



ANNO QUADRAGESIMO SECUNDO

GEORGI III. REGIS.

Cap. 92.

An Act for amending, altering, and extending the Powers of the several Acts of Parliament now in force, for supplying the City of *Dublin* with Water, and for making better Provision for that Purpose.

[22d June 1802.]

WHEREAS by an Act of Parliament, passed in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, in the Fifteenth and Sixteenth Years of the Reign of His present Majesty, intituled, *An Act for the better regulating the Pipe Water of the City of Dublin*; and by One other Act, passed in the Nineteenth and Twentieth Years of the Reign of His present Majesty, intituled, *An Act for explaining and amending an Act, passed in the Fifteenth and Sixteenth Years of the Reign of George the Third, intituled, 'An Act for the better regulating the Pipe Water of the City of Dublin'*; certain Rates and Powers were given to the Lord Mayor, Sheriffs, Commons, and Citizens of the said City of *Dublin*, for the Purpose of effecting the

Irish Acts
15 & 16 Geo.
3. c. 24.
19 & 20 Geo.
3. c. 13. re-
cited.

[*Loc. & Per.*]

17 2

several

several Purposes thereby intended: And whereas the said City of *Dublin* having lately been greatly extended, both to the Eastward and Northward, and a great Portion of the Population removed to a remote Distance from the Source and Reservoir for supplying the said City with Pipe Water, it is now become necessary to make very considerable and expensive Alterations and Improvements in the Water Works, in order to secure to the Inhabitants an ample and regular Supply, and to furnish an immediate and abundant Quantity for the extinguishing of Fires: And whereas the several Materials necessary for maintaining and extending the said Works, having greatly increased in Price, so that the Rates granted by the said recited Acts are insufficient for keeping up the Pipe Water Establishment, and for maintaining the Works necessary for the ample and constant Supply of the said City, and the Liberties and Suburbs thereof; and such Rates are not equally or duly proportioned, the several Persons inhabiting the smaller Houses paying more in Proportion than those inhabiting the larger Houses, and the Distiller who works only One Still, is subjected to the Payment of as large a Sum for his Supply of Water, as the Distiller who works Four or more Stills: In order therefore to enable the Lord Mayor, Sheriffs, Commons, and Citizens of the said City of *Dublin*, to provide an ample and sufficient Supply for the Use of the said City, and the Liberties and Suburbs thereof, it is necessary that certain of the Powers granted by the said recited Acts should be varied, altered, and extended: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, the said recited Acts, and all the Clauses, Powers, Exemptions, Forfeitures, Rules, Remedies, Directions, Provisoos, Articles, Matters, and Things therein contained (save and except such Parts thereof as are hereby varied, altered, or repealed), and also this present Act, shall be, and is and are hereby declared to be in full Force and Effect, for the Purpose of carrying the said recited Acts and this present Act into Execution.

Part of former Acts repealed.

II. And be it further enacted, That so much of the said recited Acts, or either of them, as directs that every Owner or Occupier of every House in the said City of *Dublin*, and Liberties and Suburbs thereof, should annually pay to the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City of *Dublin*, or to the Officers, Collectors, or other Persons by them authorized and appointed, the several and respective Rates or Rents therein mentioned for Water; and so much thereof as directs, that every Brewer, Maltster, Distiller, Sugar Baker, Tanner, Skinner, Dyer, and every other Person or Persons who shall make Use of the said Water in their several Trades, Occupations, or Manufactures, shall pay for the said Water the Rates or Rents therein mentioned, according to their respective Consumptions and Agreements for that Purpose between them and the said City; and so much thereof as directs, that if any Person shall neglect or refuse to pay the annual Rents therein mentioned for Twenty-one Days after personal Demand thereof,

thereof, or Demand in Writing left at the Place of Abode or Occupation of the Persons so directed to pay the said Rents, it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City, or their Officers or Receivers appointed to receive the said annual Rents, to cut off all Supply of Water by drawing their Ferules out of the Wooden Pipes, or by Warrant under the Hand and Seal of the Lord Mayor of the said City, for the Time being, to distrain their Goods and Chattels as therein mentioned; and so much thereof as empowers the said Lord Mayor, Sheriffs, Commons, and Citizens, or their Successors, or Engineer, to enter into all Houses and Premises within the several Districts, and at the Times and in the Manner therein mentioned, shall be, and the same is and are hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever.

