers should be granted to the Commissioners:

And whereas it is expedient that the Commissioners be empowered to exercise their statutory borrowing powers for the time being by means of the creation and issue of stock:

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And whereas by the Act of 1884 the powers and jurisdiction of the Commissioners were greatly enlarged and extended so as to comprehend an extensive area outside the city of Belfast and it is expedient that the name and style of the Commissioners should be changed from the name the Belfast Water Commissioners to the name the Belfast City and District Water 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:

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):—

Part I.—Preliminary.

Short title.

1. This Act may be cited as the Belfast Water Act 1889 and is divided into Parts as follows:—

Part I.—Preliminary.
Part II.—Power to execute works and take lands and waters.
Part III.—Recovery of rates.
Part IV.—Qualification of Commissioners and electors.
Part V.—Power to borrow money on mortgage.
Part VI.—Sinking fund.
Part VII.—Creation and charge of water stock.
Part VIII.—Miscellaneous.

This Act and the recited Acts to be construed as one Act.

2. This Act and the Acts of 1840 1865 1874 1879 and 1884 as each of such Acts is amended and varied by any other of such Acts and by this Act shall be read and construed together as one Act and may be cited as the Belfast Water Acts 1840 to 1889.

Incorporation of Acts.

3. The Lands Clauses Consolidation Act 1845 save so far as any provisions thereof are inconsistent with the Railways Act (Ireland) 1851 the Lands Clauses Consolidation Acts Amendment Act 1860

the Railways Act (Ireland) 1860 the Railways Act (Ireland) 1864 and the Railways Traverse Act 1868 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 but so far only as regards the construction of the filter basins reservoirs and conduits hereby authorised and the works immediately connected therewith :

Provided that in the case of conduits the powers of that Act with reference to the temporary occupation of lands shall not be exercised beyond a distance exceeding fifty yards on either side of the centre line of the works :

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 in the execution of the works by this Act authorised and so much of section 68 of the last-mentioned Act as relates to watering places for cattle the Railways Act (Ireland) 1851 the Railways Act (Ireland) 1860 Part II. (extension of time) of the Railways Clauses Act 1863 the Railways Act (Ireland) 1864 the Railways Traverse Act 1868 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 the Waterworks Clauses Act 1863 so much of the Commissioners Clauses Act 1847 as relates to the borrowing of money on mortgage and the Companies Clauses Act 1863 Part IV. relating to change of name are (except where any of those Acts or sections are 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 or in any Acts incorporated therewith or with this Act unless there be something in the subject or context repugnant to the respective constructions hereinafter 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 secretary of the Commissioners the expression "the railway" means the works by this Act authorised to be executed or for which the period for compulsory purchase of lands or for completion are by this Act extended as the case may be 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 situated in the course of or using any of the waters by this Act authorised to be taken and appropriated by the Commissioners :

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Provided that section 44 of the Waterworks Clauses Act 1847 as incorporated in the former Acts and in this Act shall be construed as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" had been omitted therefrom.

Interpretation.

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:

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 Act of 1879" means the Belfast Water Act 1879;

The expression "the Act of 1884" means the Belfast Water Act 1884;

The expression "the former Acts" means the before-mentioned Water Acts;

The word "Commissioners" means the corporation of the Belfast City and District Water Commissioners acting under the Belfast Water Acts 1840 to 1889 and hitherto known as "the Belfast Water Commissioners";

The expression "the corporation" means the mayor aldermen and citizens of the city of Belfast;

The expression "city of Belfast" and the word "city" mean respectively the entire city and municipal district of Belfast and are synonymous with the expression "borough of Belfast" as defined in the fourth section of the Act of 1884;

The expression "undertaking" includes streams springs wells reservoirs cisterns tanks aqueducts cuts sluices mains pipes culverts engines and all machinery lands buildings and things for supplying or used for supplying water under the authority of the Belfast Water Acts 1840 to 1889 and vested in the Commissioners;

The expression "drainage areas" means lands off and from which waters flow directly or indirectly into the Commissioners reservoirs and works respectively;

The expression "Commissioners district of supply" means the entire municipal district of the city of Belfast and the suburban districts defined by the Act of 1884;

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

The word "streams" includes brooks rivers and other running water;

The expression "quarter sessions" includes the recorder's court for Belfast;

The expressions "water stock" and "stock" respectively mean the Belfast City and District Water Commissioners Redeemable Stock by this Act authorised to be created;

The expression "the Bank of Ireland" means the Governors and Company of the Bank of Ireland;

The expression "statutory borrowing powers" means for the purposes of this Act any power of the Commissioners whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under this Act or under any Act of Parliament public or local passed or to be passed or under any provisional order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

The expression "statutory securities" means securities in which trustees in Ireland are for the time being by or under any general Act of Parliament passed or to be passed authorised to invest trust moneys or such other securities as cash under the control of the Chancery Division of the High Court of Justice in Ireland may for the time being be invested in;

The expression "statutory declaration" means a declaration under the Statutory Declarations Act 1835;

The expression "Summary Jurisdiction Acts" means the Petty Sessions (Ireland) Act 1851 and the Acts amending or affecting the same;

The expression "court of summary jurisdiction" means any justice or justices of the peace or other magistrate or officer by whatever name called to whom jurisdiction is given by the Summary Jurisdiction Acts or any Act therein referred to;

The expression "general tenement valuation" means the valuation for the time being in force made under or in pursuance of an Act passed in the fifteenth and sixteenth years of the reign of Her present Majesty chapter sixty-three (intituled "An Act to amend the laws relating to the valuation of rateable property in Ireland") or any Act or Acts amending the same;

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The word "street" includes any highway and any bridge roadway lane footway square court quay dock alley or passage (other than an approach enclosed by gates leading to a dwelling-house) whether open to the public or not and whether existing or made before or after the commencement of this Act;

The expression "office of the Commissioners" means the office of the Commissioners situate in Royal Avenue in the city of Belfast.

Part II.—Power to execute Works and take Lands and Waters.

Power to execute works and take lands.

5. 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:

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

1. A filter basin (No. 1) measuring 64 yards by 82 yards or thereabouts and having its northern angle 217 yards or thereabouts north by west of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated within the townland of Old Park parish of Shankhill and county of Antrim:
2. A filter basin (No. 2) measuring 68 yards by 82 yards or thereabouts and having its eastern angle 164 yards or thereabouts north-east of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:
3. A filter basin (No. 3) measuring 64 yards by 82 yards or thereabouts and having its northern angle 161 yards or thereabouts north-west of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:
4. A filter basin (No. 4) measuring 67 yards by 80 yards or thereabouts and having its southern angle 13 yards or thereabouts north by west of the termination of the

existing Woodburn Conduit of the Commissioners the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:

5. A filter basin (No. 5) measuring 64 yards by 82 yards or thereabouts and having its eastern angle 81 yards or thereabouts west by north of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:

6. A clear water tank (No. 6) measuring 33 yards by 112 yards or thereabouts and having its eastern angle 36 yards or thereabouts west by north of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:

7. A basin (No. 7) measuring 26 yards by 33 yards or thereabouts and having its southern angle 508 yards or thereabouts north-west of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated adjacent to the Carr's Glen river in the townland of Old Park parish of Shankhill and county of Antrim:

8. A line of pipes (No. 8) beginning at a point in the bed of Carr's Glen river 576 yards or thereabouts north-west of the termination of the existing Woodburn Conduit of the Commissioners and terminating at the northern angle of the basin (No. 7) before described the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:

9. A weir (No. 9) extending across the bed and into the banks of the Carr's Glen river and having its centre 574 yards or thereabouts north-west of the termination of the existing Woodburn Conduit of the Commissioners the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:

10. A line of pipes (No. 10) beginning at the southern angle of the basin (No. 7) before described and terminating at the northern angle of the filter basin (No. 1) before described the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim

11. A line of pipes (No. 11) beginning at the southern angle of the filter basin (No. 4) before described and terminating in the existing waste channel of the Commissioners 130 yards or thereabouts north-west of the western face wall

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of the bridge carrying the Barley Mill Road over the said channel the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim :

12. A filter basin (No. 12) measuring 78 yards by 32 yards or thereabouts and having its north-east angle 58 yards or thereabouts south-west of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Derrykillultagh parish of Ballinderry and county of Antrim :

13. A filter basin (No. 13) measuring 78 yards by 32 yards or thereabouts and having its north-west angle 117 yards or thereabouts south-west of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Derrykillultagh parish of Ballinderry and county of Antrim :

14. A filter basin (No. 14) measuring 78 yards by 32 yards or thereabouts and having its south-east angle 211 yards or thereabouts south by west of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Ballynadolly parish of Magheragall and in the townland of Derrykillultagh parish of Ballinderry and county of Antrim :

15. A filter basin (No. 15) measuring 78 yards by 32 yards or thereabouts and having its south-west angle 233 yards or thereabouts south-west of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Derrykillultagh parish of Ballinderry and county of Antrim :

16. A conduit or line of pipes (No. 16) beginning at the air-well in the existing Lagmore Conduit of the Commissioners which is situated at a point 319 yards or thereabouts north-east of the keystone of the south face of the arch of the Forked Bridge and terminating at the north-east angle of the said intended filter basin (No. 12) before described the whole being situated in the townlands of Ballynadolly and Aghacarnan parish of Magheragall and in the townland of Derrykillultagh parish of Ballinderry and county of Antrim :

17. A conduit or line of pipes (No. 17) beginning at the south-east angle of the said intended filter basin (No. 12) before described and terminating at the air-well on the existing Lagmore Conduit of the Commissioners at a point 168 yards or thereabouts south by east of the keystone of the south face of the arch of the Forked

Bridge the whole being situated in the townland of Ballynadolly parish of Magheragall and in the townland of Derrykillultagh parish of Ballinderry in the county of Antrim:

18. A line of pipes (No. 18) beginning at the south-east angle of the filter basin (No. 14) before described and terminating at a point in the Forked Bridge stream 265 yards or thereabouts south of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Ballynadolly parish of Magheragall and county of Antrim:

