CHAPTER cxxv.

An Act to extend the Boundaries of the Borough of Waterford to transfer to the Corporation the powers for fiscal purposes of the Grand Jury of the County of the City of Waterford to make further provision as to buildings streets and sanitary matters and for other purposes. [20th July 1896.]

A.D. 1896.

WHEREAS the borough of Waterford in the county of Waterford is a municipal borough subject to the Acts relating to municipal corporations in Ireland and the mayor aldermen and burgesses of the said borough (in this Act called "the Corporation") are the urban sanitary authority under the Public Health (Ireland) Acts for the existing borough:

And whereas it is expedient that the municipal limits of the existing borough should be extended so as to include an additional area in this Act called "the new district" and which limits as so extended are set forth in the First Schedule to this Act:

And whereas it is expedient to re-arrange the wards into which the existing borough is at present divided so as to include "the new district" and to divide the borough as extended into the wards defined in the Second Schedule to this Act:

And whereas the limits of the county of the city of Waterford and of the municipal borough are identical and it is expedient to transfer the powers for fiscal purposes exercised by the city grand jury to and to vest them in the Corporation and to extend the powers so vested in the Corporation to the new district:

And whereas it is expedient to make provision as to the ascertainment and amount of the share of the proceeds of the estate duty payable to the Corporation under the Probate Duties (Scotland and Ireland) Act 1888 as amended by the Finance Act 1894:

And whereas it is expedient to confer on the Corporation additional powers with reference to the consolidation of rates the

A.D. 1896.

borrowing of money the regulation of buildings and streets and other matters within the borough:

And whereas the moneys already authorised to be borrowed by the Corporation together with the moneys which they are by this Act authorised to borrow exceed twice the net annual value of the premises assessable in the borough by the sum of about seventy-four thousand pounds:

And whereas the Corporation in addition to the rates which they are by law entitled to levy are possessed of landed property largely exceeding in value the said sum of seventy-four thousand pounds and it is not necessary or expedient that the powers of borrowing by this Act conferred on them should be restricted by the regulations contained in the Public Health (Ireland) Act 1878:

And whereas it is expedient to make such other provisions as this Act contains:

And whereas in the manner provided by the Borough Funds (Ireland) Act 1888 an absolute majority of the whole number of the council of the Corporation at a meeting held on the fourth day of June one thousand eight hundred and ninety-five after ten clear days' notice by public advertisement of such meeting and of the purposes thereof in the Waterford Mirror a newspaper circulating in the borough such notice being in addition to the ordinary notices required for summoning such meeting resolved that the council should promote a Bill for this Act and that the expenses attending the promotion of such Bill should be defrayed out of the borough fund borough rates and other rates rents and revenues of the Corporation under the control of the council:

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

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

And whereas a meeting of the persons qualified to vote at the election of the council of the borough called in the manner provided by the said Borough Funds (Ireland) Act 1888 by special resolution consented to the promotion of the Bill for this Act:

And whereas the objects 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 :— A.D. 1896.

Part I.—Preliminary.

1. This Act may be cited for all purposes as the Waterford Corporation Act 1896. Short title.

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

Part I.—Preliminary.
Part II.—Extension of the Borough Boundaries and Municipal.
Part III.—Transfer of Powers of the City Grand Jury.
Part IV.—Transfer of the New District from the County.
Part V.—Financial.
Part VI.—Buildings Streets and General Matters—
(i.) Neglected Structures.
(ii.) Registration of Tenement Houses.
(iii.) Building and Street Regulations.
(iv.) General Matters.
Part VII.—Miscellaneous.

3. This Act shall be carried into execution by the Corporation acting by the council. Council to execute Act.

4. In this Act unless there be anything in the subject or context repugnant thereto— Interpretation.

The expression "the existing borough" means the municipal borough of Waterford at the passing of this Act:

The expression "the borough" or "the borough of Waterford" means the municipal borough of Waterford as extended by this Act:

The expression "the new district" means the lands and premises by this Act added to the existing borough and comprised within the borough:

The expression "the Corporation" means the mayor aldermen and burgesses of Waterford and includes the council of the borough acting in execution of this or any other Act relating to the borough or the existing borough and the term "the council" means the council of the borough:

The expressions "the mayor" "the town clerk" "the treasurer" and "the borough surveyor" mean respectively the mayor the town clerk the borough treasurer and the borough surveyor for the time being of the existing borough or of the borough as the case may be:

A.D. 1896.

The expression "the city" means the county of the city of Waterford the expression "the city grand jury" means the grand jury for the city the expression "the city secretary" means the secretary of the city grand jury and the expression "the city surveyor" means the surveyor of the city grand jury:

The expression "the county" means the county of Waterford and the expression "the county grand jury" means the grand jury for the county:

The words "justice" or "justices" mean respectively a justice of the peace or justices of the peace of the borough of Waterford:

The expression "the Local Government Board" means the Local Government Board for Ireland:

The word "lands" means and includes messuages buildings lands tenements and hereditaments of any tenure:

The word "road" includes any public street footpath square avenue highway land bridge quay culvert arch court alley lane yard thoroughfare or passage within the borough:

The word "burgess" means and includes any inhabitant householder in the borough or within the new district who would have been entitled to be placed upon the burgess roll had he possessed the same qualification in the existing borough:

The expression "the Municipal Corporation Acts" means the Municipal Corporations (Ireland) Act 1840 (3 and 4 Vict. cap. 108) and the Acts amending the same or otherwise relating to municipal corporations in Ireland:

The expression "the Public Health (Ireland) Acts" means the Public Health (Ireland) Act 1878 and the Acts amending the same or otherwise relating to public health in Ireland:

The expression "the Sanitary Acts" has the same meaning as is assigned to that expression in the Public Health (Ireland) Act 1878:

The expression "the Grand Jury Acts" means the Act 6 and 7 Wm. IV. cap. 116 intituled "An Act to consolidate and amend "the laws relating to the presentment of public money by "grand juries in Ireland" and any Act or Acts amending the same or otherwise relating to grand juries in Ireland:

The expression "the 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 or other magistrate or officer by whatever

name called to whom jurisdiction is given by the Summary Jurisdiction Acts:

The expression "daily penalty" means a penalty for each day on which any offence is continued after conviction thereof.

Commencement of Act.

5. This Act shall commence on the first day of September one thousand eight hundred and ninety-six.

PART II.—EXTENSION OF THE BOROUGH BOUNDARIES AND MUNICIPAL.

Extension of borough boundaries.

6.—(1) From and after the commencement of this Act the boundaries of the existing borough shall be and are hereby extended and henceforth the borough shall comprise and consist of the district within the limits described in the First Schedule to this Act.

(2) An Ordnance map or plan signed in duplicate by William George Mount Esquire the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred showing the limits of the borough and of the wards as fixed by this Act shall within two weeks after the passing hereof be deposited in the Private Bill Office of the House of Commons and with the town clerk of the borough at his office in the borough and a copy of such map or plan certified by the town clerk as correct shall be sent by him as soon as conveniently may be to the Board of Agriculture and to the Local Government Board respectively Provided always that in the event of any discrepancy being found to exist between the boundaries of the borough and of the wards shown on the said map or plan so signed as aforesaid and the boundaries so far as described in the First and Second Schedules hereto the said map or plan shall prevail.

(3) The map or plan deposited with the town clerk shall at all reasonable times be open to the inspection of any burgess and a copy of the same or any extract therefrom certified by the town clerk to be correct shall be received in all courts of justice and in all proceedings as primâ facie evidence of the boundaries of the borough and of the wards as shown thereon.

Authority of Corporation &c. extended.

7. From and after the commencement of this Act and subject to the provisions thereof the powers authorities rights duties and privileges of the Corporation as a municipal body and of the Corporation acting by the council as the urban sanitary authority of the existing borough and of the Corporation for the supply of water electric lighting and all other purposes and the jurisdiction powers authorities rights duties and privileges of justices of the peace the sheriff and other officers appointed for the existing borough or the city shall subject as aforesaid (to the exclusion of

A.D. 1896.

any other authority and their officers and servants) extend to and be in full force in and throughout the borough.

Wards &c. in borough as extended.

8. From and after the commencement of this Act the several wards in the existing borough shall cease and the borough shall thenceforth be divided into five wards having the names and boundaries which are set forth and described in the Second Schedule to this Act.

Town clerk to make out lists of burgesses in new wards.

9. Within twenty-one days after the commencement of this Act the town clerk shall make out from the assessment to be made of hereditaments within the borough under the Acts for the relief of the destitute poor in Ireland alphabetical lists of all persons with their respective residences who shall be entitled to be enrolled in the burgess roll for the borough in respect of property within each ward of the borough including in such lists persons entitled as well in respect of property in the new district as persons entitled in respect of property in the existing borough but excluding from such lists the name of every person who shall not appear to have paid all rates cesses or taxes now by law required to be paid in order to qualify such person to be enrolled as a burgess of the borough and shall sign such lists and deliver true copies thereof to the mayor and such lists when so made and revised in pursuance of the provisions in that behalf in the Municipal Corporation Acts shall be and constitute the burgess roll to be used in the first election of members of the council after the commencement of this Act.

Provision as to subsequent lists.

10. As to similar lists of burgesses in every succeeding year and as far as circumstances will permit as to the first list of burgesses after the commencement of this Act the several provisions of the Municipal Corporation Acts shall throughout be applicable.

First and other elections.

11. In the first and every election after the commencement of this Act the members of the council shall be elected and appointed by the burgesses within the respective wards as defined by the Second Schedule to this Act.

