ANNO SEXTO

GEORGII IV. REGIS.

Cap. clxxx.

An Act to amend several Acts relating to the City of *Londonderry*. [22d *June* 1825.]

WHEREAS by an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to amend an Act of the Thirtieth Year of His late Majesty, for lighting and improving the City of* Londonderry, it was declared to be desirable that the said City and Suburbs should be lighted by means of Gas, and that it was doubtful whether such Mode of lighting was sufficiently authorized or provided for by the said recited Act of the Thirtieth Year of His late Majesty: And whereas it is necessary and expedient to amend the said last-recited Act of the Fifth Year of the Reign of His present Majesty, and to make new Provisions in lieu thereof: 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 within Two Months from the passing of this Act, the Inhabitants of the said City and Suburbs of *Londonderry*, liable to Assessment under the Provisions of this Act, shall assemble in Common Hall, of which Meeting Ten Days Notice shall

5 G. 4. c. 152.

Election of Gas Light Committee.

shall be given by the Mayor in the *Londonderry* Newspaper, and by posting the same on the Door of the Mayor's Office, and shall there elect by Ballot Six of the Inhabitants of the said City or Suburbs, who, with the Mayor of the said City for the Time being, shall be and be called "The Gas Light Committee for the said City of *Lon-* "*donderry;*" and the said Committee, or any Three or more of them, shall have full Power to carry into Execution all the Powers and Provisions of the said recited Acts of the Thirtieth Year of His late Majesty's Reign, and of the said Act of the Fifth Year of His present Majesty's Reign, as far as the same may relate to the lighting of the said City with Gas, and also to carry into Execution all the Powers and Provisions of this present Act relating thereto, in Manner hereinafter mentioned; and that such Gas Light Committee, or any Three or more of them, shall have, use, and exercise all such Powers and Authorities for the carrying into Execution the said recited Act, as fully and effectually to all Intents and Purposes, as the Mayor, Commonalty, and Citizens might have used or exercised had the said recited Act of the Fifth Year of His present Majesty's Reign not been had or made, or as the said Committee directed to be appointed and chosen by the said recited Act of the Fifth Year of His present Majesty's Reign; any thing in the said several recited Acts to the contrary notwithstanding.

Form of Election.

II. And be it further enacted, That no Person shall be proposed or put in Nomination as a Member of the said Committee for the Purposes of the said Act of the Fifth Year of the Reign of His present Majesty and this Act, except by Persons duly qualified to vote at such Election of the said Committee, according to the Provisions of this Act, and that the said Gas Light Committee shall be elected and chosen out of those Persons only so put in Nomination; and that the said First Committee, so to be elected and chosen under the Provisions of this Act, shall continue in Office until the Second *Monday* in the Month of *October* One thousand eight hundred and twenty-six, upon which Day, and on every Second *Monday* of *October* of each succeeding Year, the aforesaid Inhabitants liable to Assessment as aforesaid shall assemble, and they are hereby required to assemble in Common Hall as aforesaid, and shall then and there re-elect Four Members of the Gas Light Committee of the preceding Year, and Two new Members to be put in Nomination and chosen in Manner above provided, which Four Members of the Gas Light Committee of the preceding Year, and the said Two new Members so to be nominated and elected, shall, with the Mayor of the said City for the Time being, form and be and be called The Gas Light Committee for the said Year, of which the Mayor shall be the Chairman; and that at all such Elections of a Gas Light Committee to be appointed and chosen under this Act, the Book of the Tax Collectors of the Cess for lighting the said City shall be deemed and taken as a Registry of the Persons entitled to vote at the said Election; and that no Person shall be entitled to vote at any such Election whose Tax or Cess shall appear by the said Book to be One Year in Arrear and unpaid; and that the Balloting Box shall be held by the Clerk of the Committee, who shall mark off the Names in the Registry as the Dockets or Ballots are received: Provided always, that

that no Person shall be obliged to serve on the said Committee longer than Three Years in Succession, nor be subject or liable to any Penalty or Forfeiture for not so serving.