19. A line of pipes (No. 19) beginning at a point in the Forked Bridge stream 372 yards or thereabouts north-west of the keystone of the south face of the arch of the Forked Bridge and terminating at the north-west angle of the tank (No. 20) next herein-after described 142 yards or thereabouts north-west of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Aghacarnan parish of Magheragall and in the townland of Derrykillultagh parish of Ballinderry and county of Antrim:

20. A tank (No. 20) measuring 50 yards by 44 yards or thereabouts and having its north-west angle 142 yards or thereabouts north-west of the keystone of the south face of the arch of the Forked Bridge the whole being situated in the townland of Derrykillultagh parish of Ballinderry and county of Antrim:

21. A line of pipes (No. 21) beginning at the south-east angle of the tank (No. 20) before described and terminating at the north-west angle of the filter basin (No. 13) before described the whole being situated in the townland of Derrykillultagh parish of Ballinderry and county of Antrim:

22. A line of pipes (No. 22) beginning at the south end of the existing weir of the Commissioners on the Stonyford river in the townland of Bovolcan and passing through and into the townlands of Bovolcan and Island Kelly and terminating by a junction with the existing northern bye-channel of the Stonyford Reservoir at a point 105 yards or thereabouts south-west of the north-west corner of the caretaker's lodge on the margin of the said reservoir in the townland of Island Kelly the whole being situated in the parish of Derryaghy and county of Antrim:

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23. An occupation road (No. 23) beginning at a point 143 yards or thereabouts south-west of the termination of the existing Woodburn Conduit of the Commissioners and terminating at a point 163 yards or thereabouts north-west of the termination of the said existing Woodburn Conduit the whole being situated in the townland of Old Park parish of Shankhill and county of Antrim:

24. A storage reservoir (No. 24) on the Leathemstown river and valley of the same formed by an embankment commencing at a point 139 yards or thereabouts north-east of the northern corner of the dwelling-house occupied by John M'Knight and of which Sir Richard Wallace Baronet is the owner or reputed owner and terminating at a point 144 yards or thereabouts south-west of the western corner of the dwelling-house occupied by James M'Knight and of which Sir Richard Wallace Baronet is the owner or reputed owner and the said reservoir extending from the line of the intended embankment 530 yards or thereabouts to the north-east of the same The said reservoir will be situate in the townland of Tullyrusk in the parish of Tullyrusk and the townland of Ballymacward Lower in the parish of Derryaghy all in the county of Antrim:

25. A line of pipes (No. 25) commencing at a point 429 yards or thereabouts north-west of the east angle of the caretaker's lodge at the Copeland Reservoir of the Commissioners and terminating on the lands of the Commissioners:

26. An open or close conduit or line of pipes (No. 26) beginning on the western margin of Lough Mourne Reservoir of the Commissioners at a point 333 yards or thereabouts south-east of the south-eastern angle of the dwelling-house the occupier of which is William Stewart and the owners or reputed owners the trustees of the Marquis of Downshire and terminating at a point 200 yards or thereabouts north-east of the south-eastern angle of the dwelling-house the occupier of which is William Dunn and the owner or reputed owner Austin Cornwall and the said intended conduit will be situated in and extend through the townlands of north-east division middle division and commons in the parish of Saint Nicholas or Carrickfergus in the county of the town of Carrickfergus and the townland of Ballyvallagh parish of Raloo and in the townland of Ballynarry parish of Ballynure in the county of Antrim.

In constructing the line of pipes (No. 25) the Commissioners shall provide a properly constructed subsiding tank on their own land of not less than one thousand gallons capacity for the purpose of receiving all the water flowing from such line of pipes and securing the subsidence and collection therein of all solid matter brought down through such pipes All such solid matter collected by the said tank shall be removed from time to time by the Commissioners The overflow from such tank may by agreement with any person be passed for the purpose of irrigation over an area of grass land of not less than one half acre in extent or in default of such agreement over an equal area of land to be provided by the Commissioners and therefrom into the Copeland water but the Commissioners shall not cause or permit any such water to flow into the Copeland water until it shall have passed through such tank and over such land.

So much of the said conduit or line of pipes (No. 26) as will be situate upon the land of which the trustees of the Marquis of Downshire are the owners or reputed owners shall be constructed as a close conduit and the Commissioners shall in a proper and workmanlike manner restore the ground under which the said conduit shall be constructed to the level thereof as it existed at the passing of this Act and no fence or other obstruction shall be erected by the Commissioners on either side of the line of such conduit where it crosses the said lands but the said Marquis of Downshire and his heirs successors and assigns and tenants of the said lands shall subject to the provisions of section 10 of this Act be entitled to use the surface of the ground under which the said conduit is constructed as fully and freely as they now may do.

Power to take waters.

6. The Commissioners may by compulsion or by agreement enter upon appropriate divert and use the streams and waters following or some or one of them (that is to say):—

1. Carr's Glen river at a point between the weir known as Millowners' Weir and the entrance to the Commissioners Carr's Glen Reservoir in the townland of Old Park in the parish of Shankhill and county of Antrim;
2. The Forked Bridge stream at a point 372 yards or thereabouts north-west of the keystone of the south face of the arch of the Forked Bridge in the townland of Derrykillultagh in the parish of Ballinderry and county of Antrim Provided always that the Commissioners shall cause to flow back into this stream the water taken therefrom after the same has been used for sand-washing purposes;

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3. The Leathemstown or Upper Glenavy stream which flows into the Glenavy river and thence into Lough Neagh to be intercepted at the point where the embankment of the intended reservoir (No. 24) crosses the same in the townland of Tullyrusk in the parish of Tullyrusk and in the townland of Ballymacward Lower in the parish of Derryaghy all in the county of Antrim;

4. The surface and spring waters and streams shown on the deposited plans and sections to be intercepted by the said conduit (No. 26) and which flow into the Carneal water and the Raloo water thence into the Glenoe water and thence into the Glynn river and thence into Larne Lough.

Extension of time for taking certain lands (Act of 1884.)

7. The powers of the Act of 1884 for the compulsory purchase of lands for the purpose of constructing the road (No. 3) specified in section 5 of that Act are hereby extended and shall continue in force until the expiration of two years from the seventh day of August 1889.

Extension of time for completing certain works (Act of 1884.)

8. The powers of the Commissioners for the completion of the road No. 3 the service reservoir No. 5 and the storage reservoir No. 7 specified in section 5 of the Act of 1884 are hereby extended and enlarged until the expiration of two years from the seventh day of August 1890 and on the expiration of such extended period the powers of the Commissioners in relation to the said works shall cease except as to so much thereof as shall then be completed.

As to discharge of water used for sand-washing purposes.

9. The Commissioners may from time to time discharge water used for sand-washing purposes into the Commissioners waste channel in the townland of Old Park or with the consent in writing of the corporation of Belfast they may discharge such water into any sewer of the corporation If at any time the Commissioners discharge any such water into any sewer of the corporation without such consent the Commissioners shall be liable to a penalty not exceeding forty shillings for each day on which such act occurs They may also discharge water used for sand-washing purposes at the Stonyford filters into the Forked Bridge stream in the townland of Ballynadolly Provided that the Commissioners shall before discharging such water into the stream last above mentioned pass the same through a subsiding tank.

Power to acquire easements.

10. The Commissioners may instead of acquiring lands for the purposes of this Act (other than lands required for the reservoir filter-basins tanks road basin and weir by this Act authorised) acquire such easements and rights in such lands as they may require for the purpose of constructing placing laying inspecting maintaining

cleansing repairing replacing enlarging conducting or managing the works by this Act authorised and they shall give such notices and do such acts in respect of the acquisition of such easements and rights as are required by the Railways Act (Ireland) 1851 and the Acts amending the same in the case of the taking of lands and those Acts shall apply to such easements and rights as fully as if the same were lands within the meaning of such Acts.

Commissioners may dispose of materials excavated in course of works.

11. The Commissioners may subject to the provisions of this Act deal with and dispose of the material and soil excavated or dug up in the course of the execution of any works by this Act authorised.

Power to make agreements for compensation water.

12. 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 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.

For protection of Leathemstown stream.

13. For the accommodation of persons occupying the lands abutting on the Leathemstown stream between the intended reservoir (No. 24) and the existing Leathemstown Weir the Commissioners shall maintain at all times after the construction of the intended reservoir (No. 24) a continuous flow of water from such reservoir to the existing Leathemstown weir of the Commissioners of not less than one hundred thousand gallons per day.

Provisions as to interception of water by conduit No. 26.

14. The Commissioners shall intercept only so much of the waters of the streams and springs intersected by the said intended conduit (No. 26) as shall remain after a quantity of water sufficient for domestic and farm use other than irrigation or motive power has been allowed to flow down the beds of the respective streams for the use of persons whose lands are situated below the line of the intended conduit But the Commissioners shall not be required to improve or regulate the natural flow of the streams so as to increase the flow of the same in dry weather The quantities of water so to be allowed to flow down the said streams shall be determined by an arbitrator to be appointed under the provisions of the Railways Act (Ireland) 1851 and the decision of such arbitrator with respect to the quantities of water to be allowed to flow down as aforesaid shall be final and not subject to appeal or review.

The Commissioners shall make full compensation to all persons interested in the waters and streams so to be intercepted and the

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amount of such compensation shall be determined in the manner provided by the Railways Act (Ireland) 1851 but the arbitrator to be appointed under the same shall have regard to the supply of water still available for the use of such persons and which the Commissioners are not authorised by this Act to intercept.

As to maintenance of accommodation works.

15. In any case where the arbitrator appointed under the provisions of the Railways Act (Ireland) 1851 shall award that accommodation works shall be made by the Commissioners he may award and direct that such works shall be maintained by the owners and occupiers of the lands for the accommodation of which the works are to be made.

Further provisions as to accommodation works.