III. And be it further enacted, That it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City, or any Person or Persons acting by virtue of or under their Authority, and he and they is and are hereby empowered to demand and take from the Owner or Occupier of every Dwelling House within the said City of *Dublin*, and the Liberties and the Suburbs thereof, and such Parts of the Liberty of *Saint Sepulchre* subject to the Payment of Pipe Water Rent, the following annual Rates or Rents for the Supply of Pipe Water; (that is to say), Rates for Water.

For each and every Dwelling House paying less than the Sum of Ten Shillings Minister's Money, the annual Rate or Rent of Ten Shillings, and no more:

For each and every Dwelling House paying Ten Shillings and less than Fifteen Shillings Minister's Money, the annual Rate or Rent of Twenty-five Shillings, and no more:

For each and every Dwelling House paying Fifteen Shillings, or any greater Sum, Minister's Money, the annual Rent or Sum of Thirty Shillings, and no more:

For each and every Dwelling House in which there shall be any Water Closet or Water Closets supplied with Pipe Water, over and above such respective annual Rate or Rents, an additional annual Rate or Rent of Ten Shillings for each and every Water Closet so supplied with Pipe Water, and no more:

IV. Provided always, and be it enacted, That it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City, to contract and agree with every Brewer, Maltster, Distiller, Sugar Baker, Skinner, Tanner, Dyer, and Hatter, and all and every other Person and Persons who shall consume or make Use of Pipe Water in their several and respective Trades, Occupations, and Manufactures, within the City of *Dublin*, or the Liberties or Suburbs thereof, or within any Place or Places comprized within the Circular Road, for an annual Rate or Rent for the Pipe Water consumed or used by them in their several and respective Trades, Occupations, and Manufactures, such annual Rate to be over and above, and in Addition to the Persons exercising certain Trades to pay additional Rents.

the annual Rate or Rent herein directed to be paid for each and every Dwelling House; and such additional annual Rate or Rent when so contracted or agreed for, shall and may be received, raised, levied, and recovered by the said Lord Mayor, Sheriffs, Commons, and Citizens, from every such Brewer, Maltster, Sugar Baker, Skinner, Tanner, Dyer, and Hatter, so contracting or agreeing as aforesaid, by such Ways and Means as any annual Rate or Rent by this Act imposed, can or may be received, raised, levied, or recovered.

Rates for
publick
Buildings.

V. Provided always, and be it enacted, That it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City, to contract and agree with the Governor or Governors, Commissioner or Commissioners, or any Body or Bodies Politick, Corporate, or Collegiate, or any Person or Persons being the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers, Director or Directors of any publick Building or Buildings, and all and every other Person and Persons who shall consume or make Use of Pipe Water in their several and respective Trades, Occupations, and Manufactures, within the City of *Dublin*, or the Liberties or Suburbs thereof, or within any Place or Places comprized within the Circular Road, for an annual Rate or Rent for the Pipe Water consumed or used in such Building or Buildings, such annual Rate to be over and above, and in Addition to the annual Rate or Rent herein directed to be paid for each and every Dwelling House; and such additional annual Rate or Rent when so contracted or agreed for, shall and may be received, raised, levied, and recovered by the said Lord Mayor, Sheriffs, Commons, and Citizens, from such Governor or Governors, Commissioner or Commissioners, Body or Bodies Politick, Corporate, or Collegiate, or other Person or Persons as aforesaid, so contracting or agreeing as aforesaid, by such Ways and Means as any annual Rate or Rent by this Act imposed, can or may be received, raised, levied, or recovered.

Dublin Castle
and other pub-
lick Buildings
not to pay
Water Tax.

VI. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend so as to charge with the said Rates or Rents, or any of them, His Majesty's Castle of *Dublin*, or any House within the Circuit thereof, or any House or Tenement provided for the Residence of the Lord Lieutenant or Lord Deputy of *Ireland*, or of the Chief Secretary of the Lord Lieutenant or Lord Deputy, or of the Under Secretaries in his Office, but such Castle, and all and every such House or Tenement, shall be supplied with Pipe Water by the said Lord Mayor, Sheriffs, Commons, and Citizens, in like Manner as the several Dwelling Houses within the said City are supplied with Pipe Water.