Qualification of Voters.

III. Provided also, and be it enacted, That no Person or Persons shall be authorized or entitled to vote at any Common Hall to be held under the Provisions of this Act, other than such Persons as shall be liable to be rated and assessed under this Act, and the Provisions thereof, and whose Tax or Cess shall not be One Year in Arrear as aforesaid; and that it shall and may be lawful for the said Gas Light Committee from Time to Time to ascertain and determine the Extent of the Suburbs of the said City on both Sides of the River *Foyle*, or Lough *Foyle*, which shall be lighted with Gas under the Provisions of this Act: Provided always, that no Person shall be capable of being elected or of acting as a Member of the said Committee, save and except such Persons as are or shall be rated and valued at or above the Sum of Twenty-five Pounds in the Annual Applotment.

Oath to be taken by Members of Committee.

IV. And be it further enacted, That every Member of the said Gas Light Committee shall, before acting as a Member of the said Gas Light Committee in the Execution of this Act, take and subscribe an Oath or Affirmation (which Oath or Affirmation any Magistrate of the said City is hereby empowered to administer) diligently, faithfully, and impartially to execute the Powers vested in them by this Act to the best of his Skill and Judgment; and any Member of the said Gas Light Committee who shall act in the Execution of this Act without taking and subscribing such Oath or Affirmation as aforesaid, shall for every such Offence forfeit the Sum of Ten Pounds Sterling; and that if any Person or Persons elected and liable to serve on the said Committee shall refuse to act as a Member of the said Committee in the Execution of this Act, such Person so refusing shall forfeit and pay the Sum of Ten Pounds Sterling; and that the said Committee shall meet regularly on the First *Monday* in every Month throughout the Year; and in case any Member of the said Committee shall neglect or refuse to attend at any of the said Monthly Meetings, such Member so neglecting or refusing shall be subject and liable to a Penalty of Ten Shillings for such Non-attendance at any such Meeting or Adjournment thereof, unless sufficient Cause shall be assigned for such Non-attendance to the Chairman of the said Committee, of the Sufficiency or Insufficiency of which Excuse the said Committee is hereby authorized to decide.

Meeting of Committee.

V. And be it further enacted, That the said Gas Light Committee shall hold their First Meeting in every Year on some Day in the Month of *November*; and that in case a Vacancy should occur by a Change of Residence of any Member of the said Committee which would disable him from acting or continuing a Member thereof, an Election of a Member or Members to fill such Vacancy shall be made within One Month thereafter, and the remaining Members of the said Committee, not being less than Three in Number, shall be competent to act until such Vacancy shall be supplied.

VI. And

Committee to determine on lighting the City or any Part thereof with Gas.

VI. And be it further enacted, That it shall and may be lawful for the said Gas Light Committee and they are hereby authorized and empowered from Time to Time to ascertain and determine in what Manner the said City or Suburbs thereof, and in what Manner and to what Extent any Part or Parts thereof, or any Streets, Squares, Lanes, Places, or Buildings within the said City or Suburbs, on both Sides of the said River, shall be lighted by means of Gas; and that it shall be lawful for the said Gas Light Committee to contract and agree with and to appoint any Person or Persons, or Society, or Body Corporate, as Contractor or Contractors for the manufacturing and providing Gas or Inflammable Air; and it shall be lawful for the said Gas Light Committee, or for any such Contractor or Contractors as aforesaid, to cause the said City and Suburbs thereof to be lighted with Gas, or any of the Streets, Squares, Lanes, Roads, Passages, or other Public Places therein, or any Church or Chapel, or Court House, or any Theatre or Place of Public Amusement, or any Manufactories, Shops, Inns, Taverns, Dwelling Houses, Buildings, or other private Places within the said City and Suburbs, on both Sides of the said River; any thing in the aforesaid recited Act of the Thirtieth Year of His late Majesty's Reign, or in any other Act, to the contrary thereof in anywise notwithstanding.