16. Where any claim is made to have any works constructed by the Commissioners for the accommodation of lands adjoining the works of the Commissioners the arbitrator appointed under the provisions of the Railways Act (Ireland) 1851 may award and direct that the Commissioners instead of making and maintaining any such works shall pay a sum of money to the owners and occupiers of such lands.

Compensation for temporary occupation of lands.

17. When the Commissioners enter upon any lands adjoining their works for the purpose of obtaining materials as provided by the Railways Clauses Consolidation Act 1845 they shall make full compensation to the owners and occupiers of such lands for the damage done by such entry and removal of materials and the amount of such compensation in case of dispute shall be determined by a court of summary jurisdiction subject to an appeal from the decision of such court by either party to the county court judge of the county in which the lands are situate whose decision shall be final and not subject to appeal or review.

Power to deviate laterally and vertically in construction of works.

18. In the construction of the works by this Act authorised the Commissioners may deviate laterally from the lines of such works Provided that such deviations shall not extend beyond the limits of lateral deviation defined upon the deposited plans And the Commissioners may deviate vertically from the levels of such works as defined on the deposited 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:

Provided that the Commissioners shall not in the exercise of the powers of lateral deviation hereby given make any embankment or retaining wall of any reservoir of a greater height above the general surface of the ground than that shown on the deposited sections and three feet in addition.

Period for compulsory purchase of lands.

19. The powers of the Commissioners for the compulsory purchase of lands or waters for the purposes of this Act shall cease after the expiration of five years from the passing of this Act.

Power to take lands by agreement.

20. The Commissioners may from time to time take or lease 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 take 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 houses for their officers or cottages for labourers or caretakers in the employment of the Commissioners.

Nothing in this Act shall exempt the Commissioners from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them on any land taken under the powers of this section nor shall anything in this Act exempt the Commissioners or any buildings erected or to be erected on any part of such lands within the city from any of the enactments or byelaws in force relative to buildings.

Period for completion of works.

21. If the works authorised by this Act are not completed within ten years from the passing of this Act then on 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 except as to so much thereof as is then completed.

Part III.—Recovery of Rates.

Further provisions as to recovery of rates &c.

22. The Commissioners may in addition to all other remedies now competent to them sue for and recover any sum or sums of money due to them in respect of rates or water supply by any person whether resident in Belfast or in the suburban districts as defined by section 24 of the Act of 1884 before the recorder of Belfast Service of a civil bill for hearing before the recorder on a person residing in the suburban districts shall be deemed good service on proof of service at his residence in the manner prescribed by the Civil Bill Acts and the rules made in pursuance thereof.

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Part IV.—Qualification of Commissioners and Electors.

Repeal of provisions of Act of 1884 as to qualification of Commissioners and of electors and new enactments.

23. Subject to the provisions of this Act sections 33 34 36 37 38 39 and 40 of the Act of 1884 are hereby repealed and from and after the passing of this Act the following provisions shall have effect (that is to say) :—

Qualification of Commissioners.

(A) From and after the second Tuesday in the month of March one thousand eight hundred and ninety no person shall be qualified to be elected or act as a Commissioner unless he shall be resident within twenty miles from the office of the Commissioners and also possess one of the following qualifications (that is to say) :—

(1) He shall be the occupier of property within the city or suburban districts of a net annual value according to the general tenement valuation of not less than twenty-five pounds or one of several joint occupiers of premises of a net annual value according to such valuation of not less than twenty-five pounds for each of such joint occupiers and shall be registered as an elector under this Act; or

(2) He shall be seised or possessed in his own right of real estate in Ireland of a net annual value of not less than one hundred pounds or of personal estate of a gross value of not less than one thousand pounds and shall be registered as an elector under this Act.

Declaration to be made by Commissioners before acting.

(B) No person shall be capable of acting as a Commissioner until he shall have made and signed a declaration in the presence of one of the Commissioners in the words or to the effect following (that is to say) :—

"I A.B. do solemnly declare that I will faithfully honestly and impartially according to the best of my skill and judgment execute all the powers and authorities reposed in me as a Commissioner by virtue of the Belfast Water Acts 1840 to 1889 and that I am duly qualified as a Commissioner under the Belfast Water Act 1889":

An entry of the date of making such declaration shall be made in the book of proceedings of the Commissioners:

Provided always that in the declaration to be made and signed by the mayor for the time being of the city and the chairman for the time being of the Belfast Harbour Commissioners respectively the following words (that is to say):—

"And that I am duly qualified as a Commissioner under the Belfast Water Act 1889"

shall be omitted.

(c) The qualification of an elector of the Commissioners shall be the same as that of a person entitled by law for the time being to vote at the election of a member of the corporation so far as the same is not inconsistent with the provisions of this section Provided that any person resident within twenty miles from the office of the Commissioners shall not be disqualified by reason only that he is not resident within seven miles of the city:

For the purposes of this subsection the suburban districts shall be deemed part of the city.

(d) The town clerk shall on application of the secretary in the month of November in each year and on payment of a fee of one guinea supply the Commissioners with a copy of the list for the time being of persons entitled to vote at the election of members of the corporation.

(e) The clerks of the poor law unions of Belfast and Lisburn shall on application of the secretary in the month of October in each year supply the Commissioners with a list certified to be correct containing the names of all persons rated for the year then current to the relief of the poor in the townlands in those unions respectively which are included within the suburban districts and the Commissioners shall pay to such clerks reasonable remuneration for the preparation of such lists not exceeding four shillings and twopence for each one hundred names supplied and if less than one hundred names in proportion and in the event of non-payment the same may be recovered before the recorder of the city of Belfast.

(f) From the list so supplied by the town clerk and the lists supplied by the clerks of the poor law unions of Belfast and Lisburn respectively the secretary shall before the fifteenth day of December one thousand eight hundred and eighty-nine and on or before the fifteenth day of December in every succeeding year prepare a list to be called "the draft list of electors."

(g) The following provisions shall be observed and have effect in respect to the revision of the draft list of electors and completion of register of electors:—

(1) The Commissioners shall in every year appoint a barrister or solicitor (herein-after called "the revising officer") to revise the draft list of electors prepared by the secretary;

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(2) Such revising officer shall at some time between the first and fifteenth days of January in the year one thousand eight hundred and ninety and between the first and fifteenth days of January in every succeeding year hold a court in the office of the Commissioners for the revision of such draft list of electors and may adjourn such court but so that no adjourned court be held after the thirty-first day of January in any year;

(3) The secretary of the Commissioners shall give seven clear days notice of the time and place of holding such court by advertisement in two or more daily newspapers published in the city and by affixing a notice in some place accessible to the public within the office of the Commissioners or on some conspicuous place on the outside thereof;

(4) The revising officer shall strike out of such draft list of electors the names of persons who are not within the Commissioners district of compulsory supply and he shall have power to add to such draft list the names of persons who appear to him to be qualified as by this Act directed;

(5) When the name of any person seems to be entered more than once in the draft list of electors the revising officer shall inquire whether such entries relate to the same person and on being satisfied thereof shall retain one of the entries for voting and shall expunge the other or others;

(6) Persons claiming to have their names inserted in the list of persons qualified to vote shall lodge with the Commissioners secretary on or before the fifteenth day of December in any year a claim in the form given in the schedule to the Belfast Water Act 1884 or to the like effect;

(7) The revising officer shall hear any person appearing before him by himself or by his agent in support of any claim to vote as an elector for water commissioners and he shall insert or omit the name of any person as he thinks just in accordance with the provisions of this Act and his decision shall be final;

(8) Production of a receipt for water rates for the year preceding on an annual value of premises of not less than four pounds five shillings shall be received by the revising officer as sufficient proof of the title of the person whose name is mentioned on such receipt to be placed

on the register and he shall be placed on the register accordingly;

(9) In the event of the revising officer failing from any cause to perform his duty the Commissioners may appoint another barrister or solicitor in his place And any barrister or solicitor so appointed in his stead may do everything required and authorised by this section to be done by the revising officer;

(10) The draft list of electors as corrected revised and signed by the revising officer and certified by the Secretary of the Commissioners shall constitute the register of electors for the next ensuing election of Commissioners and shall remain in force until rendered invalid by the completion of the next following register of electors;

(11) The Commissioners shall pay out of their revenues to the revising officer such reasonable remuneration for the time during which he shall be engaged in the performance of his duties as the Commissioners may determine not exceeding thirty guineas;

(12) The Commissioners as soon thereafter as may be reasonably convenient not being later than the twentieth day of February in each year shall cause copies of the register to be affixed in some place accessible to the public within the office of the Commissioners or in some conspicuous place on the outside thereof until the seventh day of March in each year and any person demanding a copy shall be entitled to the same on payment of such reasonable sum as shall be fixed by the Commissioners not exceeding one shilling for each copy for each ward;

(13) No person shall be entitled to vote at the election of Commissioners in the year one thousand eight hundred and ninety or in any succeeding year unless his name appears on the register of electors in force for that election made up in conformity with the provisions of this Act.

Part V.—Power to borrow Money on Mortgage.

Power to borrow further moneys.

24. For the purposes of this Act and the general purposes of their undertaking the Commissioners may from time to time borrow on mortgage of the rates to be assessed and levied under the authority of the Belfast Water Acts 1840 to 1889 and the other

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revenues of their undertaking the balance of any sum or sums which they are authorised to borrow under the Belfast Water Acts 1840 to 1884 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 said rates and revenues Provided always that the amount borrowed previous to the passing of this Act and remaining due at that date under the authority of the Belfast Water Acts 1840 to 1884 and the interest thereof shall be charged upon the rates leviable or the income derivable under the Belfast Water Acts 1840 to 1889 in the same manner and to the same extent as such amount was charged upon the rates leviable or the income derivable under the Belfast Water Acts 1840 to 1884.

Appointment of receiver.

25. The mortgagees of the Commissioners undertaking 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.

Application of clauses of Commissioners Clauses Act 1847 with respect to mortgages.

26. For the purpose 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 84 and 85 are incorporated with and form part of this part of this Act and shall be applicable to the borrowing of any sum or sums of money by this Act authorised to be borrowed by the Commissioners.