Qualification of burgesses.

12. From and after the first day of August one thousand eight hundred and ninety-seven section 30 of the Municipal Corporations (Ireland) Act 1840 shall so far as relates to the qualification of burgesses in the borough of Waterford be read and construed as if the words "of the yearly value of not less than four pounds" were substituted for the words "of the yearly value of not less than ten pounds" in the said section Provided that nothing in this Act shall alter the qualification of aldermen or councillors of the borough as the same existed immediately before the passing of this Act.

Joint occupiers.

13. From and after the first day of August one thousand eight hundred and ninety-seven where any premises in the borough of

Waterford which if occupied by one person would entitle such person to be enrolled a burgess of the borough under section 30 of the Municipal Corporations (Ireland) Act 1840 as amended by this Act shall be jointly occupied by more persons than one and such persons shall be jointly rated in respect to such premises in the manner prescribed in the said section each of such persons shall subject to the conditions contained in the said section as to a person occupying as tenant or owner premises in the borough be entitled to be enrolled as and to be a burgess of the borough Provided that the annual value of premises so jointly occupied as ascertained and determined in the manner prescribed by the said section shall be of an annual amount which when divided by the number of persons rated jointly in respect thereof shall give for each of such persons a net annual value of four pounds or upwards but not otherwise.

Borough and ward plan.

14. The borough and ward plan shall be the plan mentioned in the section of this Act whereof the marginal note is "Extension of borough boundaries" and shall be authenticated and deposited as in that section mentioned.

Provision respecting existing mayor &c.

15. Nothing in this Act shall affect the tenure of office of the mayor or of any alderman or councillor being such at the passing of this Act or any rotation among the aldermen or councillors and with respect to elections and offices the Municipal Corporation Acts shall be executed in relation to the borough in like manner in all respects as if the boundaries of the borough at the time of the passing of the Municipal Corporation Acts had been such as they will be under this Act and as if the division and extent of the wards of the borough had been originally such as they will be under this Act.

Town clerk &c. to continue in office.

16. The town clerk and all other officers and servants of the Corporation notwithstanding the alterations by this Act made in the boundaries of the existing borough shall subject to the provisions of this Act hold and continue their respective offices according to the nature and service of their original appointments and employments respectively and shall be accountable in every respect and in the same manner as if at the time of their appointments and employments respectively the borough had been constituted as provided by this Act.

Provisions as to the treasurer.

17.—(1) On and after the first day of December one thousand eight hundred and ninety-six it shall not be necessary for the council to appoint in every year a treasurer but it shall be lawful for the council to appoint a treasurer to hold office during the pleasure of the council.

A.D. 1896.

(2) Any treasurer appointed after the passing of this Act shall not vacate his office unless he resigns or is required so to do by the council.

Amendment of Municipal Corporations (Ireland) Acts 1840 and 1843 as to date of quarterly meeting of council.

18. Notwithstanding anything in section 92 of the Municipal Corporations (Ireland) Act 1840 (3 & 4 Vict. cap. 108.) the quarterly meetings of the council which by that section are required to be held on the first day of November shall be holden at such hour on such days before the twenty-fifth day of November then next following as the council shall resolve at the meeting for the election of the mayor to be held in pursuance of section 5 of the Municipal Corporations (Ireland) Act 1843 (6 & 7 Vict. c. 93.).

Part III.—Transfer of Powers of the City Grand Jury.

Fiscal powers of city grand jury to cease and be transferred to the council.

19. From and after the commencement of this Act all the powers rights and duties of the city grand jury in relation to the appointment of presentment sessions and the presenting and levying of rates and cesses for any purpose shall cease and determine and all the powers exercised by or vested in and obligations imposed upon the city grand jury with respect to presenting and levying rates or cesses for any purpose within the existing borough shall be transferred to and solely exercised by the council and all things by any Act authorised required or permitted to be done by the city grand jury with respect to fiscal matters rates or cesses including the power to appoint an arbitrator under the Waterford Dungarvan and Lismore Railway Act 1873 shall (save as by this Act altered) be done by the council Provided that from and after the commencement of this Act sections 9 10 11 12 13 14 and 15 of the Waterford Dungarvan and Lismore Railway Act 1873 shall (mutatis mutandis) be read and construed as if the expression "the borough" (as defined by this Act) were inserted therein in lieu of the expressions "the county of the city of Waterford" or "the city" and as if the expression "the Corporation" (as defined by this Act) were inserted therein in lieu of the expressions "the grand jury of the county of the city of Waterford" or "the grand jury of the city of Waterford" and as if "the baronies" therein referred to were the baronies in section 9 thereof mentioned exclusive of the new district by this Act included within the borough and the arbitrators appointed or to be appointed pursuant to the powers contained in the said Act of 1873 as amended by this Act shall from time to time make their award and certificate accordingly.

Provision for payment of amount of warrants

20. Each collector of grand jury cess to whom any warrant shall have been issued by the city secretary at or after the assizes next before the commencement of this Act shall pay the amount mentioned

A.D. 1896.

in such warrant to the credit of the city grand jury at the same time that he would be obliged to pay the amount if this Act had not passed and all such sums as shall be claimed in respect of any presentments fiated by the judge at the said assizes shall be discharged in the usual manner on or before the first day of April one thousand eight hundred and ninety-seven and all moneys which shall on the said day remain in the Provincial Bank of Ireland in Waterford to the credit of the city grand jury shall thereupon vest and the same are hereby vested in the Corporation and shall be held by the Provincial Bank as treasurer under the Grand Jury Acts for and on behalf of the Corporation or as the case may be shall be transferred to and held by any other bank for the time being of the Corporation as treasurer under the Grand Jury Acts for and on behalf of the Corporation and the city secretary shall on the said day deliver to the town clerk a true and particular account of such presentments as shall then remain unpaid and the same shall be discharged out of the said moneys and shall be carried to the credit of the presentment fund herein-after mentioned Provided always that nothing herein contained shall in any wise invalidate any bond or other security which shall have been given by any collector and his sureties to the city grand jury or any of their officers or to the Corporation for the due collection of any grand jury cess but the same shall be enforceable and enforced to all intents and purposes as if this Act had not passed and as if such bond or other security was conditioned for such collector duly collecting and paying to the Provincial Bank of Ireland or such other bank as aforesaid or the treasurer on account of the city grand jury on or before the day herein appointed for such purpose such grand jury cess.

issued to collector of grand jury cess.

21. Subject to the provisions of this Act the council shall at the times and in the manner herein-after mentioned proceed to raise and levy off the borough by means of the presentment rate herein-after provided such sums of money as shall be required to make provision within the borough for all such purposes as but for the passing of this Act the city grand jury with or without previous application to presentment sessions would within the existing borough be bound and empowered to make or might lawfully have made provision for out of the rates or cesses which they are or would be empowered to levy within the existing borough Provided always that the presentment rate shall be applicable within the borough to all or any of the purposes for which any rate or cess now levied or leviable by the city grand jury is applicable within the existing borough.

Council to provide a rate for purposes similar to those provided for by grand jury.

22. The council shall fix a time in each half year to receive applications for all things before the commencement of this Act

Mode of proceeding.

A.D. 1896.

authorised to be done by the city grand jury with respect to fiscal matters rates or cesses within the existing borough and for all similar things requisite to be done after the commencement of this Act within the borough and such applications shall be made in like form as the same have been heretofore authorised to be made in cases of application for presentments and immediately after the time so fixed for receiving such applications the council shall proceed to investigate such applications and shall decide upon the same at an open meeting of the council or of a committee thereof authorised in that behalf.

Schedule of applications to be lodged with the clerk of the Crown.

23. A schedule of such applications as may be agreed to shall be made out by the town clerk who shall lodge the same twelve clear days at the least before the first day appointed for holding the ensuing spring or summer assizes in each year in and for the city with the clerk of the Crown for the city and upon the first and every other day of the said assizes if necessary twelve members of the council to be chosen at the meeting of the council to be holden as aforesaid for hearing such applications shall attend before one of the judges of assize and the judge after hearing all parties affected by or interested in such presentments shall make such orders therein and shall allow or disallow the same or any of them or any portions thereof as to him shall seem fit and shall fiat the same or any portions thereof according as the same shall be allowed by him.

Orders made by Council may be traversed.

24. Provided always that it shall be lawful for any ratepayer within the borough to traverse any presentment made by the council or to object to the same being fiated and such traverse or objection shall be heard or determined by the judge on a day to be fixed for considering and fiating the same and it shall be lawful for the judge to make orders from time to time to regulate the reception of the said traverses and the mode of procedure thereupon and to order juries to be impanelled for the trial thereof as before the commencement of this Act he was in such cases authorised to do Provided also that in case such twelve members of the council shall not attend the judge it shall be lawful for him to hear and determine such matters in like manner as if such twelve members were then present and the judge shall have power to inflict on each member for non-attendance a penalty not exceeding ten pounds.

Rejected applications may be renewed before judge

25. In case any application shall not be sanctioned by the council the party making such application shall be at liberty (on giving six clear days notice to the town clerk of his intention so to do) to bring the same before the judge at the time of fiating the

said presentment and if it shall appear to the judge that such application ought to have been allowed wholly or in part the same so far as to the judge shall seem fit and right shall be added to the schedules sent in by the town clerk. and granted by him.

Provision for payment of poundage to collectors of grand jury cess and of arrears &c.