Hospitals not
to be charged.

VII. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend so as to charge with or subject any Hospital, Charity School, or House, provided for the Reception or Relief of poor Persons, to the Payment of the said Rates or Rents, or any of them; but such Hospital, Charity School or House, shall be supplied with Pipe Water by the said Lord Mayor, Sheriffs, Commons, and Citizens,

tizens, in like Manner as the several Dwelling Houses within the said City are supplied with Pipe Water.

VIII. Whereas by an Act, passed in that Part of the United Kingdom called *Ireland*, in the Thirteenth and Fourteenth Years of the Reign of His present Majesty, intituled; *An Act for paving the Streets, Lanes, Quays, Bridges, Squares, Courts, and Alleys, within the City and County of the City of Dublin, and other Purposes relative to the said City of Dublin, and other Places therein particularly mentioned*; it is enacted, that an Agreement which had been entered into between the Corporation of the City of *Dublin*, and the Company of Undertakers of the Grand Canal, in the following Words, ' Resolved, that it be agreed ' between the Subscribers to the Grand Canal and the City of *Dublin*, ' that, in Consideration of the Subscribers supplying the City with such ' a Quantity of Water hereafter to be ascertained, as shall amply supply ' the several Inhabitants thereof, the City shall pay to the said Subscribers ' Ten per Cent. upon the gross Produce of the Reventue that shall arise ' to the City from the Sale of the said Water, the Payment of the said ' Ten per Cent. not to commence till the First Day of *May* One thousand seven hundred and seventy-six; and the Subscribers also engaging, ' that they shall not erect any Works upon the Navigation which shall ' cause any Impurity in the Water, so as to render it unfit for Use: ' Resolved, that it be also agreed that the Subscribers on their Part, and ' the City on theirs, shall use their best Endeavours to obtain an Act ' of Parliament, for ratifying the above Agreement as soon as possible, and every Part thereof should stand ratified and confirmed; be it therefore enacted, That it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens of the City of *Dublin*, and their Successors, within the Period of Two Years after the passing of this Act, to annul and make void the said Agreement, and every Part thereof, on giving unto the Chairman or Secretary of the said Company of Undertakers of the Grand Canal Twelve Calendar Months Notice in Writing, under the Common Seal of the said City, of their Intention to annul and make void the said Agreement with the said Company; and from and after the Day specified in the said Notice, the said Agreement, and every Part thereof, shall be and the same is hereby declared to be null and void to all Intents and Purposes whatsoever; and it shall and may be lawful to and for the said Company of Undertakers of the Grand Canal, and their Successors, within the Period of Two Years after the passing of this Act, to annul and make void the said Agreement, and every Part thereof, on giving unto the Town Clerks of the said City of *Dublin*, or either of them, Twelve Calendar Months Notice in Writing, under the Common Seal of the said Company of Undertakers of the Grand Canal, of their Intention to annul and make void the said Agreement with the said Lord Mayor, Sheriffs, Commons, and Citizens; and from and after the Day specified in the said Notice, the said Agreement, and every Part thereof, shall and the same is hereby declared to be null and void to all Intents and Purposes whatsoever.

For annulling the Agreement between the Corporation of *Dublin* and the Undertakers of the Grand Canal.

IX. Provided always, and be it enacted, That in case such Notice as aforesaid shall be given by the said Lord Mayor, Sheriffs, Commons, and

[*Loc. & Per.*]

17 R

Citizens,

That in case the Agreement is annulled, the

Corporation
of *Dublin* to
make Satisf-
faction to the
Undertakers
of the Canal.

Citizens, unto the Chairman or Secretary of the said Company of Undertakers of the Grand Canal, then and in such Case the said Lord Mayor, Sheriffs, Commons, and Citizens, shall make Satisfaction and Compensation to the said Company for having made or erected any additional Works, or having enlarged any of their Works in consequence of the said Agreement, or for the Purpose of enabling the said Company to fulfil the same with the said Lord Mayor, Sheriffs, Commons, and Citizens; and in case any Difference or Dispute shall arise between the said Lord Mayor, Sheriffs, Commons, and Citizens, and the said Company of Undertakers of the Grand Canal, respecting the Amount of such Satisfaction and Compensation, then and in such Case it shall and may be lawful to and for the said Company of Undertakers of the Grand Canal, to recover the Amount of such Satisfaction and Compensation by an Action of Debt, or on the Case, to be brought in His Majesty's Court of King's Bench at *Dublin*.