Existing mortgages to have priority.

27. 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 and subject to the provisions of the Acts under which such mortgages were respectively granted have priority over any mortgages granted by the Commissioners by virtue of this Act.

Power to re-borrow.

28. 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 but all moneys re-borrowed shall subject to the provisions of this Act be paid off within the

period prescribed for the original loan and for the purposes of repayment the moneys re-borrowed and the moneys originally borrowed shall be deemed the same loan.

Mortgages to have priority over all other claims against Commissioners.

29. All moneys raised or to be raised by the Commissioners on mortgage under the provisions of the Belfast Water Acts 1840 to 1889 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 such 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 or 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.

Part VI.—Sinking Fund.

Repeal of secs. 49 & 50 of the Act of 1874 38 & 39 of the Act of 1879 65 66 & 67 of the Act of 1884 and provisions in lieu thereof.

30. Sections 49 and 50 of the Act of 1874 sections 38 and 39 of the Act of 1879 and sections 65 66 and 67 of the Act of 1884 are hereby repealed and from and after the passing of this Act the following provisions shall have effect (that is to say) :—

(A) The Commissioners shall by equal yearly instalments of principal or principal and interest pay off the balance of moneys borrowed and outstanding under the Belfast Water Acts 1840 to 1884 as set forth in Schedule (A) to this Act within forty-nine years from the passing of this Act and they shall pay off the moneys borrowed by them from time to time under this Act by equal yearly instalments of principal or principal and interest within sixty years from the respective dates of borrowing the same by means of a sinking fund or sinking funds appropriated for that purpose and the accumulations thereof at the rate of three and a half per centum per annum from time to time applied for that purpose which sinking fund or sinking funds shall be such as the Local Government Board for Ireland having regard to the provisions of this section approve :

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(B) The sinking fund or sinking funds and the accumulations thereof referred to in the preceding subsection shall be applied by the Commissioners in and towards the redemption and extinction or the purchase and extinction of mortgages or stock issued by the Commissioners and outstanding Provided that if in any year the Commissioners cannot advantageously redeem or purchase mortgages or stock they may invest the instalment of the sinking fund or sinking funds temporarily in the purchase of statutory securities:

Provided also that the redemption and extinction or the purchase and extinction of any such mortgage or stock shall not relieve the Commissioners from the obligation to make and maintain the accumulations herein-before referred to.

Return to Local Government Board for Ireland.

31. The secretary of the Commissioners shall within two months after the expiration of each year during which any sum is required to be set apart for a sinking fund under the Belfast Water Acts 1840 to 1889 transmit to the Local Government Board for Ireland a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been applied to the redemption of mortgages or 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 and the interest thereof have bee 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 secretary shall be liable to a penalty not exceeding twenty pounds which shall be paid to the said Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health (Ireland) Act 1878 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appears 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 or any interest thereof 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.

PART VII.—CREATION AND CHARGE OF STOCK.

Creation of water stock.

32.—(1.) Where the Commissioners have for the time being any statutory borrowing powers they may subject and according to the provisions of this part of this Act from time to time by resolution exercise the power by creation of redeemable water stock to be from time to time issued for such amount within the limit of the power at such price to bear such half-yearly or other dividends and to be so transferable that is to say in books or by deed as the Commissioners by the resolution direct Provided that all water stock at any time and from time to time so created shall be created on and subject to such terms and conditions as that the same shall form one and the same class of stock.

(2.) All water stock at any time and from time to time so created shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of creation of any portion of stock or in the date of issue of any portion of stock or on any other ground whatsoever and shall also rank equally with all other securities of the Commissioners at any time after the date of the first issue of stock granted by the Commissioners in pursuance of any statutory borrowing power.

(3.) The resolution for the first creation of water stock shall provide that such stock shall be redeemable by the Commissioners within a period not exceeding sixty years from the first creation thereof at par that is to say at the rate of one hundred pounds sterling for every nominal amount of one hundred pounds stock issued at such time and in such manner as the Commissioners by that resolution declare.

(4.) Each resolution for creation of water stock shall specify that the stock thereby created is redeemable.

(5.) Water stock so created shall be designated by the Commissioners as "Belfast City and District Water Commissioners Redeemable Stock."

Borrowing power to be exercisable for actual sum raisable.

33. Each statutory borrowing power of the Commissioners shall be construed to authorise the Commissioners to create and issue water stock from time to time to such nominal amounts as in the aggregate will according to the price of issue produce the actual amount of money for the time being lawfully raisable by the Commissioners or some portion of that actual amount or (as the case may be) the actual amount of money properly payable by the Commissioners as consideration on payment off or redemption by the Commissioners of any mortgage bond debenture debenture stock

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annuity rentcharge rent or other security granted or created by the Commissioners.

Charge of water stock.

34.—(1.) All water stock for the time being issued and the dividends thereon shall be and the same are by virtue of this Act charged indifferently on the whole revenues of the Commissioners from time to time arising from their undertaking and on all funds and rates established and leviable by the Commissioners.

(2.) The dividends for the time being payable on all water stock shall subject to all charges existing at the date of the first issue of any stock rank equally with the interest on all other securities of the Commissioners after the date of the first issue of any water stock created or granted in pursuance of their statutory borrowing powers and the same dividends and interest shall be subject to all charges existing at that date.

Repayment of moneys borrowed by issue of water stock.

35.—(1.) In each year the Commissioners shall pay into a redemption fund a sum or sums equal to the aggregate amount of all sums payable in that year for redemption and extinction or purchase and extinction of the several portions of water stock issued in exercise of the respective statutory borrowing powers of the Commissioners.

(2.) They shall provide the sum or sums last aforesaid by contributions from the revenues out of which any yearly or other sums would have been payable towards a sinking fund for discharge or towards payment off by instalments appropriations annual repayments or otherwise of money borrowed by the Commissioners under their statutory borrowing powers if that money had been raised and remained secured otherwise than by water stock.

(3.) The amounts of those several contributions shall be such amounts as with accumulations at the rate of three and a half per centum per annum shall be from time to time calculated to be sufficient to purchase at its nominal amount the portion of stock towards the purchase and extinction whereof those contributions are payable within the periods following (that is to say) :—

(A) In the case of the balances of loans specified in Schedule (A) to this Act within forty-nine years from the passing of this Act;

(B) In case of money to be raised under the powers of borrowing by this Act granted within sixty years from the respective dates of borrowing the same.

(4.) The Commissioners shall from time to time invest the redemption fund in the redemption and extinction or the purchase and extinction of the water stock or mortgages or in statutory

securities and by like investment of the interest and annual proceeds arising from those securities or investments make and maintain such accumulations as are in this section referred to.

All water stock or mortgages redeemed or purchased by the Commissioners for extinction shall be forthwith cancelled by the Commissioners and on such cancellation the same and all dividends thereon (not already accrued) shall be and the same are by virtue of this Act extinguished Provided that such extinguishment shall not relieve the Commissioners from the obligation to make and maintain the accumulations referred to in this section as if such stock or mortgages were an existing statutory security.

(5.) Notwithstanding anything in this Act it shall not be obligatory on the Commissioners to set apart in any year for the purposes of the sinking fund and redemption fund together a sum greater than would be sufficient to discharge the borrowed moneys outstanding at the time by virtue of the Belfast Water Acts 1840 to 1884 and the moneys authorised to be borrowed by virtue of this Act either by the issue of mortgages or the creation of water stock within the respective periods and in the manner prescribed by this Act.

(6.) If at any time by reason of the repayment by the Commissioners of moneys borrowed on mortgage or otherwise the sinking fund directed by this Act to be created should exceed the amount necessary for repayment of mortgages according to the provisions of this Act then the excess may be transferred to and form part of the redemption fund directed to be created for the redemption and extinction of water stock.

In like manner should the redemption fund be at any time in excess of the amount required to redeem the water stock for the time being created and issued by the Commissioners according to the provisions of this Act the excess may be transferred to and form part of the sinking fund directed to be created for the repayment of money borrowed on mortgage.

Conversion of other Securities into Water Stock.

Payment off or substitution for existing securities.

36.—(1.) Where any mortgage granted or created before or after the passing of this Act by the Commissioners under any statutory borrowing power is outstanding or payable and the Commissioners have power with the consent of the holder of that security or otherwise to pay off the amount thereby secured or represented or to redeem the same they may pay off or redeem the security accordingly with money raised by water stock or they

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may with the consent of the holder thereof issue water stock in substitution for the security.

(2.) The Commissioners may in every such case make such reasonable payment as they may think fit (if any) to the holder of any security for his consent or for otherwise compensating him for the payment off or redemption of or substitution for his security and any such payment may be either in money or water stock or partly in one and partly in the other.

(3.) The Commissioners may create and issue water stock to such amount as may be requisite for purposes of this section and that stock shall be deemed to be created and issued and any money raised thereby shall be deemed to be raised by virtue of the statutory borrowing power under which the security was granted or created and any money so raised shall be applied in payment off or redemption of the security.

(4.) Where the holder of the security is one of the persons described in section seven of the Lands Clauses Consolidation Act 1845 and by that Act enabled to sell land thereunder that person may consent to payment or redemption of or substitution for the money secured or represented by that security and may accept money for giving that consent as if the person so consenting were the absolute owner of that security and that person is hereby indemnified for so doing and his receipt shall be a good discharge for the same.

(5.) Money received by the holder of any security as authorised by this section and water stock issued to him in substitution for any security shall be subject to the same trusts powers testamentary and other dispositions provisions and incumbrances as the money secured or represented by the security was subject to immediately before the payment off redemption or substitution and every deed or other instrument or any testamentary or other disposition shall take effect with reference to the whole or a proportionate part of the money or stock received or substituted as the case may be.

Effect on Borrowing Powers.

Extinction or suspension of power.

