

An Act to alter and amend the Act passed in the twentieth year of Her Majesty's Reign, intituled "An Act for the construction of Water Works in the City of Hamilton.

WHEREAS it is necessary and desirable to alter and amend the Act passed in the twentieth year of Her Majesty's Reign, entitled "An Act for the construction of Water Works in the City of Hamilton; Therefore, Her Majesty, &c., enacts as follows :

Preamble.
20 Vict. c. 84.

5 **1.** The Water Commissioners of the City of Hamilton shall, in addition to the powers conferred upon them by the said in part recited Act, have full power and authority to levy and raise such a yearly or other rate or assessment or water rent on all and singular, the real
10 property within the said city, whether owned by private individuals or bodies corporate, by, near or contiguous to which the water pipes may pass, and upon the stock in trade, household furniture and goods and chattels belonging to or in the possession of the owners or occupants of such real estate, as shall, in the opinion of the said Commissioners, be
15 sufficient to pay the yearly interest, at a rate not to exceed four per cent. per annum, on the cost of said Water Works and the yearly expenses thereof, or such portion of such interest and expenses as, in their judgment, should be levied and raised in each year, and be borne by such owners and occupants; and the said Commissioners shall have power and authority, from time to time, to fix the rate or rates such
20 owner or occupant, or both such owner and occupant, shall pay, having due regard to the advantages derived by such owner and occupant, or conferred on him or her or their property by the Water Works, and the locality in which the same is situated; and so much of the said water rate or rent as shall be assessed or levied upon the real estate, shall be-
25 come a continuing lien, unless paid upon such real estate, any thing in section ten of the Act 20 Victoria, chapter 64, to the contrary notwithstanding; and the said Water Commissioners shall also have power and authority, from time to time, to fix the rate or rent to be paid for the use of the water by hydrants, fire plugs, public buildings, and street
30 watering.

Water Commissioners may fix a yearly rate on real and personal property to pay interest and expenses.

35 **2.** The said Commissioners shall have full power, from time to time, to make and enforce all necessary by-laws, rules and regulations for the collection of the said water rate and water rent, and fixing the time and times when, and the places where, the same shall be payable, for allowing a discount for prepayment, and, in case of default in payment, to enforce payment by shutting off the water, or by suit at law before any Court of competent jurisdiction, or by distress and sale of the goods or property upon which such rates shall have become a lien; provided that such distress and sale shall be conducted in the same manner as
40 sales are now conducted for arrears of city taxes; and provided further, that the attempt to collect said rates by any process hereinbefore mentioned, shall not in any way invalidate the lien upon the said premises.

Water Commissioners may make by-laws for enforcing payment of such rates.