For Recovery
of the Rates.

X. And be it further enacted, That if any Person or Persons who-
soever, subject or liable to pay any such annual Rate or Rents, shall
neglect or refuse to pay or discharge such annual Rate or Rent, for the
Space of Twenty-one Days, after personal Demand made thereof, or in
Writing left at his, her, or their last or usual Place or Places of Abode or
Occupation by the said Lord Mayor, Sheriffs, Commons, and Citizens,
or by any Person or Persons acting by virtue of or under their Authority,
to collect and receive such annual Rates or Rents, then and in every
such Case it shall and may be lawful to and for the said Lord Mayor,
Sheriffs, Commons, and Citizens, of the said City of *Dublin*, or their
Successors, or other Person or Persons as aforesaid, acting by virtue of or
under their Authority, to cut or turn off the Water, by drawing the
Ferule or Ferules out of the Mains or Pipes, or by such other Ways
and Means as to him or them shall seem right or proper, for the Pur-
pose of cutting or turning off the Water with which such Person or
Persons so neglecting or refusing shall be supplied; and it shall and
may be lawful to and for the Person or Persons appointed by the said
Lord Mayor, Sheriffs, Commons, and Citizens, to collect and receive
such annual Rates or Rents, by Warrant under the Hand and Seal of
any One of His Majesty's Justices of the Peace for the County of the
City of *Dublin*, which Warrant such Justice is hereby empowered and
required to give upon the Oath (which Oath such Justice is hereby em-
powered to administer) of any credible Witness or Witnesses, of such
Neglect or Refusal, to enter into the House or Houses, and other Pre-
mises, of the Person or Persons so neglecting or refusing, and to seize and
distrain any Goods and Chattels therein found; and if such annual Rate
or Rent so due and owing, and the reasonable Costs and Charges of such
Seizure and Distress, and of detaining and keeping the same, shall not be
paid within Five Days after such Seizure and Distress made, it shall and
may be lawful to and for the Person or Persons so seizing and distraining
such Goods and Chattels, to sell the same, or any Part thereof, render-
ing the Overplus (if any), upon Demand, to the Owner or Owners of
such Goods and Chattels, after such Rate or Rent due, and all the rea-
sonable Costs and Charges (such Costs and Charges to be settled by any
One of His Majesty's Justices of the Peace for the said County of the
City

City of *Dublin*); of distraining, keeping, and selling such Goods and Chattels, shall be deducted and paid.

XI. And be it further enacted, That it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens, and their Successors, and to and for their Engineer, or any other Officer acting by virtue of or under their Authority, for the Purpose of managing or conducting their several Water Works, on shewing his or their Badge or Insignia of Office, at all reasonable Times and Hours, to enter into all Houses, Buildings, Grounds, and Premises within the said several Districts or Places, in order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water supplied by the said Lord Mayor, Sheriffs, Commons, and Citizens; and if the said Lord Mayor, Sheriffs, Commons, and Citizens, or their Engineer or other Officer as aforesaid, on shewing his or their Badge or Insignia of Office, shall, at any reasonable Time or Hour, be refused Admittance or Entrance, for the Purpose aforesaid, into any Dwelling House, Outhouse, Warehouse, or other Building, Grounds, or Premises, or being admitted shall be obstructed in or prevented from making such Inspection or Examination as aforesaid, the Owner or Occupier of such Dwelling House, Outhouse, Warehouse, or other Building, Grounds, or Premises, shall, for every such Denial, Refusal, Obstruction, or Prevention, forfeit and pay any Sum not exceeding Ten Pounds, One Moiety whereof shall be paid to the Informer, and the other Moiety thereof shall be paid to the Governors of the Blue Coat Hospital in *Oxmantown*, in the said City of *Dublin*, to be by the said Governors applied to the Use of the said Hospital.