37. On the issue of any portion of water stock the statutory borrowing power in exercise whereof that stock is issued shall be affected as follows (namely):—

(A.) If the stock is issued for the whole term limited for the continuance of any loan or for the continuance of payment of or in respect of any mortgage debenture stock annuity rent-

charge rent or other security granted or created by the Commissioners under that statutory borrowing power then that power to the extent of the money raised by that stock shall be and the same is by virtue of this Act extinguished; but

(B.) If the stock is issued for part only of that term then so much of the money raised by that stock as has not been paid off out of the sinking fund may be re-borrowed by the Commissioners for the residue of that term or any part thereof and so from time to time.

Application of Money raised.

General application of money from water stock.

38. Money raised by water stock shall be applied for purposes for which money raisable under the statutory borrowing power in exercise whereof the stock is issued ought by law to be applied and not otherwise.

Temporary investment of money raised by stock.

39. The Commissioners may from time to time invest temporarily on statutory securities (other than stock certificates to bearer) money raised by water stock and not for the time being applied to or required for the undertaking or purpose for which it is raised.

Registration and Certificates.

Appointment of registrar.

40.—(1.) The Commissioners may if they think fit and on and subject to such terms and instructions not inconsistent with any provision of this part of this Act as they think expedient appoint and keep appointed an officer of the Commissioners or other person or the Bank of Ireland or any other bank or a banker as registrar for all or any of the purposes of this part of this Act (in this part of this Act referred to as the registrar).

(2.) The Commissioners in relation to the provisions of this part of this Act and the registrar shall respectively be deemed a banker within the Bankers Books Evidence Act 1879.

Water stock register.

41.—(1.) The Commissioners or the registrar shall keep books in which shall be entered the names and addresses of holders from time to time of water stock and the amounts held by them (in this part of this Act referred to as the water stock register).

(2.) The water stock register shall be primâ facie evidence of any matter entered therein in accordance with this part of this Act and of the title of the persons entered therein as holders of stock.

Certificates of proprietorship of stock.

42.—(1.) On demand of a holder of water stock the Commissioners may if they think fit give to him a certificate of the proprietorship thereof under their common seal specifying the amount

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of stock to which he is entitled (in this part of this Act referred to as a stock certificate).

(2.) A stock certificate shall be primâ facie evidence of the title of the person therein named his executors administrators successors or assigns to the stock therein specified but the want of a stock certificate if such want be accounted for to the satisfaction of the Commissioners shall not prevent the holder of stock from disposing of and transferring the same.

(3.) If a stock certificate is worn out or damaged the Commissioners on production thereof may cancel it and give a similar stock certificate to the party in whom the property in the stock certificate and in the stock therein specified is then vested.

(4.) If a stock certificate is lost or destroyed the Commissioners on proof thereof to their satisfaction may give a similar stock certificate to the party entitled to the certificate lost or destroyed.

(5.) An entry of the issue of a stock certificate or a substituted certificate as the case may be shall be made in the water stock register.

Transfer.

Power for stockholder to transfer.

43. Subject to the provisions of this part of this Act every water stockholder may transfer all or any part of his stock in books or by deed but no transfer shall be made in books until the Commissioners shall have compounded with the Commissioners of Inland Revenue for stamp duty.

Transfer in books.

44.—(1.) If and where the resolution for creation of any portion of water stock makes the same transferable in books and not by deed the provisions of this section shall apply and have effect but not otherwise.

(2.) The Commissioners or the registrar shall keep books wherein transfers of water stock so transferable shall be entered (in this part of this Act referred to as the water stock transfer books).

(3.) Every such entry shall be conceived in proper words for the purpose of transfer and shall be signed by the party making the transfer or if he is absent by his agent thereunto lawfully authorised in writing under his hand attested by a witness.

(4.) Where the Bank of Ireland are the registrar they may if they think fit require that the agent be so authorised by power of attorney under the hand and seal of the party making the transfer attested by two or more credible witnesses.

(5.) The person to whom a transfer is made may if he thinks fit underwrite his acceptance thereof.

(6.) Except as otherwise provided by some other Act of Parliament and subject to the provisions of this part of this Act respecting any portion of water stock which the resolution for creation thereof makes transferable by deed and not in books no mode of transferring water stock other than that prescribed in this section shall be good in law.

Transfer by deed.

45.—(1.) If and where the resolution for creation of any portion of water stock makes the same transferable by deed and not in books the provisions of this section shall apply and have effect but not otherwise.

(2.) Every transfer of water stock so transferable shall be by deed.

(3.) The deed of transfer shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(4.) The deed of transfer when duly executed shall be delivered to and kept by the Commissioners or the registrar and the Commissioners or the registrar shall enter a memorial thereof in a book to be called the register of transfers of water stock and shall indorse on the deed of transfer a notice of that entry.

(5.) The Commissioners or the registrar shall on demand and on delivery up of the old stock certificate or on proof satisfactory to the Commissioners of its absence deliver a new stock certificate to the purchaser or shall at the option of the purchaser make an indorsement of the transfer on the existing stock certificate which indorsement being signed by direction of the Commissioners or by the registrar shall be equivalent to a new stock certificate.

(6.) Until the deed of transfer has been so delivered to the Commissioners or the registrar the Commissioners or the registrar shall not be affected thereby and the purchaser of the stock shall not be entitled to receive any dividend thereon.

Evidence on transfer.

46.—(1.) The Commissioners or the registrar before allowing any transfer of stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to make the transfer.

(2.) That evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Commissioners or the registrar with the approval of the Commissioners may require.

Closing of transfer books.

47.—(1.) The Commissioners or the registrar with the approval of the Commissioners may as regards any portion of water stock close the water stock transfer books or the register of transfers of water stock (as the case may be) on any day in the month next before that in which dividends on that portion of water stock are

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payable but so that the books be not at any time kept closed for more than fifteen days.

(2.) The persons who on the day of such closing are inscribed as water stockholders shall as between them and their transferees of water stock be entitled to the dividend next payable thereon.

Stamp duty on transfers.

48. Unless the Commissioners have compounded for stamp duty all stock issued by them shall notwithstanding anything in any resolution of the Commissioners be transferable by deed and not in books and every deed of transfer of stock transferable by deed shall be duly stamped and the consideration shall be truly stated therein.

Transmission.

Transmission on death.

49.—(1.) The interest in water stock of a stockholder dying shall be transferable by his executors or administrators notwithstanding any specific bequest thereof.

(2.) The Commissioners or the registrar shall not be required to allow any executors or administrators to transfer any stock until the probate of the will of or the letters of administration to the deceased has or have been left with the Commissioners or the registrar for registration and may require all the executors who have proved the will to join in the transfer.

Transmission on marriage &c.

50.—(1.) If the interest in any water stock has become transmitted in consequence of the bankruptcy of a stockholder or the marriage of a female stockholder or by any lawful means other than a transfer in books or by deed or than the death of a stockholder that transmission shall be authenticated by a statutory declaration of one or more competent persons or in such other manner as the Commissioners or the registrar require.

(2.) The declaration shall state the manner in which and the party to whom the stock has been transmitted and shall be left with the Commissioners or the registrar.

(3.) If the transmission is in consequence of the marriage of a female stockholder the declaration shall if the Commissioners or the registrar so require set forth a copy of the register of the marriage or other particulars of the celebration thereof and declare the identity of the wife with the holder of the stock.

(4.) The name of the person entitled under the transmission shall be entered in the stock register.

(5.) Until the transmission has been so authenticated the Commissioners or the registrar shall not be affected thereby and no person claiming by virtue thereof shall be entitled to receive any dividend on the stock.

(6.) In this section the term transmission includes any case of apparent transmission in consequence of the change of name of the stockholder although the actual ownership of the stock may remain unaltered.

Dividends.

Payment of dividends.

51. The Commissioners may pay by the registrar the dividends on water stock.

Dividends to executors &c.

52. The Commissioners or the registrar shall not be required to allow any executors or administrators to receive any dividend on water stock held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Commissioners or the registrar for registration.

Evidence of title.

53. The Commissioners or the registrar before allowing the receipt of any dividend on any water stock may if the circumstances of the case appear to them or him to make it expedient require evidence of the title of any person claiming a right to receive the dividend and that evidence shall be a statutory declaration of competent persons or of such other nature as the Commissioners or the registrar may require.

Dividends to joint holders.

54.—(1.) Where more persons than one are registered as joint holders of any water stock any one of them may give an effectual receipt for any dividend thereon unless notice to the contrary has been given to the Commissioners or the registrar by any other of them.

(2.) Where water stock is standing in the name of an infant or person of unsound mind jointly with any person not under legal disability a letter of attorney for receipt of the dividends on the stock shall be sufficient authority in that behalf if given under the hand and seal of the person not under disability attested by two or more credible witnesses but the Commissioners or the registrar before acting on the letter of attorney may if they or he think fit require proof to their or his satisfaction of the alleged infancy or unsoundness of mind by a statutory declaration of one or more competent persons.

Dividend warrants by post.

55.—(1.) Where a water stockholder desires to have his dividends sent to him by post he may make a request for that purpose to the Commissioners or the registrar in writing signed by him in a form approved by the Commissioners and shall give to them or the registrar an address in the United Kingdom or in the Channel Islands or the Isle of Man to which the letters containing the warrants are from time to time to be sent.

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(2.) The posting by the Commissioners or the registrar of a letter containing a dividend warrant addressed to a stockholder at his request at the address so given by him shall as respects the liability of the Commissioners and of the registrar be equivalent to the delivery of the warrant to the stockholder himself.

(3.) Every warrant so sent by post shall be deemed a cheque and the Commissioners and the registrar shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

General.

Nature of water stock: notice of trusts.

56.—(1.) The water stock is personal property.

(2.) The water stock is not liable to foreign attachment by the custom of London or otherwise.

(3.) No notice of any trust express implied or constructive in respect of any water stock shall be entered in the water stock register or in any other book kept by the Commissioners or the registrar or be receivable by the Commissioners or the registrar or affect the Commissioners through the registrar or otherwise.

Receiver.