Gas Light Committee may erect Works.

VII. And be it further enacted, That it shall be lawful for the said Gas Light Committee to erect Gas Works, and to manufacture Gas for the Supply of the said City and Suburbs, provided the said Committee shall be authorized and directed so to do by a Majority, consisting of at least Two Thirds of the Taxpayers, at a Meeting specially to be convened for the Purpose, of which Meeting Fourteen Days previous Notice affixed on the Court House shall be given, and by Public Advertisement to be inserted in the Public Newspaper of the said City; and also that the said Committee shall have full Power and Authority to raise and borrow all such Sum and Sums of Money as shall be necessary to erect such Gas Works, provided the said Committee shall be authorized and directed so to do by such Majority at such Meeting as aforesaid; such Money to be secured upon the said Gas Works and the Funds and Taxes arising therefrom; and that it shall be also lawful for the said Committee, and they are hereby authorized and empowered, to secure to such Person or Persons, or Society, or Body Corporate, with whom they may contract for Public Lights, the sole Right of supplying private Lights in the said City or Suburbs during the Term of their Contract.

Repeal of so much of former Act as empowers Corporation to inspect Books, &c.

VIII. And whereas, by the said recited Act of the Fifth Year of His present Majesty's Reign, it is enacted, that the several Books of Account therein mentioned shall be open to the Inspection of every Member of the Corporation of the said City, and that the said Corporation shall and may take Copies and Extracts from the same; and that in case the Clerk shall refuse to permit, or shall not permit the said Corporation to inspect the same Book or Books, or take such Copies or Extracts as aforesaid, he or they shall forfeit and pay for every Offence any Sum not exceeding Five Pounds: And whereas it is necessary to repeal so much of the said recited Act as relates to the Power of the said Corporation; be it therefore

enacted, That so much of the said recited Act of the Fifth Year of His present Majesty as gives a Power to the said Corporation or the Members thereof to inspect and take Copies of the said Books, and inflicts a Penalty upon the Clerk for refusing or not permitting such Inspection or Copies or Extracts to be taken by the Corporation, be and the same are hereby repealed.

Vesting Pipes, Lamps, &c. in Committee, to whom all Conveyances are to be made.

IX. And be it further enacted, That all Mains, Pipes, Service Pipes, and other Pipes laid down and constructed within the said City and Suburbs for the Purposes of this Act, and all Public Gas Lamps, Lamp Irons, Timber, Furniture, and Materials thereunto belonging, and all Goods, Chattels, and other Things of what Nature, Kind, Species, or Quality soever, which shall be purchased or procured by the said Committee for the Purposes of this Act, and the Property of and in all the said several Articles, Matters, and Things, shall be and the same are hereby severally and respectively vested in the said Gas Light Committee; and that all Sales, Conveyances, and Assurances of Lands, Tenements, or Hereditaments, to be made to the said Committee, shall be made for and on behalf of the said Committee and their Successors, and not on behalf of the said Corporation, as directed by the said recited Act of the Fifth Year of His present Majesty; and that in the Form of such Conveyance the Words "Mayor, Commonalty, and Citizens of the said City" shall be left out, and the Words "Gas Light Committee of *Londonderry*" be inserted in Place and Stead thereof.

Premises to vest in the Gas Light Committee.