XII. Provided nevertheless, That if any Person or Persons within the said City of *Dublin*, or the Liberties or Suburbs thereof, shall at any Time hereafter, for his, her, or their Convenience, unite Two Houses into One, or shall build One or more Additions to any House, and shall have but One Branch from the Main Pipe belonging to the said Lord Mayor, Sheriffs, Commons, and Citizens, to convey Water to such House so converted, or to such Addition, such Person or Persons shall not be subject or liable to pay any larger or greater Sum for such Branch, than Thirty Shillings; any Thing contained in the said recited Acts or this Act to the contrary thereof notwithstanding.

XIII. Provided also, That if any Person or Persons is, or are now or shall be hereafter in Possession of One House, and shall convert or cause to be converted the same into Two or more Houses or Dwellings, then and in such Case such Person or Persons shall each of them pay such annual Rate or Rent as aforesaid, for Two or more Houses or Dwellings.

XIV. And be it further enacted, That in case any Person or Persons shall erect, build, or continue any House or Houses of Ease, Dunghill or Dunghills, Sewer or Sewers, upon or near any Watercourse or Watercourses, made, maintained, or repaired by virtue of the said recited Acts

Acts or this Act, or any of them, or any Part thereof, or shall commit any Nuisance or Nuisances, Trespafs or Trespaffes, or do any other Annoyance thereto, whereby or by Means whereof the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, or whereby any of the Pipes or Water Works belonging to the said City may be damaged or injured, each and every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds, One Moiety whereof shall be paid to the Informer, and the other Moiety thereof shall be paid to the Governors of the Blue Coat Hospital in *Oxmantown*, in the said City of *Dublin*, to be by the said Governors applied to the Use of the said Hospital.

Cisterns to be provided.

XV. And, to prevent as much as possible the wilful and negligent Waste of Water, be it therefore enacted, That each and every Person now supplied or hereafter to be supplied with Pipe Water shall, and he, she, and they is and are hereby required to provide a proper Cistern or Cisterns of Lead, Brick, or Wood, or other Materials, to receive and hold such Quantity of Water as shall be by him or them deemed sufficient for his, her, or their Consumption; and he, she, and they is and are hereby required to provide a Ball and Stop Cock, and to affix or cause to be affixed the same to the Pipe conducting the Water from the Main belonging to the said Lord Mayor, Sheriffs, Commons, and Citizens, to such Cistern or Cisterns, for the Purpose of preventing the Water running into such Cistern or Cisterns from running to Waste when the same shall be full; and in case any Person or Persons now supplied or hereafter to be supplied with Pipe Water, shall neglect to provide such Cistern or Cisterns, and also a Ball and Stop Cock, and to affix or cause to be affixed the same in Manner aforesaid, for the Purpose of preventing the Water from running to Waste when such Cistern or Cisterns shall be filled as aforesaid, every such Person so offending shall forfeit and pay for such Offence any Sum not exceeding Ten Pounds, One Moiety whereof shall be paid to the Informer, and the other Moiety thereof shall be paid to the Governors of the Blue Coat Hospital in *Oxmantown*, in the said City of *Dublin*, to be by the said Governors applied to the Use of the said Hospital; and it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens, or any Person or Persons acting by virtue of or under their Authority, to cut and turn off the Water by such Ways and Means as to him or them shall seem right or proper, from the Dwelling House or Tenement of every such Offender, until such Cistern or Cisterns, and Ball or Stop Cock shall be provided, and such Ball or Stop Cock added in Manner aforesaid,

Fines and Forfeitures.

XVI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted by the said recited Acts and this Act, or any of them (the Manner of levying and recovering whereof is not particularly therein or herein directed), shall, in case of Non-payment thereof, on Conviction of the Offenders respectively on his, her, or their Confession, or on the Evidence of any One or more credible Witness or Witnesses, before any Justice or Justices of the Peace for the City, County, or Place wherein the Offence shall be committed, or the Offender shall be or reside,

side, be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of such Justice or Justices; and every such Justice is hereby authorized and required to examine Witnesses on Oath, and hear and determine the same; and One Moiety of all such Fines, Forfeitures, and Penalties (the Application whereof is not therein or herein particularly directed), shall be paid to the Informer, and the other Moiety thereof shall be paid to the Governors of the Blue Coat Hospital in *Oxmantown*, in the said City of *Dublin*, to be by the said Governors applied to the Use of the said Hospital, and the Overplus of the Money raised by such Distress and Sale, after deducting the Fines, Penalties, or Forfeitures, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Chattels so distrained; and for Want of sufficient Distress, and in case the Fine, Penalty, or Forfeiture shall not be forthwith paid, it shall and may be lawful to and for such Justice, by Warrant under his Hand and Seal, to commit every such Offender to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Fine, Penalty, or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