26. The council or a committee thereof authorised in that behalf shall on the first day of the assizes which shall be held next after the commencement of this Act on the application of any collector of city grand jury cess interested therein verified by the production of a certificate of the city secretary and on the first day of each succeeding assizes upon the production of a similar certificate of the town clerk that the amount of the warrant issued to such collector has been paid pursuant to the provisions of this Act save as herein-after in this section mentioned and likewise of an affidavit to be sworn by the said collector before a justice that the money included in such warrant has been fairly and impartially levied and that no more than the sum authorised by the warrant has been collected to the best of such collector's knowledge and belief include in the schedule such sum as will defray the poundage to which such collector shall be entitled in respect of the moneys collected by him since the then last preceding assizes and which but for the passing of this Act the city grand jury would be bound to present and the council or a committee as aforesaid shall on the days herein-before mentioned insert in such schedule on the application of any such collector interested therein the amount or sum of money which shall be then unpaid or in arrear on foot of any warrant issued by the city secretary at or after the said assizes or by the town clerk at or after each succeeding assizes as aforesaid Provided that it shall be made to appear to the council by the affidavit of such collector that such amount or sum is actually in arrear and unpaid and that it could not have been levied from the persons or out of the property theretofore charged with or liable to pay the same Provided always that the council may (notwithstanding anything in the Grand Jury Acts) in the event of their appointing the treasurer a collector remunerate him either by poundage or a salary of such amount as they think fit and the provisions in this part of this Act and in the Grand Jury Acts with reference to the payment of poundage shall apply to such remuneration and be read and construed accordingly.

Schedules as finally settled to be transmitted to town clerk.

27. When all objections or traverses have been disposed of and the new presentments (if any) have been added the said schedule shall be signed by the clerk of the Crown and shall by him be transmitted to the town clerk who shall lay the same before the council.

Amount specified in schedule

28. When the schedule of applications so signed by the clerk of the Crown shall have been laid before the council they shall

A.D. 1896.

to be raised by Corporation.

forthwith make assess and levy within the borough (in lieu of the rates or cesses which might have been applotted assessed or levied by the city grand jury within the existing borough) such equal rate to be called "the presentment rate" as will defray the amount of the several sums mentioned in the said schedule.

Presentment rates to be kept separate.

29. The moneys arising from any presentment rate levied by the council shall not be added to or mixed with any other moneys of the Corporation but shall be lodged by the rate collectors in the bank for the time being of the Corporation in manner provided by the Grand Jury Acts and distinct accounts kept of the produce and of the application of the presentment rates from time to time and such accounts shall be audited in like manner and subjected to similar regulation as before the commencement of this Act existed with regard to the city grand jury and their accounts.

Payments how to be made.

30. Payments out of the presentment rates shall be made by the council or by a committee thereof by cheques upon the Provincial Bank of Ireland or any other bank for the time being of the Corporation as the case may be signed by the town clerk and the clerk of the Crown in manner provided by the Grand Jury Acts.

Property of grand jury to vest in Corporation.

31. All arrears of rates and property in the existing borough now vested in the city grand jury or any of their officers or in the Provincial Bank of Ireland or any other bank as the case may be by virtue of their or his offices or office under the city grand jury shall from and after the commencement of this Act vest in the Corporation.

Contracts by or with grand jury to be good.

32. All contracts bonds and other securities heretofore made or entered into by or with the city grand jury or with the city secretary or other officer on their behalf shall be enforceable and enforced by or against the Corporation as if the same had been originally made or entered into by the Corporation.

Treasurer to pay expenses of witnesses &c.

33. From and after the commencement of this Act the treasurer or the Provincial Bank or any other bank for the time being of the Corporation as the case may be when duly instructed by the town clerk shall subject to the provisions of any Act in force regulating the same perform all the duties in respect to the payment of prosecutors or witnesses' expenses which have been heretofore done and performed by the proper officer in that behalf of the city grand jury and the amount thereof shall be defrayed out of the presentment rate hereby authorised and the city grand jury and their officers as far as their functions and jurisdiction shall continue after the passing of this Act shall from time to time be bound to furnish all necessary information as to prosecutors and witnesses'

expenses to the treasurer or to the Provincial Bank or any other bank for the time being of the Corporation as the case may be.

Provisions as to visiting committee under the General Prisons (Ireland) Act 1877.

34. From and after the commencement of this Act all the powers of the city grand jury with respect to the appointment of justices of the peace to be members of the visiting committee of justices under the General Prisons (Ireland) Act 1877 shall cease and at the spring and summer assizes in each year the council are hereby authorised and required to appoint three persons being justices to act on the said visiting committee and the persons so appointed shall have similar powers in all respects to persons before the commencement of this Act appointed by the city grand jury to act on the said visiting committee.

Former Acts to apply to new visiting committee under the General Prisons (Ireland) Act 1877.

35. The provisions contained in the General Prisons (Ireland) Act 1877 or in any Act amending the same or at the commencement of this Act in force with respect to the visiting committee (save as to such of the provisions thereof as are or may be inconsistent with the provisions of this Act) shall from and after the commencement of this Act be applicable to the visiting committee appointed in accordance with the provisions of this Act.

Application to Corporation of 16 & 17 Vict. c. 136.

36. From and after the commencement of this Act the Corporation acting by the council shall have all the powers and authorities which by section 5 of the Public General Act passed in the sixteenth and seventeenth years of the reign of Her present Majesty (cap. 136) are vested in the council of any borough to which the powers rights and duties of the grand jury of a county of a city in relation to the appointment of presentment sessions and the presenting and levying of rates and cesses have been transferred and accordingly for the several purposes of the transfer and for the several purposes of this Act other than the transfer all the provisions of the said Public General Act shall be applicable to and carried into execution by the Corporation in the same manner in all respects as if the said provisions were herein re-enacted and for all such purposes as aforesaid the Corporation shall be regarded as and deemed to be a grand jury.

Office of secretary to city grand jury abolished.

37. From and after the commencement of this Act the office of secretary to the city grand jury is hereby abolished and all the powers and duties before the commencement of this Act exercised and performed by such city secretary shall from and after the commencement of this Act be exercised and performed by the town clerk and the council shall compensate the city secretary for the loss of his office out of the presentment rate and such compensation shall be estimated according to the principles laid down

A.D. 1896.

in and subject to the limitations prescribed by the Superannuation Act 1859.

As to city surveyor.

38. From and after the commencement of this Act the office of city surveyor to the city grand jury is hereby abolished and all the powers and duties before the commencement of this Act exercised and performed by the city surveyor shall from and after the commencement of this Act be exercised and performed by the borough surveyor and the council shall compensate the city surveyor for the loss of his office out of the presentment rate and such compensation shall be estimated according to the principles laid down in and subject to the limitations prescribed by the Superannuation Act 1859.

As to collectors of rates.

39. From and after the commencement of this Act the council may prescribe and define the duties of collectors in reference to all presentment rates or other rates by this Act authorised and may appoint continue or if need be discontinue collectors or other officers and may if they think fit appoint the treasurer a collector.

Collector to give security.

40. No person shall act as collector of presentment rates or other rates by this Act authorised unless he shall have given security at the time of his appointment or subsequently before the council by two sufficient sureties joining with him in executing a bond and warrant of attorney to confess judgment to the town clerk conditioned for his duly collecting and paying to the Provincial Bank of Ireland or other bank for the time being of the Corporation or the treasurer on or before the first day of the next assizes all such public money as he is or shall be required to collect and in like manner conditioned to pay to the Provincial Bank of Ireland or other bank for the time being of the Corporation or the treasurer on or before the first day of every succeeding assizes during his appointment as such collector all such public money as he shall be required to collect by the warrant issued to him before each of such succeeding assizes respectively.

Part IV.—Transfer of the New District from the County.

Lands in county added to borough to be subject to municipal and sanitary Acts &c.

41. The several lands houses buildings roads works precincts and places comprised within the area between the limits of the existing borough or the city and the limits of the borough as defined in the First Schedule (which lands houses buildings roads works precincts and places are herein-after collectively referred to as "the new district") shall from and after the commencement of this Act be and be deemed part of the borough to all intents and purposes as if they had respectively been comprised in the existing borough and

shall be severed from and cease to be included within the limits of the jurisdiction of the county grand jury and subject to the provisions of this Act all the powers and provisions of the Municipal Corporation Acts the Public Health (Ireland) Acts the Sanitary Acts and other Acts charters or instruments applicable to the existing borough or any part thereof and all rights conferred by and all liabilities existing under these Acts charters or instruments respectively shall extend and apply to the new district and to the borough and the inhabitants thereof and other persons therein and the powers and provisions of these Acts charters or instruments and this Act shall from and after the commencement of this Act be exercised and put in force throughout the new district and the borough in all respects as if the borough had been described or referred to in the municipal sanitary and other Acts charters or instruments aforesaid instead of the existing borough:

Provided that nothing in this Act shall affect the exemption of the portion of the existing borough called Ferry Bank from the operation of the Waterford Water Act 1871 which exemption was conferred by the Waterford Waterworks Provisional Order 1876 as confirmed by the Local Government Board (Ireland) Provisional Orders (Coleraine &c. Waterworks) Confirmation Act 1876:

Provided also that all lands in the new district used as arable meadow or pasture ground only or as woodlands or market gardens or nursery grounds and all lands therein covered with water and used as a canal and any towing path to the same shall for the purposes of any rates leviable by the Corporation as a municipal authority or a sanitary authority or otherwise (except the presentment rate or other cesses leviable by the Corporation when acting as a grand jury under this Act and the Grand Jury Acts which rates or cesses shall be levied in manner provided by those Acts as altered by this Act) shall be assessed and liable in the proportion of one fourth part only of the net annual value of such lands respectively.