X. And whereas by the said recited Act of the Fifth Year of His present Majesty it is enacted, that after Payment by the said Gas Light Committee of the Monies contracted and agreed or otherwise awarded to be paid as the Purchase Money or Recompence for any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be purchased or taken by virtue or in pursuance of the said recited Act, to the Persons and in Manner therein mentioned, all and every the Premises, Estate, Right, or Interest for or in respect of which such Monies shall have been paid, shall absolutely vest in the said Mayor, Commonalty, and Citizens, for the Purposes for which they are purchased; and the said Mayor, Commonalty, and Citizens shall be deemed in Law to be in the actual Possession thereof, in Manner in the said recited Act mentioned; be it therefore enacted, That the said Provisions in the said recited Act of the Fifth Year of the Reign of His present Majesty be and the same is hereby repealed; and that the Premises, Estate, Right, or Interest, for or in respect whereof such Monies shall have been paid, shall absolutely vest in the said Gas Light Committee, for the Purpose for which the same are authorized to be purchased and taken, and the said Committee shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Power to purchase Lands.

XI. And be it further enacted, That it shall and may be lawful for the said Committee to treat with any Person, Body Politic or Corporate or Collegiate, either for a Lease, or for the absolute Purchase of any Messuages, Lands, or Hereditaments within the said City or Suburbs, not exceeding Four Acres, and to accept a Lease or Conveyance thereof to them and their Successors, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever.

Repeal of Provision for making good Pavements.

XII. And whereas it was by the said Act enacted, that the Workmen employed in laying or repairing any Mains, Pipes, Plugs, or other Apparatus, should forthwith fill in the Trenches, and make good the Pavements, and carry away the Rubbish occasioned by such Works, and repair any Damage arising from carrying off the Washings or Waste Liquids to be produced from the said Works, and should in the meantime fence or guard the Places where any Ground should be opened, and set up Lights during the Night, in such Manner as to prevent Accidents; and if there should be any wilful or negligent Delay in the said Gas Light Committee, or in any of their Servants, in filling such Ground, or removing Rubbish, or making good any such Pavements or Roads, or in fencing, guarding, and lighting the Place where any such Ground should be opened, then it should be lawful for the proper Officer or Persons, as to any Street, Passage, or Place within their Jurisdiction so broken up, and for the Owners of the Soil in all other Places, to fill in such Ground, and remove such Rubbish, and repair and make good any Pavement so broken up, and repair any such other Damage, and to fence, guard, and light such Place so opened, and the Costs and Charges thereof should be paid by the said Committee; and in Default of Payment thereof the same should be levied and recovered by Distress and Sale of the Goods and Chattels of the Mayor, Commonalty, and Citizens of *Londonderry*, by Warrant under the Hand and Seal of any such Justice of the Peace of the County of *Londonderry*: And whereas it is expedient that the said recited Provision should be repealed, and other Provisions made in lieu thereof; be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

Committee to make good Pavements.

XIII. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Stop Cocks, Drain Boxes, Branches, or other Apparatus, shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavements, Roads, Ways, and Footpaths, and carry away the Rubbish occasioned by such Works, and repair any Damage arising from any Drains, Sewers, or Cuts which may be made for carrying off the Washings or Waste Liquids to be produced from the said Works without any Delay, and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages, and set up Lamps or Lights at or near the same during the Night, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided also, that if there shall be any wilful or negligent Delay in the said Committee, or in any of their Agents or Servants,

Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Pavements or Roads as aforesaid, or in fencing, guarding, and lighting the Place where any such Ground shall be opened as aforesaid, then and in every such Case it shall and may be lawful for the Mayor for the Time being, or any other Magistrate of the said City, to employ, order, and direct some other Person or Persons, as to any Street, Highway, Way, Lane, Passage, or Place within their Jurisdiction so broken up, and for the Owner or Owners of the Soil for the Time being in all other Places, to fill in such Ground, and remove such Rubbish, and repair and make good any Pavement or Road so broken up, and repair any such other Damage, and to fence, guard, and light such Place so opened as aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Committee to the said Surveyors, or Owner or Owners, as the Case may require; and in Default of Payment thereof for Ten Days next after Demand shall be made, Proof of such Demand being made by the Oath of any credible Witness before One or more Justice or Justices of the Peace for the said City, all such reasonable Costs and Charges, together with any Sum not exceeding Forty Shillings by way of Penalty for every Offence in any of the Cases aforesaid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Committee, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace of the said City, which Warrant such Justice or Justices is and are hereby empowered to grant.