57.—(1.) If at any time the Commissioners for two months after demand in writing fail to pay any dividend due on any water stock the person entitled thereto may apply to Her Majesty's High Court of Justice in Ireland for a receiver and the court may if it thinks fit appoint a receiver on such terms as it thinks fit.

(2.) The receiver shall have the like power of collecting receiving recovering and applying all money which ought to be paid under this part of this Act and of assessing making and recovering all rates for the purpose of obtaining the same as the Commissioners or any officer thereof would or might have and such other powers and such duties as the court thinks fit and shall apply all money so collected after payment of expenses and costs as the court directs for purposes of this part of this Act.

(3.) The court may at any time discharge the receiver and shall have full jurisdiction over him and all persons interested in his acts.

Protection of holders of water stock.

58. A person taking or holding water stock shall not be concerned to inquire or to take notice whether the creation or issue thereof was or was not within any statutory borrowing power of the Commissioners or otherwise in accordance with this part of this Act or whether or not the Commissioners or any meeting thereof was properly constituted or convened or whether or not the proceedings at any meeting of the Commissioners were legal or regular or to see

to the application of any money raised by water stock or be answerable for any loss or misapplication thereof.

Annual return to Local Government Board.

59.—(1.) Once in every year at a time appointed by the Local Government Board for Ireland the Commissioners shall send to that Board an abstract of the accounts of the Commissioners relating to water stock in a form prescribed by that Board and verified by a statutory declaration of the secretary if required by that Board.

(2.) In case of wilful default therein by the Commissioners the Commissioners shall on each occasion be liable to a fine not exceeding two hundred pounds and in case of wilful default therein by the secretary the secretary shall on each occasion be liable to a fine not exceeding twenty pounds and every fine under this section shall be recoverable summarily on the prosecution of the Local Government Board for Ireland and not otherwise.

(3.) If by any such abstract or otherwise it appears to that Board that the Commissioners have failed to comply with any requisition of this part of this Act in relation to any payment application or investment or otherwise in relation to water stock that Board may notwithstanding any proceeding for the recovery of any fine or any other proceeding taken by that Board by order require the Commissioners to make good the default within a time therein limited.

Unclaimed dividends.

60.—(1.) If at any time any dividend on any water stock is unclaimed at the time for payment thereof the same shall nevertheless on demand at any subsequent time whatsoever be paid to the person showing his right thereto but without interest in the meantime.

(2.) Where any dividend remains unclaimed for five years from the time for payment thereof the Commissioners shall cause notice thereof to be sent by post in a registered letter addressed to the stockholder named in their books by the description and at the address therein appearing and so at the expiration of three other successive periods of five years.

(3.) At the end of every successive period of five years from the day when the first dividend becomes payable on the water stock first issued after the passing of this Act the Commissioners shall publish an advertisement in a newspaper circulating in the city stating what (if any) dividends on water stock other than those falling due at the then last half-yearly or other day of payment are then unclaimed and the names and addresses appearing in the water stock register of the holders of the stock on which the dividends are unclaimed.

(4.) At the end of every successive period of ten years from the day when the first dividend becomes payable on the water stock

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first issued after the passing of this Act the Commissioners unless it has been otherwise agreed between them and the registrar may require the registrar to repay to them all dividends unclaimed during that period and then in his hands and they may deal therewith without prejudice nevertheless to the rights of any person to those dividends.

Saving for power to borrow otherwise.

61. Nothing in this part of this Act shall affect any power of the Commissioners to raise otherwise than by water stock any money which they do not think fit to raise by water stock but whenever from time to time after the date of the first issue of water stock the Commissioners raise money otherwise than by water stock they shall cause to be given to each lender of money so raised notice in writing signed by the secretary of the Commissioners of the equality of charge which water stock has by virtue of this part of this Act.

Saving for power of revocation.

62. Notwithstanding anything in this part of this Act the Commissioners may at any special meeting of the Commissioners revoke at any time in whole or in part any resolution for creation of water stock theretofore passed by them if and as far as the same has not been acted on by the issue of stock thereunder.

Saving for other obligations.

63. Except as in this part of this Act expressly provided nothing in this part of this Act shall relieve the Commissioners from any obligation imposed on them in relation to any statutory borrowing power by any Act of Parliament under or by which that power for the time being exists or is regulated.

Saving for power to sell lands &c.

64.—(1.) Nothing in this part of this Act shall affect any power or duty of the Commissioners to sell lease or otherwise dispose of any land or property of the Commissioners or to apply any purchase money or other money arising thereby in discharge of any charge on that land or property or the revenues thereof other than the charge of water stock or affect any claim of any person under such first-mentioned charge.

(2.) That land or property shall in the hands of the purchaser or other person taking the same under the sale lease or other disposition be by virtue of this Act absolutely freed from the charge of water stock and he shall not be concerned to see to the application of that purchase money or other money or be answerable for any loss or misapplication thereof.

Saving for existing securities.

65. Nothing in or done under this part of this Act shall affect any security or charge created or granted or payable by the Commissioners before and subsisting before the date of the first issue of any water stock and the Commissioners shall whenever required

by the holder of any security or charge aforesaid apply all such money do all such acts exercise all such powers collect all such money and make and levy all such rates as they would or ought to have applied done exercised collected made and levied for his benefit and security if this part of this Act had not been enacted.

Forgery.

66. Water stock shall be deemed capital stock of a body corporate within the Act of the session of the twenty-fourth and twenty-fifth years of the reign of Her present Majesty (chapter ninety-eight) " to consolidate and amend the statute law of England and Ireland " relating to indictable offences by forgery."

Orders of Local Government Board for Ireland.

67. Any order of the Local Government Board for Ireland under this part of this Act may contain such directions as the Board think necessary or proper for giving effect thereto and shall be enforceable by writ of Mandamus to be obtained by the Board out of Her Majesty's High Court of Justice in Ireland and may be from time to time cancelled or varied by the Board as the circumstances of the case may require but the Board shall not make any such order without first hearing the Commissioners if desirous of being heard which hearing may be in the form of a public inquiry with or without a published report or in such other form as the Board having regard to the circumstances think just and expedient and sections 209 210 212 and 213 of the Public Health (Ireland) Act 1878 shall apply to hearings inquiries and other proceedings to which this section relates.

Regulations by Bank of Ireland.

68. Where the Bank of Ireland or other bank are the registrar they may with the sanction of the Commissioners from time to time issue any forms that may be required for carrying into effect the provisions of this part of this Act and may also from time to time make any regulations that are not inconsistent with this part of this Act with respect to anything necessary for carrying into effect the provisions of this part of this Act which relate to or affect the bank and when made may alter vary or repeal any such regulations and make other regulations instead thereof or in addition thereto and any such regulations for the time being in force shall be duly observed.

Forms.

69. The forms given in the Schedule (B) to this Act may be used for the purposes therein indicated and the same or forms to the like effect with such variations or additions as circumstances require shall be effectual for those purposes.

Fees.

70. Fees not exceeding those specified in Schedule (B) to this Act may be taken by or on behalf of the Commissioners in the

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cases therein mentioned and shall be paid into the redemption fund.

Expenses.

71.—(1.) The expenses incurred by the Commissioners in or about the creation and issue of any portion of water stock including any sum paid by them for composition for stamp duty thereon and any other expenses being in their judgment properly chargeable to capital shall be deemed money raisable under the statutory borrowing power in exercise whereof that portion of stock is issued.

(2.) Expenses of bookkeeping and management and other current expenses from time to time incurred by the Commissioners in the execution of this part of this Act shall be defrayed as the ordinary expenses of the Commissioners are or may be defrayed.

Part VIII.—Miscellaneous.

Application of moneys.

72. All moneys borrowed under the powers of this Act shall be applied only to purposes to which capital is properly applicable.

Special power to expend 30,000*l.* on mains pipes fittings &c.

73. The Commissioners may from time to time expend out of the moneys to be borrowed by them under the authority of this Act any sum not exceeding in the whole thirty thousand pounds in laying down new mains pipes and fittings or in making such a contribution as can be properly charged to capital towards replacing existing mains pipes and fittings which have become of insufficient capacity for the supply of water to any streets within the city and suburban districts including all mains pipes and fittings required for communication with existing mains pipes and reservoirs Provided always that subject as aforesaid no portion of such sum shall be expended in the maintenance or repair of the existing mains pipes or fittings of the Commissioners.

In laying any such mains and fittings the Commissioners shall be subject to the provisions of the Waterworks Clauses Act 1847 with reference to the breaking up of streets for the purpose of laying pipes.

Ceratin lands not to be deemed superfluous lands.

74. The Commissioners may by compulsion or agreement acquire and hold such lands shown on the deposited plans and described in the deposited books of reference as they may deem necessary to acquire within the drainage areas of their reservoirs and works for the purpose of protecting their waterworks against nuisances encroachment or injury and so long as such necessity shall continue such lands or any other lands which may be acquired for protective purposes shall not be deemed to be superfluous lands

within the meaning of this Act or the Lands Clauses Consolidation Act 1845 respectively Provided always that the Commissioners shall not erect or authorise or permit the erection on any such lands whilst so held by them of any buildings other than buildings for or connected with their waterworks.

The Commissioners may let on yearly tenancy or sell any land acquired under this section on the terms that such land shall not be broken up for tillage but used wholly as pasture or meadow and that no buildings shall be erected thereon Provided also that the proceeds of any such sale shall only be applied to purposes of this Act to which capital is properly applicable.

Special provisions for protection of Stonyford Reservoir.

75. The following provisions shall apply and have effect for the better protection of the Stonyford Reservoir (that is to say):—

(A) Persons entitled to exercise the rights referred to in the twenty-first section of the Act of 1884 shall only approach that reservoir by the road and entrance-gate thereto constructed by the Commissioners at the northern end thereof or by such other convenient access as may from time to time be constructed:

(B) Any person whether in exercise of the said rights or otherwise offending against any of the provisions of this section or trespassing on the fences of the said reservoir shall forfeit and pay for each such offence any sum not exceeding five pounds.

Prevention of skating.