Roads &c. of new district exempted from jurisdiction of county grand jury and placed under the Corporation.

42. From and after the commencement of this Act the county grand jury shall not have any jurisdiction power or authority over or in the making and maintaining of any road bridge or other public work within the new district but the new district and the making and maintaining of any road bridge or other public work therein are hereby transferred from the county grand jury to and vested in and imposed upon the Corporation who shall thenceforth make and maintain all such roads bridges and public works and the cost thereof shall be chargeable on the presentment rate by this Act authorised.

Exclusion of parts of Grand Jury Acts.

43. From and after the commencement of this Act and subject to the provisions thereof the several provisions of the Grand Jury

A.D. 1896.

Acts under which the powers mentioned in the foregoing section have been exercised by the county grand jury within the new district shall cease to operate in relation to the new district or to the borough (save as herein-before provided with relation to the jurisdiction transferred by this Act from the city grand jury to the Corporation and the powers to be exercised by the Corporation within the borough after the commencement of this Act).

Levying of county cess in new district to cease.

44. From and after the commencement of this Act and subject to the provisions thereof all the powers and duties of the county grand jury in relation to the applotting and levying of county cess on any rateable property within the new district for any purpose whatsoever shall cease but in case the county grand jury shall pay to the persons or any of them who have entered into any contract with the county grand jury any sum or sums for repair maintenance or otherwise of any of the bridges roads or other public works within the new district at any assizes under the terms and during the continuance of such contract and forming the subject of a presentment nothing in this Act shall be deemed to affect the right of the county grand jury to recover or to preclude the county grand jury from recovering from the Corporation or from the new district whether by presentment or otherwise the sum or sums so paid by them or shall affect the right of the county grand jury to recover or shall preclude them from recovering any arrears of county cess applotted upon any rateable property within the new district on or before the first day of March one thousand eight hundred and ninety-nine which may be in arrear or unpaid at or after the commencement of this Act:

Provided always that nothing in this Act contained shall affect the liability of the cess payers of those portions of the baronies of Middlethird Gaultier and Kilculliheen or any of them which are comprised in the new district and added to the existing borough to contribute to the following charges:—

(*a*) As regards the whole of the new district such proportion of the charges heretofore incurred for the erection enlargement or extension of the Waterford District Lunatic Asylum payable by the county of Waterford as if the new district had continued part of the county and were not included in the borough;

(*b*) As regards the whole of the new district such proportion of the charges for repayment of the moneys heretofore borrowed for the building of Carrick-on-Suir Bridge over the River Suir as if the new district had continued part of the county and were not included in the borough;

(*c*) As regards each of the portions of the said baronies comprised in the new district such proportion of the charges for repayment

of the moneys heretofore borrowed for the building or otherwise in connexion with Youghal Bridge over the River Blackwater as if the said portions had continued part of such baronies respectively and were not included in the borough; and lastly

(*d*) As regards such portion of the barony of Middlethird as is comprised in the new district such proportion of the annual sum or sums of money payable in respect of the moneys heretofore borrowed for the construction of the sea wall at Tramore in the said barony as if such portion of the said barony had continued part thereof and were not included in the borough:

And all such charges may from time to time be recovered from the Corporation or from the new district or portion thereof affected thereby by presentment or otherwise and for the purpose of recovering any sum or sums under this section the county grand jury and their collector may proceed in the manner provided by the section of this Act of which the marginal note is "Manner of enforcing payment":

Provided also that the judge of assize may if he thinks fit on the application of the Corporation make any order relating to or may include in any schedule of presentments to be defrayed by the Corporation the amount (if any) owing as aforesaid in respect of any of the aforesaid matters to the county grand jury with a view of obviating any direct collection of county cess by the county grand jury within the new district and the Corporation shall thereupon pay to the county grand jury the full amount of all sums to which any such order relates or included in any such schedule of presentments.

Presentments may be traversed by Corporation.

45. In the event of any presentment being so made by the county grand jury for the recovery from the Corporation of any such sum or sums as aforesaid the Corporation may traverse any such presentment in like manner as any person rated in respect of property within the new district might by law before the commencement of this Act have traversed any such presentment as regards such sum or sums or otherwise in relation thereto.

Works in new district may be undertaken by Corporation.

46. The Corporation if they think proper may as well within the new district as within the remainder of the borough themselves undertake and carry out the repairs of roads bridges and other public works under any contract existing at the passing of this Act and may by resolution of the council declare their intention accordingly and in such event it shall not be necessary for the county surveyor to make such report as is herein-after mentioned on or before the first day of February one thousand eight hundred and ninety-seven or in any subsequent year:

A.D. 1896.

Provided that the Corporation shall make full compensation to every contractor under every such existing contract for any loss or damage which he may sustain by reason of the exercise of the powers contained in this section the amount of such compensation to be settled in case of difference by an arbitrator to be appointed by the Local Government Board at the request of any party and the decision of such arbitrator shall be final and binding on the parties and the costs of every such reference and award shall be borne as he shall direct.

On report of county surveyor amount of existing contracts may be paid directly by the Corporation.

47. On or before the first day of February one thousand eight hundred and ninety-seven the county surveyor shall report to the Corporation on the quantity of work executed or to be executed in relation to the repairs of roads and bridges and other public works within the new district under any contract existing at the passing of this Act and the amount of the presentment made or to be made by the county grand jury in reference thereto and thereupon (unless the Corporation otherwise order) the amount of such presentment shall be deducted from the presentments of the county grand jury at the spring assizes for one thousand eight hundred and ninety-seven and added to the presentments to be made by the Corporation and the Corporation in such event shall present for the same and shall levy the amount requisite to pay and shall pay the contractor or contractors in like manner in all respects as if the Corporation instead of the county grand jury had in the first instance entered into the contract Provided always that unless with the express consent and approval in each case of the Corporation no contracts other than those existing at the passing of this Act shall be entered into by the county grand jury or on their behalf with relation to or affecting any portion of the new district.

Manner of enforcing payment.

48. In case the Corporation upon any such report as aforesaid of the county surveyor shall make default in presenting or paying any sum or sums properly chargeable under this Act in relation to public works within the new district it shall be lawful for the county grand jury (but subject always to the aforesaid right of traverse) themselves to collect and pay such sum or sums and for that purpose to transmit to the collector of the barony or baronies in which the new district is situate a warrant for the amount of such sum or sums with the addition of the necessary charges and expenses attending the applotting and collecting of the amount mentioned in such warrant and the collector shall thereupon proceed to collect and levy the said amount upon the ratepayers of the new district and shall have the like powers and remedies in applotting levying and recovering the same as he would have had if this Act had not been passed and as if the same continued to form part of

the assessments chargeable on the new district under and by virtue of the Grand Jury Acts but the judge of assize if he thinks fit may on the application of the Corporation exercise similar powers to those herein-before authorised for obviating the necessity for a duplicate collection of rates or cesses within the new district and the Corporation shall thereupon pay to the county grand jury the full amount of all sums to which any order made by the judge of assize relates or included by him in any schedule of presentments to be defrayed by the Corporation.

Warrants in force at commencement of Act to continue.

49. All warrants issued previously to the commencement of this Act for the collection of public moneys off the new district shall remain in full force and effect until the several collections thereunder be fully completed and ended anything in this Act contained to the contrary notwithstanding.

As to remainder of county and baronies.

50. So far as the county grand jury may find it requisite for the purposes of any presentments to be hereafter made by them (elsewhere than within the borough) or of matters preliminary or incidental to such presentments or of applotting or levying the amounts thereof that portion of the county not within the borough shall be deemed to be a county and that portion of the baronies of Gaultier Kilculliheen and Middlethird not within the borough shall be deemed to be baronies respectively.

Part V.—Financial.

Power to borrow.

51. The Corporation may from time to time borrow the sums of money herein-after specified or any part thereof (that is to say):—

(*a*) For the purpose of making sewers and matters in connexion therewith including the purchase of lands any sum not exceeding forty thousand pounds:

(*b*) For the purpose of making and remaking footpaths any sum not exceeding ten thousand pounds:

(*c*) For the purpose of building artizans' dwellings and the purchase of lands for such purpose any sum not exceeding twenty-five thousand pounds:

(*d*) For the erection of an abattoir or slaughter-house and the purchase of lands for such purpose any sum not exceeding one thousand pounds:

(*e*) For providing receptacles for dust ashes and rubbish and the purchase of lands for such purpose any sum not exceeding one thousand pounds:

(*f*) For paving streets any sum not exceeding ten thousand pounds:

A.D. 1896.