Ascertaining Amount of Money to be raised.

XIV. And be it further enacted, That it shall be lawful for the said Gas Light Committee, and they are hereby required, authorized, and empowered, in the Month of *October* next after the passing of this Act, and in the Month of *October* in every succeeding Year, to enquire into and to ascertain the Amount of all such Sum and Sums of Money as shall be necessary to be raised, for the Payment of One Year's Interest upon any Sum advanced or expended or to be expended in making the several Gas Light Works necessary for the carrying into Effect the Purposes of this Act, and for the Payment of any Instalment or Proportion of any Principal Sum which may have been advanced for the Purposes of this Act or the said recited Act of the Fifth Year of His present Majesty, pursuant to any Contract or Agreement made on the Advance of such Principal Sum, and for Payment of the Expences of keeping the said Works in Repair, and for Payment of any Sum or Sums of Money annually to the Person or Persons, or Society, or Bodies Corporate, with whom the said Committee shall or may contract for supplying the said City and Suburbs with Gas for the Purpose of lighting the same, and for paying fit and proper Persons for superintending, managing, and taking care of the same, and in attending to the Distribution of the Gas Lights, and in doing other Matters and Things requisite and necessary for the due and regular Supply of Gas and Gas Lights to the Inhabitants of the said City and Suburbs; and after the Amount of such Sum and Sums shall be so ascertained, it shall be lawful for the said Committee to nominate and appoint Nine Inhabitants of the said City

City and Suburbs, to be Applotters of the said Sum and Sums of Money upon the Inhabitants of the said City and Suburbs, in Manner in the said recited Act of the Fifth Year of the Reign of His present Majesty and herein-after mentioned; and the Mayor of the said City for the Time being shall, and he is hereby authorized and empowered, by Warrant or Warrants under his Hand and Seal, to authorize and require the Applotters so appointed, or any Five or more of them, to applot and levy, in Manner required by this Act, and by the said recited Act of the Fifth Year of His present Majesty, all such Sum and Sums as shall be so ascertained, or to applot and levy so much and such Part only of the said Sum or Sums as the said Committee shall from Time to Time judge to be expedient and necessary to be raised and levied, and as the said Committee shall direct to be applotted and levied for the Purposes aforesaid.

Applotters shall value Houses, and applot Sum to be raised on all Houses, &c. worth 5*l.* a Year and above.

XV. And be it enacted, That the said Applotters, or any Five or more of them, shall and may and they are hereby required, within Ten Days next after such their Appointment, to proceed to value and estimate the Yearly Value of the several Lands, Dwelling Houses, Outhouses, Stores, Warehouses, Offices, Cellars, Stables, and Yards within the said City and Suburbs, together with such new Houses, Outhouses, and Premises as shall be from Time to Time hereafter built, erected, or established within the said City and Suburbs of *Londonderry*, and to applot the Money to be raised and paid for the Purposes aforesaid, according to the Directions of the said Committee, upon the several Inhabitants and Occupiers and Owners of all such Lands, Dwelling Houses, Outhouses, Offices, and Premises, as they shall value at the Annual Rent of Five Pounds or upwards, by a proportionable Poundage, or otherwise according to the Value at which such Houses and other Premises shall be valued, specifying in such Applotment the Names of the different Persons inhabiting or possessing the same, or who are liable to pay the same; and that any House, Land, or Premises, which shall be occupied during any Part of the Six Months previous to the First Day of *May* and the First Day of *November* in every Year, shall be liable to and chargeable with the said Tax for such Six Months, in like Manner and with such and the same Powers as is directed by the said recited Act; and the same shall be levied and raised from the actual Proprietor or Landlord of the said Premises, or from the next occupying Tenant thereof, according to the Directions of the said Committee, provided always, that the same does not exceed an Arrear of Twelve Months of the said Tax.