76. No person shall skate slide or walk on any of the Commissioners reservoirs when frozen over and any person offending against the provisions of this section shall forfeit and pay for each such offence any sum not exceeding five pounds.

Charge for plumbers licenses.

77. The Commissioners may from and after the passing of this Act charge a sum not exceeding ten shillings per annum for each license issued by the Commissioners under section 35 of the Act of 1874.

Place of holding annual meeting of ratepayers.

78. From and after the passing of this Act the annual meeting of the ratepayers prescribed by the ninety-first section of the Act of 1865 shall be held at the office of the Commissioners.

Saving sections 8 9 & 10 of the Act of 1884.

79. Nothing in this Act shall prejudice or affect the provisions of the eighth ninth and tenth sections of the Act of 1884 but those provisions shall remain in full force and effect Any person interfering with or damaging the measuring gauge constructed by the Commissioners and certified by Charles Hawksley civil engineer in accordance with the provisions of those sections shall on conviction forfeit and pay the sum of ten pounds by way of penalty which

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may be recovered by the Commissioners in any court of summary jurisdiction.

Temporary entry on lands.

80. The power conferred on the Commissioners by the twenty-third section of the Act of 1874 to enter temporarily on lands adjoining their own for the repair of embankments and works and for the prevention of apprehended landslips shall extend to their entire undertaking the Commissioners paying to the person upon whose lands they shall have entered full compensation for any damage done to such lands and such compensation in case of dispute or disagreement between the Commissioners and such person shall be determined by a court of summary jurisdiction or on the application of either of the parties by the county court judge of the county in which the lands are situated whose decision shall be final and not subject to appeal or review.

Change of name of the Commissioners.

81. Subject to the provisions of Part IV. of the Companies Clauses Act 1863 relating to change of name from and after the passing of this Act the name and style of the Commissioners shall be "the Belfast City and District Water Commissioners."

Name of water-rate book.

82. The rate book or books referred to in the eighty-third section of the Belfast Water Act 1865 shall hereafter be called "the Belfast City and District Water-rate Book."

As to complaints of unwholesome water &c.

83. Any person or sanitary authority making any complaint against the Commissioners that the water supplied within the city or suburban districts is unwholesome shall prefer such complaint to the Local Government Board for Ireland by memorial in writing and the Local Government Board if satisfied after due inquiry that the Commissioners have made default may make an order limiting a time for the performance by the Commissioners of their duty with respect to such default If the Commissioners fail to obey such order and to perform such duty within the time prescribed by the Local Government Board such order may be enforced by writ of Mandamus and the Local Government Board may make orders as to the costs of inquiries and proceedings herein and as to the persons by whom such costs shall be borne and any such order as to costs may be made a rule of one of the divisions of the High Court of Justice in Ireland on the application of any person named therein Provided that nothing contained herein shall limit or take away the right of any person to enforce any claim against the Commissioners by legal process which could have been so enforced before the passing of this Act.

Protection for acts done bonâ fide.

84. No matter or thing done and no contract entered into by the Commissioners and no matter or thing done by any individual

Commissioner or by any officer of the Commissioners or other person whomsoever acting under the authority of the Commissioners shall if the matter or thing were done or the contract were entered into bonâ fide for the purpose of the Belfast Water Acts 1840 to 1889 subject them or any of them personally to any action liability claim or demand whatsoever and any expense incurred by the Commissioners any individual Commissioner officer or other person acting as last aforesaid shall be borne and repaid out of the funds of the Commissioners.

As to plans deposited by Commissioners.

85. The plans deposited or to be deposited by the Commissioners showing the lands or easements acquired for the purposes of their undertaking in accordance with the provisions of the Railways Act (Ireland) 1851 shall be deemed to be the plans directed to be deposited by the Waterworks Clauses Act 1847.

Restriction on taking houses of labouring class.

86. The Commissioners shall not under the powers of this Act without the consent of the Local Government Board for Ireland take ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

Defining labouring class.

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

Costs of Act.

87. All costs charges and expenses of and incident to the preparing and 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 Belfast Water Acts 1840 to 1889.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Act.	Amount authorised.	Amount borrowed on Mortgage.	Amount of Mortgages redeemed.	Balance of Mortgages outstanding on 1 Dec. 1888.	Period of Repayment.
		£ s. d.	£ s. d.	£ s. d.	
1840	£66,000 - - -	51,873 10 0	17,890 15 1	33,982 14 11	50 years from 1872 afterwards altered to 49 years from 1874.
1865	£150,000 and any sum not borrowed under Act of 1840.	157,599 16 0	37,875 15 7	119,724 0 5	
1874	£120,000 and any sum not borrowed under previous Acts.	84,261 16 8	15,901 12 8	68,360 4 0	49 years from 1879.
1879	£170,000 ditto -	178,975 9 3	—	178,975 9 3	49 years from 1889.
1884	£120,000 ditto -	152,960 18 4	—	152,960 18 4	50 years from 1889.
	£626,000	625,671 10 3	71,668 3 4	554,003 6 11	

SCHEDULE (B.)

FORMS.

(A.)

Resolutions on Creation of Stock.

Belfast City and District Water Commissioners.

[29th September, 18 .]

At a meeting of the Belfast City and District Water Commissioners holden on [the 29th day of September 18] at [eleven o'clock in the forenoon] in the

Present:

Resolved first—

That under the authority and subject to the provisions of the Belfast Water Act 1889 the Belfast City and District Water Commissioners do hereby in

exercise of their several statutory powers create stock to be called the Belfast City and District Water Commissioners Redeemable Stock and to be issued to an amount not exceeding thousand pounds (£):—

A. For raising the following sums (amounting in the aggregate to the sum of pounds which has not been raised) (that is to say):—

(1) The sum of pounds on account of the money which the Commissioners have authority to raise by borrowing under the powers conferred upon them by the Belfast Water Acts 1840 to 1889 for the purchase money for and the cost of reconstruction of portions thereof;

(2) The sum of pounds on account of the money which the Commissioners have authority to raise by borrowing under the powers conferred upon them by the Belfast Water Acts 1840 to 1889 for the cost of construction of ;

(3) The sum of pounds on account of the money which the Commissioners have authority to raise by borrowing under the powers conferred upon them by the Belfast Water Acts 1840 to 1889 for the construction of waterworks;

(4) The sum of pounds on account of the money which the Commissioners have authority to raise by borrowing under the powers conferred upon them by the Belfast Water Acts 1840 to 1889 for the purposes of .

B. For raising instead of re-borrowing the sum of pounds required by the Commissioners for the purpose of paying off when due sums amounting to pounds which will fall due before the 1st January 18 being a portion of their debts now subsisting on the security of outstanding securities granted by the Commissioners for raising money for the purposes of the Belfast Water Acts 1840 to 1889 and which sums the Commissioners are under those Acts authorised to re-borrow.

C. For raising the sum of pounds for repaying the amount temporarily borrowed by the Commissioners from the Bank of in order to enable the Commissioners to meet sums which amount to pounds being a portion of their debt secured on outstanding securities granted by the Commissioners for raising money for the purposes of the Belfast Water Acts 1840 to 1889 and which sums the Commissioners are under those Acts authorised to re-borrow.

D. For raising the sum of pounds for paying off or redeeming statutory securities granted by the Commissioners under the following Acts and now outstanding (that is to say):—

The Belfast Water Acts 1840 to 1889.

E. For the purpose of issuing stock in substitution for statutory securities granted by the Commissioners under the following Acts and now outstanding (that is to say):—

The Belfast Water Acts 1840 to 1889.

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Resolved secondly—

That such stock shall be issued at the price and shall bear the dividends and be transferable in the manner herein-after specified (that is to say):—

A. The minimum price of issue to be the first dividend to be payable on the 1st January 18 ;

B. Tenders for stock to be made to the Bank of Ireland. A deposit of 5 per cent. on the amount of stock tendered for to be paid at the Bank of Ireland at the time of the delivery of the tender;

C. The dates for the further payments on account of the said tenders when accepted to be as follows:—On Wednesday the 20th day of October 18 so much of the amount tendered and accepted as when added to the deposit will leave £75 (sterling) to be paid for each £100 of stock. On Friday the 26th day of November 18 25 per cent. On Tuesday the 11th day of January 18 25 per cent. On Tuesday the 1st day of March 18 25 per cent. In case of default in the payment of any instalment at its proper date the deposit and instalments previously paid will be liable to forfeiture;

D. Dividends at £ per cent. per annum payable quarterly;

E. Dividends on the total amount of stock (calculated from the 1st of October 18) to be payable on the 1st January 18 ;

F. In the event of the receipt of tenders for a larger amount of stock than that proposed to be issued at or above the minimum price the tenders at the lowest price accepted to be subject to proportionate diminution;

G. Stock to be issued in sums of not less than £ ;

H. Stock to be transferable in books and not by deed.

Resolved thirdly—

That such stock shall be redeemable, as follows:

[*State terms.*]

Resolved fourthly—

That an agreement be entered into with the Commissioners of Inland Revenue for the payment to them of composition under the provisions of the Customs and Inland Revenue Act 1887 for the stamp duty on transfers of stock issued under the foregoing resolutions.

(B.)

STOCK RECEIPT.

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK (£ PER CENT.)

Transfer days:

Monday,

Tuesday,

Wednesday,

Thursday,

Friday.

Holidays excepted.

RECEIVED this day of 18

of

herein-after called the said transferee the sum of

being the consideration for

interest or share in the Belfast City and District Water Commissioners Redeemable Stock (£ per cent.), transferable at the Bank of Ireland and all my property and interest in, and right to, the same, and the dividends thereon, by this day transferred unto the said transferee

Witness hand

Witness

☞ The proprietors to protect themselves from fraud are recommended to accept by themselves or their attorneys all transfers made to them.

£ *s.* *d.*

[*Indorsement.*]

NOTICE TO HOLDERS OF BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK.

(£ PER CENT.)

PAYMENT OF DIVIDENDS.