(*g*) To pay the sum of three thousand pounds incurred in respect of general municipal purposes and now owing to the Provincial Bank of Ireland on current account the said sum of three thousand pounds:

(*h*) To pay the sum of three thousand eight hundred pounds now owing to the Provincial Bank of Ireland on current account in respect of waterworks the said sum of three thousand eight hundred pounds:

(*i*) To pay the taxed costs of this Act the sum necessary for that purpose:

(*k*) To pay to the Board of Works all moneys that on the passing of this Act may be owing to them on foot of the loans of two thousand two hundred pounds and one thousand five hundred pounds made to the Corporation any sum not exceeding three thousand seven hundred pounds:

And the following provisions shall apply to such sums:—

(1) The power of borrowing money for the purposes mentioned in subsections (*a*) to (*f*) shall be subject to the sanction of the Local Government Board:

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

(3) Money borrowed under this section shall be repaid within the following periods from the respective date of borrowing the same (that is to say):—

Under subsections (*a*) to (*f*) within such periods not exceeding sixty years as shall be fixed by the Local Government Board when sanctioning the loans under those subsections respectively;

Under subsection (*g*) within fifteen years;

Under subsection (*h*) within fifty years from the year 1880;

Under subsection (*i*) within ten years;

Under subsection (*k*) within thirty years:

(4) If after having paid off any of the moneys they are by this Act authorised to borrow (unless the same shall have been extinguished by the operation of the loans fund under the Waterford Corporation (Debenture Stock) Act 1889 or paid off by means of instalments or other yearly or half yearly repayments) the Corporation find it necessary or expedient to do so they may in like manner re-borrow the amount so paid off or part thereof at the same or any other rate of interest and so from time to time Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing

shall have been made and any amounts from time to time re-borrowed shall be deemed to form the same loan as the moneys in lieu of which such re-borrowing shall have been made and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing:

(5) The powers of borrowing conferred by this Act shall not be restricted by any of the regulations contained in the Public Health (Ireland) Act 1878 and in calculating the sum which the Corporation may borrow under that Act or any other Act any sums which they may borrow under this Act shall not be reckoned:

Provided that nothing in this Act contained shall enable the Board of Works to make a loan in any case where the sum borrowed with the balances of all outstanding loans contracted by the Corporation under the Sanitary Acts and the Public Health (Ireland) Acts would exceed in the whole twice the net annual value of the borough.

Mode of raising borrowed money.

52. The Corporation may if they think fit raise the whole or any part of the moneys authorised to be raised under this Act by borrowing either—

(*a*) By the creation and issue of Waterford Corporation Redeemable Debenture Stock in manner prescribed by the Waterford Corporation (Debenture Stock) Act 1889 with reference to debenture stock thereby authorised to be raised and issued and the same when so issued shall form part of the Waterford Corporation Redeemable Debenture Stock for the time being and shall be extinguished by means of the loans fund for extinction of debenture stock provided by the said Act within the respective periods from borrowing the same prescribed as regards the respective purposes for which such moneys are raised by the section of this Act whereof the marginal note is "Power to borrow"; or

(*b*) The Corporation may raise the whole or any part of the said sums as may not have been raised by such debenture stock by way of a terminable annuity or annuities and such loan shall be charged and secured in the same manner mutatis mutandis and on the same security as if it had been raised by Waterford Corporation Redeemable Debenture Stock and such annuities (if any) shall be paid half yearly at the date fixed for paying the interest on Waterford Corporation Redeemable Debenture Stock Such annuity or annuities shall rank in all respects as if the same had formed part of the Waterford Corporation Redeemable Debenture Stock as provided by section 5 of the

A.D. 1896.

Waterford Corporation (Debenture Stock) Act 1889 and the amount so raised by means of any terminable annuity or annuities shall be raised so that the whole sum borrowed and interest thereon shall be paid and extinguished by the payment of the stipulated annuities or instalments within the respective periods from borrowing the same prescribed as regards the respective purposes for which such moneys are raised by the section of this Act whereof the marginal note is "Power to borrow" and all the provisions of the Waterford Corporation (Debenture Stock) Act 1889 with reference to debenture stock and the transfer thereof and the keeping of registers for the same and the remedies for securing payment of the same and the interest thereon and the returns to be made to the Local Government Board and otherwise (except as regards payments to the loans fund for extinction of debenture stock) shall apply as nearly as may be to any annuities as aforesaid created and issued by the Corporation under this subsection of this section of this Act Provided that no annuity shall be originally issued for a less annual sum than ten pounds or after being issued shall be transferable for a less annual sum than ten pounds or for any sum being a fractional part of a pound:

Provided that nothing in this Act or in any other Act relating to the borough or the existing borough shall be deemed or construed to make the presentment fund or presentment rate by this Act authorised subject to or part of the security for any Waterford Corporation Redeemable Debenture Stock or any terminable annuity or annuities or other security granted by the Corporation and whether at present existing or hereafter to be issued under this Act.

Power to consolidate municipal and sanitary rates and make rates prospectively and retrospectively.

53.—(1) The Corporation may at any time and from time to time after the commencement of this Act and for the purpose of diminishing the expenses of separately assessing making and levying the rates leviable in the borough resolve to the effect that it is expedient to consolidate any of the rates (other than the presentment rate by this Act authorised) leviable by the Corporation within the borough whether as a municipal authority a sanitary authority or otherwise (except when acting as a grand jury under this Act and the Grand Jury Acts) all which rates (other than as aforesaid) are herein called "the municipal rates."

(2) If the Corporation so resolve then from and after the first day of January next after the date of the resolution (in this Act referred to as "the appointed day") all sums raiseable within the borough by such municipal rates shall cease to be so raised and shall be raised by one consolidated rate to be termed "the Water-

ford Consolidated Rate" herein-after referred to as "the consolidated rate":

Provided as follows—

(*a*) The consolidated rate may be made prospectively in order to raise money to pay charges and expenses to be incurred or retrospectively in order to raise money to pay charges and expenses already incurred Provided always that such rate shall only be made retrospective for payments which come in course of payment within six months before the making of the rate:

(*b*) The consolidated rate shall be made in such manner as to provide for and discriminate between the various purposes to which the moneys thereby raiseable are applicable:

(*c*) The consolidated rate shall be assessed struck and made twice in every year and notwithstanding anything in any Act or Order or authority authorising any rate comprised in the consolidated rate may be collected and levied half-yearly on the first day of March and the first day of September in each year or such dates as the council may appoint on assessing striking and making the consolidated rate:

(*d*) The consolidated rate shall subject to the provisions of this Act be assessed made levied collected and recovered in the same manner in all respects and with the same powers for the making assessing levying collecting and recovery thereof as a borough rate is or may be assessed made collected and levied under the Municipal Corporation Acts except that any limit imposed on a borough rate by any Act of Parliament shall not apply to the consolidated rate so leviable Provided always that nothing in this Act shall alter any limit imposed on any of the municipal rates forming the consolidated rate and regard shall be had in assessing making levying collecting and recovering the consolidated rate to such limit:

(*e*) The Corporation and any collector appointed by them may in addition to all other modes of recovering or enforcing payment of the consolidated rate recover the amount of such rate from the person liable to pay the same in a summary manner before a court of summary jurisdiction under the Summary Jurisdiction Acts:

(*f*) Where any property or description of property in the borough or any person in respect of any such property is at the appointed day exempt from any of the municipal rates such property or person in respect of property as aforesaid shall continue to be exempt from so much of the consolidated rate

A.D. 1896.

as is required for the purposes of the rate from which it or he is so exempt:

(*g*) Where any property or description of property in the borough is at the appointed day assessable for the purposes of any of the municipal rates on part only of its net annual value it shall continue to be assessed on that part only to so much of the consolidated rate as is required for the purposes of the rate to which it is so assessable:

(*h*) Subject to the provisions of this Act the consolidated rate shall be substituted for all purposes for the rates of which it is composed and all Acts or Orders relating to the Corporation shall be read and construed accordingly.

Recovery of the borough rate.

54. The Corporation and any collector appointed by them may in addition to all other modes of recovering or enforcing payment of the borough rate leviable in the borough recover the amount of such rate from the person liable to pay the same in a summary manner before a court of summary jurisdiction under the Summary Jurisdiction Acts.

Separate account of presentment rate.

55. The Corporation shall keep an account separate from the other accounts of the borough and to be called the presentment account of their receipts credits payments and liabilities in respect of purposes to which the presentment rate is by this Act made applicable and those receipts and credits shall form their presentment fund and the presentment account and presentment fund shall be assimilated as nearly as possible in all respects to the account of receipts and expenditure hitherto kept by the city grand jury under the provisions of the Grand Jury Acts as modified by this Act and a compliance with the provisions of the Grand Jury Acts so modified in that behalf shall be deemed a compliance with this Act.

Investment of moneys paid into loans fund under the Waterford Corporation (Debenture Stock) Act 1889.

56. It shall be lawful for the Corporation to invest any sums paid into the loans funds under the Waterford Corporation (Debenture Stock) Act 1889 in or on the guaranteed stock or shares of any light railway company in Ireland interest or dividends on which in perpetuity to the extent of not less than two per centum per annum are guaranteed by the Treasury and the remainder of such dividend or interest to the prescribed rate is guaranteed by a county or one or more barony or baronies.

Estate duty grant.

57. For the purpose of any claim to be made by the Corporation after the commencement of this Act for a share of the proceeds of the estate duty payable to the Local Taxation (Ireland) Account under the Probate Duties (Scotland and Ireland) Act 1888 as amended by section 19 of the Finance Act 1894 all sums which shall be expended out of any rate or cess by the Corporation on roads

and bridges in the borough during the year ending the thirty-first day of December one thousand eight hundred and ninety-seven not exceeding in the whole a sum equivalent to a rate of one shilling in the pound on the total assessable value of the borough shall be included in and be deemed for all the purposes of those Acts part of the sum expended on roads and bridges out of any cess or rate within the meaning of section 3 subsection (*c*) of the said Act of 1888 during the year ending the thirty-first day of December one thousand eight hundred and eighty-seven and the Corporation shall be entitled to claim payment of a share of the proceeds of the estate duty so paid under the said Act as amended to the Local Taxation (Ireland) Account and shall in every year after the thirty-first day of December one thousand eight hundred and ninety-seven be paid a share of the said proceeds on the basis of such expenditure ascertained as aforesaid and the Local Government Board shall certify accordingly.

Appointment of auditor by the Local Government Board.