XVII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of the said recited Acts or of this Act, or of any of them, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Persons aggrieved by Irregularity in Distress to recover only the Special Damages.

XVIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of the said recited Acts or of this Act, or of any of them, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court, such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgement, shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiffs not to recover after Tender of Amends.

[*Loc. & Per.*]

17 S

XIX. And

Limitation
of Actions.

XIX. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons, Bodies Politick or Corporate, for any Thing done in pursuance of the said recited Acts or of this Act, or of any of them, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Fact committed; or in case there shall be a Continuation of Damages, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, and not afterwards; and shall be laid and brought in the County where the Matter in Dispute or Cause of Action shall arise, and not elsewhere; and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time so limited for bringing the same, or in any other County or Place than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Double Costs.

33 Geo. 3.
c. 56.

XX. And whereas by an Act, made in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act respecting the Collection of publick Money to be levied in the County of the City of Dublin by Presentment*; the Commissioners therein named, or the Survivors of them, or any Three or more of them, are enabled to treat with all and every Person and Persons, Bodies Politick and Corporate, for the Purchase of their respective Estates, Terms, or Interests in the several Lands and Premises, not exceeding Two Acres in the Whole, contiguous or nearly adjoining to the Grand Canal on the South-West, South-South-West, and North Sides of *Dublin*, for the Purpose of making Basons or Reservoirs for the better Supply of *Dublin* with Pipe Water, which Lands and Premises are insufficient for the Purposes thereby intended; and it is also necessary and expedient that Powers should be given for making a Bason or Basons, Reservoir or Reservoirs, on the North-East and North-West Sides of the said City of *Dublin*; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners, or the Survivors of them, or their Successors, or any Three or more of them, to agree with any Body or Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, and all and every Person and Persons whomsoever, for the Purchase of any Lands, Tenements, or Hereditaments, for the Purpose of making, maintaining, enlarging, or increasing any Bason or Basons, Reservoir or Reservoirs, in such Part or Parts as to them shall seem right and proper, on the South and South-West, and South-East, and North, and North-East, and North-West Sides of the said City of *Dublin*, for the Purpose of supplying the said City of *Dublin*, and the Liberties and Suburbs thereof, with Pipe Water; and the said Commissioners, and the Survivors of them, and their Successors, or any Three or more of them, shall have the like Powers and Authorities for purchasing,

For making
Reservoirs.

purchasing, designing, assigning, and laying out such Lands, Tenements, and Hereditaments, for the Purpose of making, maintaining, enlarging, or increasing such Bason or Basons, Reservoir or Reservoirs, as are given to the said Commissioners, or the Survivors of them, or any Three or more of them, for designing, assigning, or laying out any Bason or Basons, Reservoir or Reservoirs, for supplying the said City of *Dublin* with Pipe Water, by virtue of the said Act; and all the Powers, Authorities, Exemptions, Rules, Remedies, Directions, Provisoos, and Forfeitures, given or granted by virtue of the said Act, for the purchasing, selling, conveying, vesting, designing, assigning, and laying out (except such as are hereby varied, altered, or repealed), any Lands, Tenements, or Hereditaments, for the Purpose of making any Bason or Reservoir for supplying the said City of *Dublin* with Pipe Water, shall have the like Force and Effect for making, enlarging, or increasing any Bason or Basons, Reservoir or Reservoirs, to be made, enlarged, or increased by virtue of this Act, and the several Embankments, Watercourses, and Passages for the Conveyance of Water to such Bason or Basons, Reservoir or Reservoirs, as if the same were repeated and re-enacted in this present Act: Provided always, that the Lands and Grounds so to be designed, assigned, and laid out, shall not exceed the Quantity of Two Acres in the Whole for each Bason or Reservoir, and the several Watercourses, Passages, and Embankments necessary for the conveying of Water to such Bason or Reservoir.