Penalties on Applotters for Neglect of Duty payable to Committee.

XVI. And whereas by the said recited Act of the Fifth Year of His present Majesty certain Penalties are inflicted on the Applotters for Neglect of Duty, and it is necessary that the said Provisions should be altered; be it therefore enacted, That the Penalties thereby incurred shall be forfeited and payable to the said Gas Light Committee, and not to the Mayor, Commonalty, and Citizens of *Londonderry*;

Applotments open to Inspection.

and that the Valuation of the Applotters to be appointed under the said recited Act and this Act shall be open to the Inspection of such Persons who shall appear to have been applotted, for the Space of Fourteen Days at least after the said Applotments shall have been returned

returned by the said Applotters, of which Ten Days Public Notice shall be given by the Committee; and if no Appeal shall be made to the said Committee within that Period, the said Applotments shall be confirmed by the said Committee; and in case any Appeal shall be made within the Space of Fourteen Days from the Day of the said Applotments shall be returned by the said Applotters, it shall and may be lawful for the said Committee, or the Majority of them, of which the Chairman shall be One, to hear and determine the said Appeal, whose Decision shall be final and conclusive to all Parties.

Appeal to Committee.

XVII. And be it further enacted, That the said Committee so to be chosen and elected as aforesaid shall Yearly and every Year, Ten Days at the least before the Day of the Annual Election of such Committee, make, circulate, and publish in the most effectual Manner, a Report of their Receipts and Expenditure, and of the State of all the Works and Effects under their Controul and Management, and the Debts and Arrears due and owing on account thereof, and shall also cause the same to be laid upon the Table at the Meeting for the Annual Election of such Committee.

Report of Receipts and Expenditure to be published.

XVIII. And be it further enacted, That the said Committee may sue and be sued in the Name of their Clerk or Treasurer for the Time being, and not otherwise; and no such Action or Suit shall abate or be discontinued by the Death or Removal of such Clerk or Treasurer, but the Clerk or Treasurer for the Time being to the said Committee shall always be deemed Plaintiff or Defendant, as the Case may be; but such Clerk or Treasurer shall not be personally answerable for any Damages or Costs which may be recovered against him by reason of his being so made Plaintiff or Defendant, but such Damages and Costs respectively shall be paid by the said Committee out of the Money to be raised under this Act; and such Clerk or Treasurer shall be a competent Witness in such Action, notwithstanding he may be the Nominal Plaintiff or Defendant.

Committee to sue and be sued in the Name of their Clerk.

XIX. And be it further enacted, That all Penalties, Forfeitures, and Fines directed to be paid and levied by the said recited Act shall be paid One Moiety thereof to the Informer or Persons sueing for and recovering the same, and the other Moiety to the said Gas Light Committee; and that nothing herein contained shall be deemed, construed, or taken to alter or make void the said recited Acts of the Thirtieth Year of the Reign of His late Majesty, or of the Fifth Year of the Reign of His present Majesty, or the Powers and Provisions therein contained, save and except such Powers and Provisions as are herein and hereby expressly repealed or altered, or where the same or any Part thereof shall or may be at Variance with the Powers and Provisions of this Act.

Application of Penalties.

Clauses in former Act not hereby altered or repealed to continue in force.

XX. And be it enacted, That from and after the passing of this Act the Four Persons to be elected by the Inhabitants as Members of the Pipe Water Committee, pursuant to the Provisions of the said recited Act of the Forty-eighth Year of the Reign of His said late Majesty, shall be elected at a Common Hall on the same Day, and in the same Manner, and subject to the like Regulations, as are herein-before declared

Election of Pipe Water Committee.

declared and provided with respect to the Election of the Members of the Gas Light Committee; and that the said Four Members of the Pipe Water Committee shall be annually elected from amongst the Inhabitants generally, and without reference to Wards, as provided by the said recited Act of the Forty-eighth Year of the Reign of His said late Majesty: Provided always, that no Person shall be capable of voting or have a Right to vote in the Election of the said Members, save and except such Persons as are subject to the Pipe Water Tax; nor shall any Inhabitant, or other Person to be nominated by the Corporation, be capable of being elected or of serving on the said Committee, save and except such Persons only who are rated in the Valuation or Applotment at a Sum of Twenty-five Pounds or upwards.