58. The council may if they think fit resolve that from and after a date to be fixed by such resolution the accounts of the receipts and expenditure of the Corporation so far as the same are not at present audited by an auditor appointed by the Local Government Board shall be audited by an auditor appointed in manner provided by sections 11 to 18 inclusive of the Local Government (Ireland) Act 1871 as amended by any subsequent Act and section 11 of the Local Government (Ireland) Act 1871 shall as from the said date fixed by such resolution be read as if the borough or municipality of Waterford had not been excepted from the operation thereof.

Protection of lender from inquiry.

59. No person lending money to the Corporation shall be bound to inquire as to the observance by the Corporation of any provision of this Act or be bound to see to the application or be answerable for any loss or non-application of such money or any part thereof.

Part VI.—Buildings Streets and General Matters.

(i) *Neglected Structures.*

Definitions.

60. In this part of this Act the words "owner" "premises" "street" and "house" have the meanings assigned to them respectively by the Public Health (Ireland) Acts.

Dilapidated buildings.

61. Where a building or structure is so far dilapidated as to be unfit for use and occupation and is unoccupied the Corporation may give notice in writing to the owner to take down or fence in the same and in the event of his not complying therewith within two months after the service of such notice the Corporation may make complaint thereof to a court of summary jurisdiction who may

A.D. 1896.

thereupon issue a summons requiring the owner of the building or structure (herein-after referred to as a "neglected structure") to appear at a time and place to be stated in the summons to answer the complaint.

If the complaint is proved to the satisfaction of the court of summary jurisdiction before which the same is heard the court may if it sees good cause order the owner to take down the neglected structure or any part thereof or to fence in the ground on which the same stands or any part thereof to the satisfaction of the Corporation within a reasonable time to be fixed by the order and may also make an order for costs incurred up to the time of hearing.

If the order is not obeyed the Corporation may with all convenient speed enter the neglected structure or such ground as aforesaid and execute the order.

Where the order directs the taking down of a neglected structure or any part thereof the Corporation in executing the order may remove the materials and (unless the expenses of the Corporation under this section in relation to such structure be paid to them within one month after such removal) sell the same as they think fit.

All expenses incurred by the Corporation under this section in relation to a neglected structure may be deducted by the Corporation out of the proceeds of such sale and the balance (if any) shall be paid by the Corporation on demand to the person entitled thereto and in case such neglected structure or some part thereof is not taken down and such materials are not sold by the Corporation or in case the proceeds of the sale of the same are insufficient to defray the expenses incurred by the Corporation as aforesaid the Corporation may recover such expenses or such insufficiency from the owner of the neglected structure together with all costs and expenses in respect thereof either by action in any court of competent jurisdiction or in like manner as if the same were a penalty imposed by this Act but without prejudice to any right of the owner to recover the same from any lessee or other person liable to pay the same.

Nothing in this section shall affect any such premises as aforesaid except so much as shall form the frontage line of any street.

Application of surplus proceeds of sale where no demand made for it.

62. Where under the powers of this part of this Act any surplus is made payable to any owner and no demand for payment thereof is made by any person entitled thereto within one year the surplus shall be paid if the same does not exceed five hundred pounds into the civil bill court having jurisdiction where the property was situate or if such surplus shall exceed five hundred pounds then into the Bank of Ireland in the name and with the privity of the Accountant General of the Supreme Court to be placed to his account there to the credit of the owner (describing him so far as the Corporation

can) subject to the control of the Court and to be paid out to the owner on application and proof of title thereto.

(ii) *Registration of Tenement Houses.*

Registration of tenement houses.

63.—(1) The owner of every tenement house in the borough existing at the commencement of this Act shall within six weeks of its commencement and the owner of every tenement house in the borough first used as such after the commencement of this Act shall within six weeks after the commencement of such user forward to the Corporation a statement of his name and address and of the situation and number of such tenement house for the purpose of being registered by the Corporation and the Corporation shall cause the same to be registered in a book or books to be kept by them for the purpose and entitled "Register of tenement houses."

(2) For the purposes of this Act "tenement house" means any house (not being a common lodging house) occupied by members of more than one family and in which the average rent charged to the occupiers shall be less than seven shillings a week and the lowest rent charged to any occupier shall be not more than five shillings a week.

(3) The owner of any tenement house who wilfully fails to comply with the provisions of this section shall be liable to a penalty not exceeding twenty pounds.

Byelaws with respect to tenement houses.

64. The Corporation may from time to time make alter and repeal byelaws for regulating the number of occupants to be permitted and the provision of air space (internal and external) and of sanitary accommodation in the case of all buildings originally intended for the occupation of a single family and afterwards used or intended to be used as tenement houses.

(iii.) *Building and Street Regulations.*

Back streets to be laid out.

65. Every new street intended as the principal or front access to a continuous line of buildings shall if the Corporation so require have provided and set out in connexion with it one or more back or transverse streets or roads in such manner as to afford access for carts to the back of every house in such continuous line of buildings in the new street.

Powers to vary direction of new streets and fix line of frontage of new buildings.

66. The Corporation may vary as they may think fit the intended position or direction of any new street and may fix the intended line of frontage of any new building (not being a re-erection on the site of a previous building) in a street so that the same may correspond with the building line of the adjoining or nearest houses

A.D. 1896.

or with the general building line of or prescribed for the street The Corporation shall make compensation to any person who may be injuriously affected by the exercise of the powers conferred by this section.

Height of buildings.

67.—(1) No building except a church or other building to be used exclusively for public purposes shall without the approval of the Corporation be erected in any street so as to exceed in height the distance from the front of such building to the opposite side of the street nor shall the height of any building at any time erected in any street be at any time subsequently increased (without such approval as aforesaid) so as to exceed such distance Provided that the approval of the Corporation shall not in the case of rebuilding any building existing at the commencement of this Act to a height not exceeding its existing height be withheld so as to involve a material sacrifice of property.

(2) In determining the height of a building the measurement shall be taken from the level of the centre of the street immediately opposite the centre of the front of the building up to the top of the parapet or to the eaves of the roof as the case may be but in the case of a gable facing the street the measurement shall be to a point half-way between the level of the eaves and the ridge and in the case of a roof which slopes away from the street at any greater angle to the horizon than fifty degrees the measurement shall be to the ridge of the roof and not to the eaves.

(3) The Corporation may take down any building or part of a building erected or begun to be erected in contravention of this section and may recover any expenses incurred by them in so doing from the person erecting or causing to be erected the building.

Power to alter names of streets and names to be put up.

68. The Corporation may name any street or any part of a street which is without a name or which bears two names and may at the instance and with the consent of the majority in number and value of the ratepayers in any street alter the name of such street or of any part of a street.

Provision as to projections &c. in streets.

69. Sections 69 and 70 of the Towns Improvement Clauses Act 1847 shall with respect to the borough extend and apply to any crane or apparatus for hoisting or lowering goods and any other like projections from or at any building and whether erected before or after the commencement of this Act which the Corporation may determine to be dangerous or an obstruction to the safe or convenient use of any street.

Any person offending against any of the provisions of the said sections as amended by this Act shall be liable to a penalty not

exceeding forty shillings and to a daily penalty not exceeding ten shillings.

Power to fix lamp brackets &c.

70. The Corporation may cause lamp irons or brackets and lamps as well as plates indicating the position of fire hydrants to be fixed to or against any premises in any street.

Power to close unnecessary lanes passages &c.

71. If it is represented to the Corporation by the borough surveyor that any lane passage alley or street being a public highway is no longer required for the use of the public or in the case of any back or transverse street or road for access to the backs of the adjoining houses the Corporation may thereupon give notice to the owner of the soil thereof and to the owners of any premises immediately adjoining such lane passage alley or street and shall cause notices to be posted up conspicuously in such lane passage alley or street that they propose to close the same and giving information as to the time within which and manner in which objections may be made thereto and unless within six months from service of and posting up as aforesaid of the said notices any person serves notice on the Corporation objecting to the proposal it shall be lawful for the Corporation to close the said lane passage alley or street.

If notice objecting to the proposal is served on the Corporation under this section by any person the Corporation shall not proceed in the matter without the order of a court of summary jurisdiction which order the said court may grant or withhold on the application of the Corporation and after giving the objector or objectors an opportunity of being heard.

Restriction on excavating under streets &c.

72. Any person who (except under statutory powers) without the licence of the Corporation shall break the surface of any street or footway in the borough or make an excavation tunnel sewer or drain or lay any pipes tubes or wires under or over any street or footway in the borough shall be liable to a penalty not exceeding five pounds and to a daily penalty of not exceeding twenty shillings Provided that nothing herein contained shall be deemed to prejudice or affect the powers rights and privileges conferred upon the Postmaster-General by the Telegraph Acts 1863 to 1892.

Orders as to vehicles and velocipedes.

73. The Corporation may from time to time by order direct and prescribe the route by which vehicles of all kinds (including bicycles tricycles and velocipedes and other vehicles propelled by persons animals or mechanical power) may traverse any street in the borough and prohibit the passage of all such vehicles along or through any street and the following additional regulations shall be observed by

A.D. 1896.

any person or persons riding or being upon any bicycle tricycle or velocipede (herein-after called "velocipede") :—

(*a*) During the period between one hour after sunset and one hour before sunrise every person riding or being upon such velocipede shall carry attached to the velocipede a lamp which shall be so constructed and placed as to exhibit a light in the direction in which he is proceeding and so lighted and kept lighted as to afford adequate means of signalling the approach or position of the velocipede :

(*b*) Upon overtaking any cart or carriage or any horse mule or other beast of burden or any foot passenger being on or proceeding along the carriage-way every person riding or being upon such velocipede shall within a reasonable distance from and before passing such cart or carriage horse mule or other beast of burden or such foot passenger by sounding a bell or whistle or otherwise give audible and sufficient warning of the approach of the velocipede.