Each Bason .
not to exceed
Two Acres.

XXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustees for or on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other *Cestuique* Trust, or to any Person whose Lands, Tenements, or Hereditaments, are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall be equal to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account there *ex parte* the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City of *Dublin*, to the Intent such Money shall be applied, under the Directions and with the Approbation of the said Court, to be signified by an Order, made upon a Petition, to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such

Application of
Compensation
where equal
to 200 l.

and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in Government Securities; and in the mean Time and until the said Government Securities shall be ordered by the said Court of Chancery to be sold for the Purpose aforesaid, the Dividends and annual Produce of such Government Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of
Compensation
when less
than 200% and
exceeding 20%.

XXII. Provided also, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity aforesaid, shall be less than the Sum of Two hundred Pounds, and shall be equal to or exceed Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands), be paid into the Bank of *Ireland*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery in *Ireland*, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Lord Mayor, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising therefrom, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery: Provided also, that where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, for the Purposes of this Act, in such Manner as the said Commissioners shall direct; or in case of Infancy or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application
where the
Money is less
than 20%.

XXIII. And

XXIII. And be it further enacted, That when and so soon as the Lands, Tenements, and Hereditaments, so purchased or acquired by the said Commissioners under the Provisions of this Act, shall be vested in the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City of *Dublin*, pursuant to the Provisions for that Purpose mentioned in the said recited Act of the Thirty-third Year of the Reign of His present Majesty, it shall and may be lawful to and for the said Lord Mayor, Sheriffs, Commons, and Citizens of the said City of *Dublin*, and their Successors, and all and every Person and Persons acting by virtue of or under their Authority, to erect and make such Bason and Basons, Reservoir and Reservoirs, and the several Watercourses or Passages for the Conveyance of Water thereto, and the several Embankments, and the several other Works and Conveniencies, as they shall deem necessary thereto; and also to lay down such new or additional Main and Collateral Pipes, for the conducting of Water therefrom, through such Part and Parts, Streets, Squares, Alleys, Yards, Courts, Lanes, and Ways of the said City, and the Suburbs thereof, lying and being within the District or Boundary of the Circular Road, whether within the Limits of the City and County of the City of *Dublin*, or County of *Dublin* at large, and from Time to Time, as it shall to them appear expedient or become necessary, to extend, maintain, and support such Main and the Collateral Pipes for the conducting of the said Water, but subject nevertheless to the several Regulations and Restrictions relative to the breaking up of the Pavement of the said City, Suburbs, and Liberties thereof, for the Purpose of laying down and repairing Mains or Pipes, enacted and prescribed in and by an Act made in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for the Improvement of the City of Dublin, and the Environs thereof, by the better paving and cleansing the same*, and to the Penalties therein mentioned for not complying therewith.

The Corporation may lay down Pipes, etc.

XXIV. And be it further enacted, That nothing herein contained shall extend or be construed so as to vary, alter, or repeal Two several Acts, passed in that Part of the United Kingdom called *Ireland*, One made in the Sixth Year of the Reign of His late Majesty King *George* the First, intituled, *An Act for cleansing and repairing the Watercourse leading from the River Doddeer to the City of Dublin, and to prevent the diverting and corrupting the Water therein*; and the other made in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for the better supplying the City of Dublin with Water; and for extending the Powers of Grand Juries with respect to the Roads lying within the County of the said City*; but the same shall be as good, valid, and effectual as if this Act had not been made.

Irish Acts
6 Geo. 1. c. 16.

28 Geo. 3.
c. 48.

XXV. And be it further enacted, That all the Costs, Charges, and Expences in preparing, drawing, obtaining, and passing this Act, shall be paid out of the First Monies received by virtue of the said recited Acts, made in the Fifteenth and Sixteenth, and Nineteenth and Twentieth Years of the Reign of His present Majesty, or to be received by virtue of this Act.

Expences of the Act how to be paid.

[*Loc. & Per.*]

17 T

XXVI. And

Publick Act.

XXVI. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons without specially pleading the same.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1802.