Dividends are due on [*the* 1*st January* 1*st April* 1*st July* and 1*st October*], unless the [1st] of either of these months falls on a Sunday, in which case the dividends will be payable on the following day.

Dividends will be paid in one of the following modes:—

I. To the stockholders personally, or to their attorneys, at the Bank of Ireland.

N.B.—Stockholders may arrange for the receipt of their dividends, free of charge, at any of the country branches, on application to the agent.

II. By transmission of the dividend warrants by post, at the risk of the stockholder, under the following regulations:—

1. Any stockholder residing within the United Kingdom, or in the Channel Islands, or the Isle of Man, who desires to have his dividend warrant sent to his address by post, must fill up a form of application, to be obtained at the Bank or at any of its branches.

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2. In the case of joint accounts, the application must be signed by all the members of the account, directing the warrant to be sent to one of them at a given address.
3. Post dividend warrants will be crossed *& Co.* and will only be payable through a banker. They will be drawn to the order of the stockholder, and must be indorsed.

☞ Stockholders whose warrants are sent by post should give notice to [the Bank] if they are not received on the day on which they ought to be delivered; but need not acknowledge those that arrive in due course.

(C.)

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK CERTIFICATE.

Number

This is to certify that A.B. of is the proprietor of pounds of Belfast City and District Water Commissioners Redeemable Stock subject to the Acts of Parliament relating thereto.

Given under the Common Seal of the Belfast City and District Water Commissioners this day of 18 .

(D.)

TRANSFER IN BOOKS.

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK (£ PER CENT.)

No.		£	s.	d.
entered by	this day of in the year of our Lord one thousand eight hundred and do assign and transfer			
Witness to the identity of	interest or share in the Belfast City and District Water Commissioners Redeemable Stock (£ per cent.), transferable at the Bank of Ireland and all my property and interest in and right to the same and the dividends thereon unto			

Executors administrators or assigns. Witness hand

Witness

do freely and voluntarily accept the above stock transferred to

Witness

A.D. 1889.

(E.)

APPLICATION FOR ISSUE OF POWER OF ATTORNEY.

Bank of Ireland the day of 18

From A.B. and C.D. [*the registered stockholders in the bank books*]

£ BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK (£ per Cent.).

To G.H. [*the intended attorney*]

Examined by Dr. fol. Posted by Cr. fol. Posted by Transfer Book.

(F.)

POWER OF ATTORNEY FOR SALE AND TRANSFER AND FOR RECEIPT OF DIVIDENDS.

Commissioners Account

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK.

ACCEPTANCE, SALE OF £ AND DIVIDENDS.

We

our attorneys and attorney
for us and in our name and on our behalf—

First—to accept all transfers made or to be made to us of any sum of

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK.

Secondly—to sell and transfer all or any part of the sum of

said stock standing in our name in the books of the Governor and Company of the Bank of Ireland.

Thirdly—to receive and give receipts for all dividends or payments due or to become due on any sum of the said stock from time to time standing in our name in the books of the Governor and Company of the Bank of Ireland.

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And also—to do whatever is necessary or proper to be done for the purposes aforesaid or any of them.

In witness whereof we have hereunto affixed our corporate seal this day of in the year of our Lord one thousand eight hundred and

Sealed with the corporate seal and delivered in the presence of

N.B.—The execution of this letter must be attested by two witnesses who are not of the corporate body and who must be present when the corporate seal is affixed.

For further instructions, see other side.

[*Indorsement.*]

INSTRUCTIONS FOR EXECUTING THE WITHIN LETTER OF ATTORNEY.

Commissioners
Account

The date must be inserted in words and not in figures.

The execution must be attested by two credible witnesses who are not of the corporate body, and who must add their addresses and their qualities, professions or occupations.

A witness resident in a town must give the No. of the house as well as the name of the street.

If clerks or servants are witnesses they must give the names and addresses of their employers.

When a witness is a female she must state whether she is a spinster, wife, or widow; and if a wife she must give her husband's name, address and quality, profession or occupation.

A wife is not a valid witness to the execution of this letter of attorney when her husband's name appears in the letter as attorney or transferee.

If any alteration, interlineation or erasure be made in this letter of attorney, it must be particularly stated in the attestation subscribed to by the witnesses that such alteration interlineation or erasure was made previously to the execution of the letter.

I demand to act by this letter of attorney this day of 18 .

Witness

(G.)

DEED OF TRANSFER.

I A.B. of in consideration of the sum of pounds paid to me by C.D. of (herein-after called the said transferee) do hereby transfer to the said transferee the sum of pounds Belfast City and District Water Commissioners Redeemable Stock standing [or part of the stock standing] in my name in the books of the Belfast City and District Water Commissioners to hold unto the said transferee his

executors administrators and assigns [or successors and assigns] subject to the several conditions on which I hold the same at the time of the execution hereof and I the said transferee do hereby agree to take the said stock subject to the same conditions. A.D. 1889.

As witness our hands and seals the day of 18 .

Witness

(H.)

Dividend Warrant.

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK.

(£ per Cent.)

To the Cashiers of the Bank of Ireland.

Pay to bearer the sum of

for one quarter of a year's dividend on the sum of £ Belfast City and District Water Commissioners Redeemable Stock (£ per cent.) due 18 .
Less property tax at *d.* per £

I do hereby acknowledge to have received of the Bank of Ireland the above-mentioned sum in full payment for one quarter of a year's dividend due as above said.

Witness my hand this 18 .

Witness

(I.)

Dividend Warrant by Post.

(1.)

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK (£ per Cent.).

Request for Transmission of Dividend Warrants by Post.

To the Governor and Company of the Bank of Ireland.

A sum of £ Belfast City and District Water Commissioners Redeemable Stock (£ per cent.) is now standing in name as follows :— Amount. "my" or "our."

Names addresses and descriptions as recorded in the Bank books.

As the person entitled to the dividends upon the above-mentioned amount of stock hereby authorise the Accountant-General of the Bank of Ireland for the time being in the name of to draw upon the Governor and Company of the Bank of Ireland for the amount of the "I" or "we." "myself" or "our nominee."

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quarterly dividends due and to become due on the said amount of stock or on the amount for the time being standing in name :

"my" or "our."

And hereby request the said Accountant-General to send through

"I" or "we."

the post at risk and until further notice the warrants so drawn to—

"my" or "our."

If the account is a sole one insert here the name and address of the stockholder : If the account is a joint one insert here the name and address of one of the stockholders as nominee.

Name _____

Present Address _____

_____

SIGN HERE.

In the case of joint stockholders or of co-executors all must sign.

_____

_____

_____

_____

_____

Date _____ 18 .

[*On second half-sheet of same Form.*]

This half-sheet is to be retained by the stockholder. Reference to it will often save unnecessary correspondence.

NOTICE TO HOLDERS OF BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK (£ PER CENT.).

Transmission of Dividend Warrants by Post.

Dividends upon the above-named stock may be transmitted through the post to the stockholder in sole accounts and to any one of the stockholders in joint accounts at their risk upon a form of request being duly filled up and forwarded to the Accountant-General Bank of Ireland. (Forms are obtainable at the Bank of Ireland and at any of its branches.)

N.B.—This arrangement does not apply to stockholders whose addresses are beyond the United Kingdom the Channel Islands and the Isle of Man.

Persons receiving dividends under letter of attorney cannot have the warrants for such dividends sent to them by post.

A separate form must be used for each separate holding of stock.

When forwarding a form of request care should be taken to state the number of overdue dividends if any.

Dividends are payable on 1st January 1st April 1st July and 1st October.

When the 1st happens on a Sunday the dividends are not payable until the 2nd.

Forms of request may be delivered at the Bank at any date either by hand or through the post but when received between the day on which the balance for a dividend is struck and the day on which the dividend is payable the warrants for such next dividend will be forwarded as soon as possible but the Bank will not guarantee their being posted on the day before the dividend is payable.

For the dividend payable [1st January] the balance is struck on or about the [1st December].

For the dividend payable [1st April] the balance is struck on or about the [1st March].

For the dividend payable [1st July] the balance is struck on or about the [1st June].

For the dividend payable [1st October] the balance is struck on or about the [1st September].

Warrants for overdue dividends will be forwarded as promptly as possible but not necessarily by return of post.

Any change of address of the stockholder in sole accounts or of the nominee in joint accounts should be notified at once to the Accountant-General. When any such notification reaches the bank less than a fortnight before the next dividend is due there may be a delay of a few days in the delivery of the warrant for such next dividend.

In the absence of any notification to the contrary it will be taken for granted that dividend warrants have duly reached their destinations. When they are not received on the correct day notice should be given to the Accountant-General without delay.

As postal dividend warrants are made payable to order they must be indorsed. They are crossed in blank and consequently are only payable on presentation by a banker. (The bank will not undertake to cross postal dividend warrants with the names of particular bankers.)

Instructions to transmit warrants by post remain in force although the stock may have been added to or a part sold.

Stockholders selling stock by attorney if they wish to continue to receive their dividends through the post should instruct their bankers or brokers to obtain letters of attorney for sale only.

All communications with reference to postal dividend warrants should be addressed to the [Accountant-General Bank of Ireland] and the postage should be prepaid.

(2.)

Post Dividend Warrant.

BELFAST CITY AND DISTRICT WATER COMMISSIONERS REDEEMABLE STOCK.

(£ Per Cent.)

To the Governor and Company of the Bank of Ireland.

Pay to me or my order on demand the sum of

being one quarter of a year's dividend at £ per cent. per annum, due on the 1st day of 18 , on the sum of £ { Belfast City and District Water Commissioners' Redeemable Stock (£ per cent.) }

Less property-tax at per £

Accepted for the Governor and Company of the Bank of Ireland.

Per pro

[,
Chief Cashier.] [Accountant-General.]

The person to whom this warrant is payable must sign his or her name on the back of it.

A.D. 1889.

FEES.

	£	s.	d.
On original issue of stock receipt or stock certificate - -	0	2	6
On any new stock certificate - - - - -	0	2	6
On transfer including certificate - - - -	0	5	0

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