Any person offending against the provisions of this section or any order made thereunder shall be liable to a penalty of not exceeding forty shillings.

Provision as to the regulation of cattle traffic.

74. The Corporation may from time to time by order direct and prescribe the times during which and the route along which cattle (including sheep and pigs) may be driven Provided that the route which it shall be lawful so to prescribe shall not be such as would prevent the passage of such animals between any market and any railway station in the borough or any place beyond the boundary of the borough when such animals are merely passing between such market and railway station or other places as aforesaid and the Corporation shall be bound at all times to allow a reasonably short and efficient route or routes for the passage of such animals Any person offending against any order made under this enactment shall be liable to a penalty of forty shillings.

Notice of orders as to cattle and traffic.

75. Notice shall be given of any order made by the Corporation under the provisions of the sections of this Act whereof the marginal notes are "Orders as to vehicles and velocipedes" and "Provision as to the regulation of cattle traffic" by affixing such notice to the town hall and in a conspicuous position in the streets affected three clear days before such order operates.

Provisions as to hoards or other structures used for advertising purposes.

76.—(1) Every hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street shall be securely erected to the satisfaction of the Corporation.

A.D. 1896.

(2) It shall not be lawful after the commencement of this Act to erect any hoard or similar structure to be used either partly or wholly for advertising purposes in or abutting on or adjoining any street in the borough without the consent of the Corporation and such consent may be given subject to such conditions as to the submission of a plan and elevation and as to the dimensions and maintenance of such hoard or similar structure as the Corporation may determine.

(3) The owner or other person using any hoard wall or similar structure for advertising purposes whether erected before or after the commencement of this Act shall at all times thereafter keep and maintain the same in proper and safe repair and condition to the satisfaction of the Corporation and in the event of any nuisance being created in any street by reason of the falling off of any papers affixed for advertising purposes to such hoard wall or other structure shall forthwith remove and clear away such papers.

(4) Any person who acts in contravention of any of the provisions of this section or who violates any conditions or the terms of any consent given in pursuance of the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Provided always that this section shall not apply to any hoard or advertisement affixed to any railway station or premises of any railway company for the purposes of any such company.

(iv.) *General Matters.*

Penalty where chimneys are on fire.

77. If the chimney of any house or other building within the borough is on fire the occupier of such house or building shall be liable to a penalty not exceeding ten shillings but if such occupier proves that he has incurred such penalty by reason of the neglect or wilful default of any other person he may recover summarily from such person the whole or any part of the penalty he may have incurred as occupier.

As to consent of Corporation.

78. Where the Corporation give their consent to the execution of any work or the doing of any act or thing under this part of this Act they may give such consent subject to any terms or conditions and any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

Right of appeal.

79. Any person deeming himself aggrieved by any determination or requirement or the withholding of any licence or consent or

A.D. 1896.

approval of or by the Corporation or of or by any officer of the Corporation or by any conviction or order of a court of summary jurisdiction under any provision of this part of this Act where no other appeal or reference is provided may appeal to the next practicable court of general or quarter sessions having jurisdiction over the whole or any part of the district or place in which the matter requiring the cognizance of general or quarter sessions arises and no liability to penalty shall arise nor shall any proceedings be taken or work done under such order until after the determination of such appeal unless such appeal cease to be prosecuted.

Rules as to service of notices summonses and orders.

80. The following rules shall be observed with respect to the giving or service of any notice summons or order directed to be given or served under this part of this Act in cases not herein-before provided for :—

A notice summons or order may in all cases be served personally :

A notice summons or order may be served on the owner or occupier of any premises by leaving the same with the occupier of such premises or with some inmate at his abode or if there is no occupier by putting up such notice summons or order on a conspicuous part of the building or premises to which the same relates and it shall not be necessary to name the owner or occupier of such premises nevertheless when the owner of any such premises and his residence or that of his agent are known to or can with reasonable care be ascertained by the party by whom or on whose behalf any notice summons or order is intended to be served it shall be the duty of such party to send every such notice summons or order by the post in a registered letter addressed to the residence or last known residence of such owner or his agent.

Expenses of execution of this part of this Act.

81. All expenses for the execution of this part of this Act incurred by the Corporation which are not otherwise provided for may be defrayed out of the borough fund borough rate or any other rate leviable by or revenue of the Corporation (other than the Presentment Fund and Presentment Rate) as the Corporation having regard to the objects of the expenditure may deem most proper.

Exemption of Government property from this part of this Act.

82. All buildings offices and premises at present existing or hereafter to be built vested in or in the occupation of Her Majesty either beneficially or as part of the hereditary revenues of the Crown or in trust for the public service or for public purposes or in the occupation of any department of Her Majesty's Government or used or employed for public purposes shall be exempt from the operation of this part of this Act.

Part VII.—Miscellaneous.

Purchase of Waterford bridge and ferry under the Bridges (Ireland) Act 1867.

83. If the bridge and ferry at Waterford shall be purchased by the council co-operating with the grand juries of the counties of Kilkenny and Waterford or either of them (in this section referred to as "the purchasers") under the powers contained in the Act 30 & 31 Vict. c. 50. intituled "An Act to afford further facilities for the erection of certain bridges in Ireland" (in this section referred to as "the Act of 1867") and of the powers in the Acts therein recited (all which Acts including the Act of 1867 are in this section referred to as "the said Acts") then notwithstanding anything in section 27 of the Act of 1867 the following provisions shall apply :—

(1) It shall be lawful for the purchasers to continue to levy tolls in respect of the said bridge and ferry or any bridge or ferry substituted therefor not exceeding the tolls leviable by the proprietors of the said bridge and ferry immediately preceding the date of such purchase and for such period as they may think fit but as regards the said bridge for not exceeding twenty years from the date of the completion of the work in the said section 27 mentioned or the date of such purchase whichever shall be the longer period :

(2) The purchasers shall after such purchase have the like powers for the collecting and recovery of the said tolls as the proprietors of the said bridge and ferry would have had if they had continued to be proprietors thereof :

(3) Subject as is herein-before provided it shall be lawful for the purchasers to lease or demise all or any of the said tolls for any term of years not exceeding three years at any one time for such rent payable at such times and under such covenants and upon such conditions as they shall think fit and during the continuance of any such lease the lessees named therein and also all persons appointed by them to collect the tolls so let shall be deemed collectors of the tolls so let and they shall have the same power to collect and recover such tolls and be subject to the same rules duties and penalties in reference thereto as if they had been appointed for that purpose by the purchasers :

(4) The tolls so collected and received by the purchasers or the moneys received by them under any lease thereof shall be applied by them as follows :—

(*a*) In defraying the cost of collecting the said tolls and repairing the said bridge and ferry or any bridge or ferry substituted therefor ;

A.D. 1896.

and the residue thereof shall be applied—

(*b*) In reduction of the sums which the purchasers shall have borrowed or otherwise raised or may have been or be liable to contribute for the purchase of the said bridge and ferry the expenses of the work and the costs and expenses incurred under the said Acts and the purchasers shall be entitled to participate in the application of such residue in the like proportion as they shall be liable to contribute the sums for such purposes as last aforesaid under the said Acts:

(5) It shall be lawful for the purchasers to empower the committee which may be appointed by them under the provisions of the Act of 1867 for the purposes therein mentioned and in addition to the powers conferred thereunder on such committee to receive and apply the said tolls as herein-before set forth and generally to manage the said bridge and ferry or any bridge or ferry substituted therefor or in the event of no committee being appointed in pursuance of the provisions of the Act of 1867 for the purposes therein mentioned it shall be lawful for the purchasers to appoint a committee to receive and apply the said tolls and generally to manage the said bridge or ferry or any bridge or ferry substituted therefor as aforesaid and the provisions of the Act of 1867 with reference to any committee appointed thereunder shall apply mutatis mutandis to the committee appointed under this section for the said purposes Provided that the enactment in section 16 of the Act of 1867 with reference to the ceasing and determination of the office and powers of any committee appointed under the Act of 1867 shall not apply to such committee so far as regards the powers conferred on it under this Act of receiving and applying the said tolls and of management nor shall it apply to any committee appointed under this Act only for such purposes Provided further that notwithstanding anything in the Act of 1867 it shall be lawful for the council or the grand juries or either of them respectively at any assizes to revoke the appointment of all or any of the four persons appointed by them respectively in pursuance of the Act of 1867 and of this Act and to appoint another person or other persons to act in their stead:

(6) The Provincial Bank of Ireland or such other bank as may from time to time be agreed on shall for the purposes of this section be the treasurer of the council and the said grand juries or either of them:

(7) The powers and provisions of the Bridges (Ireland) Act 1875 shall be exercisable by the council as if the council were a grand jury within the meaning of that Act.

Confirmation of byelaws.

84. Byelaws made by the Corporation under this Act shall not take effect unless and until they have been submitted to and confirmed by the Local Government Board and subject to the provisions of this Act sections two hundred and nineteen to two hundred and twenty-three of the Public Health (Ireland) Act 1878 shall apply accordingly to all byelaws made by the Corporation under the powers of this Act.

Prosecution of offences.