Penalty on Members of Pipe Water Committee not attending.

XXI. And be it further enacted, That the Members of the said Pipe Water Committee, who after being elected shall refuse to serve on the said Committee, or who shall neglect or refuse to attend the several Meetings thereof when duly summoned for the Purpose, shall be subject to the same Penalties as are herein-before imposed upon the Members of the Gas Light Committee; and that all Penalties imposed by this Act shall be recoverable in like Manner and from and with the same Powers as are provided and enacted by the said recited Acts of the Forty-eighth Year of the Reign of His late Majesty, and of the Fifth Year of the Reign of His present Majesty.

Liability of Property to Water Rate.

XXII. And be it further enacted, That all Houses, Buildings, or other Premises whatsoever, which shall be used and occupied during any Part of the Six Months next preceding the First Day of *May* and the First Day of *November* in every Year, shall be subject and liable to the Payment of One Half Year's Tax for Pipe Water; and that it shall and may be lawful to levy the same off the Landlord, Owner, or Proprietor of the said Houses, Buildings, or other Premises, or off the next succeeding occupying Tenant, in case the same shall not have been paid by or levied off the Person or Persons residing in or occupying the said Houses, Buildings, or other Premises at or during the Period when the said Tax may have incurred or become payable.

Size of Pipes.

XXIII. And be it further enacted, That all Persons using Pipes for the Conveyance of Water, exceeding Three Fourths of an Inch in the Bore, shall be subject and liable to such Extra Charge for the same as to the Pipe Water Committee shall appear just and reasonable; and that in case any Person shall or suffer the Water to run to waste, such Person shall for the First Offence forfeit and pay a Sum of Five Shillings, and for the Second Offence a Sum of Ten Shillings, to be recovered in a summary Way before the Mayor or any Justice of the Peace of said City and Liberties, the same to be levied by Distress and Sale of the Goods of the Offender.

Expences of former Act.

XXIV. And whereas it was provided and enacted by the said recited Act of the Fifth Year of the Reign of His present Majesty, that all Costs, Charges, and Expences attending the applying for, preparing, obtaining, and passing the said Act, should in the first Instance be paid and

and discharged by the Mayor, Commonalty, and Citizens of the said City of *Londonderry*, out of any Funds at their Disposal, and that the Amount thereof should be repaid to the said Mayor, Commonalty, and Citizens out of the Sums raised by Assessments or Applotments under the said Act: And whereas no Assessments or Applotment has hitherto been made under the Provisions of the said recited Act; be it therefore enacted, That it shall and may be lawful for the said Gas Light Committee, and they are hereby required, to assess and levy off the Inhabitants of the said City and Suburbs all the said Costs, Charges, and Expences attending the applying for, preparing, obtaining, and passing the said Act, in like Manner as Assessments and Applotments may be made by said Committee for lighting the said City and Suburbs with Gas; and said Committee are hereby required to pay over the same to the said Mayor, Commonalty, and Citizens.

Apportioning Expences of this Act.

XXV. And be it further enacted, That One Fourth Part of the Expence attending the passing of this Act shall be applotted on and raised and levied off all and every of the Inhabitants of the said City and Suburbs who are liable to be assessed for Pipe Water under the said recited Act, and that the Residue of the Expences attending the passing of this Act shall be paid by the Mayor, Commonalty, and Citizens of *Londonderry*.

Public Act.

XXVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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