85. All offences penalties costs and expenses under this Act or under any byelaw made in pursuance of this Act the prosecution and recovery of which is not otherwise provided for may be prosecuted and recovered in manner provided by the Summary Jurisdiction Acts and all penalties recovered by the Corporation under this Act shall (where not otherwise directed) be paid over to the treasurer and be carried to the credit of the borough fund.

Powers of Act cumulative.

86. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers conferred upon them by the Public Health (Ireland) Acts and the Corporation may exercise such other powers as if this Act had not been passed Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

Justice not disqualified.

87. No person shall be incapable of acting as a justice in the execution of this Act by reason of his being a member of the Corporation or a holder of Corporation debenture stock or other security granted by the Corporation or of his being liable to the payment of any rate cess or other payment under this Act.

Costs of Act.

88. The costs charges and expenses of and incident to the preparing for obtaining and passing this Act or otherwise in relation thereto shall on being taxed and ascertained by one of the taxing officers of the Houses of Parliament forthwith be paid by the Corporation out of the borough fund borough rate consolidated rate (if any) and other rates rents and revenues of the Corporation or any of them under the control of the council in such proportions and be debited to such accounts as the council shall determine as regards their several funds and such costs charges and expenses shall include the costs incurred by the Corporation in complying with the provisions of the Borough Funds (Ireland) Act 1888 with respect to the Bill for this Act but they shall be recouped by and charged to the moneys to be borrowed by the Corporation under this Act.

A.D. 1896.

The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

Limits of the Borough as Extended.

Commencing at Mount Misery Lodge the borough boundary line shall extend westward in a straight line to a point in the lane one hundred feet north of Manning's public-house in the townland of Newrath and thence in a straight line to a point about ten feet west of the entrance gate to the cattle dock of the Waterford and Limerick Railway Company and thence along the wall between the public road and the railway premises to the north-west coigne of the running shed of the Waterford and Limerick Railway Company and thence in a straight line across the River Suir to the west side of the bridge carrying the public road over the Waterford Dungarvan and Lismore Railway in the Townland of Gibbet Hill.

From the last-mentioned point on the bridge over the Waterford Dungarvan and Lismore Railway the boundary line shall extend in a straight line southwards across the public roads leading to Gracedieu and Knockhouse to a point in the townland of Logloss in Miss Caulfield's field two hundred feet south of the public road leading to Knockhouse and thence eastward to a point three hundred and fifty feet south of the said public road and situate in the townland boundary between the townlands of Logloss and Dobbyns Parks thence southward along the townland boundary separating the townlands of Logloss and Rathfadden from the townland of Dobbyns Parks to the western end of the Narrow Lane from thence westward in a straight line to the north-east corner of the townland of Cleaboy thence southward along the townland boundary between the townlands of Cleaboy and Rathfadden to the public road leading from Waterford to Portlaw and continuing in a straight line through the lands of or reputed to belong to Miss Hatchett and Messrs. Widger to the public road leading from Waterford to Skibbereen at a point in the townland boundary between the townlands of Ticor and Lisduggan Big two hundred and fifty feet west of the south-west angle of the townland of Browley West and thence in a straight line through Mathew Phelan's land to the north-east angle of the townland of Pastime Knock and along the townland boundary separating the townlands of Pastime Knock and King's Meadow from the townland of Longcourse and along the townland boundary between the townlands of King's Meadow and Priorsknock to the public road leading from Waterford to Dungarvan.

From the last-mentioned point on the public road leading from Waterford to Dungarvan the boundary line shall extend along the centre of John's River to where it crosses under the public road leading from Waterford to

Tramore and thence in a straight line to a point in the public road leading from Waterford to Drumcannon immediately south of where a house formerly stood as shown on the Ordnance map and about seventy-two perches north of the lane leading to Power's house at Ballytruckle thence eastward in a straight line across the public road leading to Ballymacaw near where the townland boundary between the townlands of Ballytruckle and Grange Lower meets the said road to a point in the public road leading to Dunmore and situate in the townland boundary between the townlands of Grange Upper and Grange Lower and about fifty-eight perches west of the north-west angle of the townland of Williamstown.

From the last-mentioned point on the road leading to Dunmore and fifty-eight perches west of the north-west angle of the townland of Williamstown the boundary line shall extend in a straight line in a north-easterly direction to the public road leading to Dunmore and Passage to the east end of William Usher's house and along by the wall forming the western boundary of the demesne of W. G. D. Goff to the south bank of the River Suir and thence across the said river in a straight line to meet the existing borough boundary on the north bank of the said river.

The boundary line shall then extend along the existing borough boundary to the point of commencement of the new boundary line at Mount Misery Lodge aforesaid.

The lands forming the new district within the borough boundary as herein-before described comprise parts of the townlands of Mount Misery and Newrath in the parish of Kilculliheen and barony of Kilculliheen parts of the townlands of Gibbet Hill Clashrea Browley East Logloss Rathfadden Ticor Lisduggan Big and Longcourse and the townlands of Dobbyns Parks Browley West and Lisduggan Little in the parish of Trinity Without and barony of Middlethird parts of the townlands of Manor Ballytruckle Grange Lower Grange Upper Cove and Newtown and the townlands of Priorsknock and Ballycourdra in the parish of St. John's Without and that portion of the district commonly known as Poleberry situate in the parish of St. Stephen's Without all in the barony of Gaultier and also those portions of the River Suir and bed and shores thereof in the baronies of Kilculliheen and Middlethird included within the boundary line above described all which said lands are situate in the county of Waterford.

THE SECOND SCHEDULE.

Names and Boundaries of the Five Wards forming the Borough.

No. 1 or Tower Ward—

All those portions of the borough situate within the following boundary line or limits (that is to say) a line commencing at a point on the public road leading from Waterford to Tramore where the borough boundary line described in Schedule I. crosses the said road and passing thence along the centre of John's River to the centre of Hardy's Bridge thence along the centre of Catherine Street and the

A.D. 1896.

Mall to a point in the centre of the River Suir opposite the Mall and thence along the centre of the said river to a point to meet the borough boundary line where it crosses the said river from thence southwards following the borough boundary line above described to where it crosses the roads leading from Waterford to Dunmore and Passage Waterford to Dunmore Waterford to Ballymacaw and Waterford to Drumcannon to the point on the road leading from Waterford to Tramore above described.

No. 2 or Custom House Ward—

All those portions of the borough situate within the following boundary line or limits (that is to say) a line commencing at the centre of John's Bridge and passing thence through the centre of John Street Michael Street Broad Street and Barronstrand Street to the centre of the River Suir thence eastwards following the central line of the said river to a point in the centre of the said river opposite the Mall above described and thence along the centre of the Mall Catherine Street and John's River to the centre of John's Bridge aforesaid.

No. 3 or Centre Ward—

All those portions of the borough situate within the following boundary line or limits (that is to say) a line commencing at the junction of New Street with Michael Street and John Street passing thence along the centre of New Street Newgate Street and Mayor's Walk to the centre of Patrick Street near the gaol wall thence along the north side of Ballybricken to a point near the top of Morgan Street opposite the Pig Buyers' Reading Room and thence along the centre of the Glen as far as Thomas Street thence along the centre of Thomas Street and Vulcan Street to the centre of the River Suir thence eastwards along the centre line of the said river to meet the Custom House Ward boundary at the centre of the river and thence eastwards and southwards along the Custom House Ward boundary to the said point at the junction of New Street with Michael Street and John Street.

No. 4 or West Ward—

All those portions of the borough situate within the following boundary line or limits (that is to say) a line commencing at the point near the top of Morgan Street opposite the Pig Buyers' Reading Room thence along the centre of Morgan Street to the point where the Gracedieu Road meets Military Road and Summerhill Road thence along the centre of Military Road and the road leading from Waterford to Portlaw to where the borough boundary line described in Schedule I. crosses the said road thence following the said borough boundary line to the north of the said road to the River Suir and thence along the said borough boundary line through Mount Misery Lodge to where it meets the Tower Ward boundary in the centre of the River Suir and thence along the boundaries of Tower Ward Custom House Ward and Centre Ward to the point whence it started.

No. 5 or South Ward—

All those portions of the borough situate within the following boundary line or limits (that is to say) a line commencing at the centre of the

road where the Gracedieu Road forms a junction with Summerhill Road and Military Road thence along the centre line of the Military Road and the road leading from Waterford to Portlaw to where it meets the borough boundary line where it crosses the said road and thence follows the borough boundary to the point in the public road leading from Waterford to Tramore where it meets the Tower Ward boundary thence follows the Tower Ward boundary along the centre of John's River to the centre of John's Bridge thence along the centre line of John Street New Street Newgate Street and the Mayor's Walk to the centre of the road at the top of Patrick Street near the gaol wall thence along the north side of Ballybricken and along the centre line of Morgan Street to the centre of the road where the Gracedieu Road forms a junction with Summerhill Road and Military Road.

All which wards and boundaries respectively are shown on the map or plan mentioned in the section of this Act whereof the marginal note is "Extension of borough boundaries" and on the said map or plan coloured as follows (that is to say):—

No. 1 or Tower Ward—Pink.
No. 2 or Custom House Ward—Blue.
No. 3 or Centre Ward—Violet.
No. 4 or West Ward—Green and
No. 5 or South Ward—Yellow.

Note.—The existing borough boundary previous to the commencement of this Act is shown by a thick line of blue colour on the said map or plan which also marks in each case the outer limit of the wards within the existing borough.

Printed by Eyre and Spottiswoode,
FOR
T. Digby Pigott, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, East Harding Street, Fleet Street, E.C.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and
90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., Limited, 104, Grafton Street, Dublin.