



ANNO QUINQUAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. lvii.

An Act for giving further Powers to the President and Assistants of the Charitable Society of the Town of *Belfast*, in the County of *Antrim*, to supply the said Town with Water, and to improve their Estates. [27th June 1817.]

WHEREAS by an Act made in the Parliament of *Ireland*, in the Thirteenth and Fourteenth Years of the Reign of His present Majesty, intituled, *An Act for amending an Act made the last Session of Parliament, intituled, 'An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them; and for restraining such as shall be found able to support themselves by Labour and Industry from begging,'* certain Persons therein named, and their Successors for the Time being, and also such other Persons as should contribute the sum of One Guinea in the Year to the Support of the Poor in the Poor House and Infirmary of the Town of *Belfast*, in the County of *Antrim*, were erected into a Corporation by the Name of 'The President and Assistants of the *Belfast* Charitable Society,' who were by the said Act empowered to purchase, take, or receive any Manors, Lands, Tenements, Annuities, or Hereditaments, in Possession, Reversion, or Contingency, not exceeding the value of One thousand Pounds a Year in the Whole; and they were also by the said Act empowered to demise or lease any Lands, Tenements, or Hereditaments, vested, or to be vested in them in pursuance of the said Act, for any Term of Years not exceeding Thirty-one Years: And whereas by another Act of the Parliament of *Ireland*, made in the

13 & 14 G. 3.
c. 46.
Irish Statutes.

Also 40 G.3.
c. 37.
Irish Statutes.

Fortieth Year of the Reign of His present Majesty, intituled *An Act for paving, cleansing, and lighting, and improving the several Streets, Squares, Lanes, and Passages, within the Town of Belfast, in the County of Antrim, and for removing and preventing all Encroachments, Obstructions, and Annoyances therein; and also for establishing and maintaining a Nightly Watch throughout the said Town and Precincts thereof, and for other Purposes*; the President and Assistants of the *Belfast Charitable Society* having obtained, previous to the passing of the Act, a Lease from the late Marquis of Donegall, of certain Springs and Fountains of Water, for the Purpose of supplying with pure and wholesome Water the Inhabitants of the said Town; and the said President and Assistants having expended a large Sum of Money on Works for that Purpose, they, the said President and Assistants, were authorized and empowered to charge the Occupiers of the different Dwelling-Houses in the said Town, which were so situated that they might receive the Benefit of such Water, an annual Rate or Rent proportioned to the annual Value of such Dwelling-House: And whereas it is highly expedient that the improved System of furnishing the Inhabitants of large Towns with Water, conducted through Metal Pipes, should be adopted in the said Town of *Belfast*: And whereas it is necessary, that the said President and Assistants should be empowered to increase the Water-rents now payable to them, by virtue of the said recited Act, passed in the Fortieth Year of the Reign of His present Majesty, and that the Powers and Provisions of the said Act should, so far as they relate to the supplying the said Town with Water, be altered, and that the Powers and Provisions of the said recited Acts, passed in the Thirteenth and Fourteenth Years of the Reign of His said Majesty King *George the Third*, should, so far as they relate to the purchasing or taking of Manors, Lands, Annuities, or Hereditaments, be altered and enlarged; 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 the President and Assistants of the *Belfast Charitable Society*, shall assemble at a Meeting to be held in the Poor-house of the said Town, on the Second *Tuesday* next after the passing of this Act, or within Eight Days after, between the Hours of Ten in the Morning and Two in the Afternoon; and also on the Second *Tuesday* in the Month of *May* in every subsequent Year, between the Hours of Ten in the Morning and Two in the Afternoon; at such Place or Places as the said President and Assistants, at their preceding Assemblies, shall from Time to Time direct and appoint, of which future Assemblies Six Days' previous Notice shall be given by public Advertisement, to be inserted in some Newspaper usually circulating in the said Town of *Belfast*, or in the said County of *Antrim*, or in such other Manner as the said President and Assistants shall at such future Assemblies direct.

Trust and
other Ge-
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Appoint-
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Commission-
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II. And be it further enacted, That the said President and Assistants shall, at their first Assembly after the passing of this Act, or any Adjournment of the same, nominate and appoint by Ballot Nine Persons, Inhabitants of the said Town of *Belfast*, to be Commissioners for carrying the Trusts and Purposes of this present Act into Execution; and that on the Second *Tuesday* in the Month of *May* next after such Nomination and Appointment, Three of the said Nine Commissioners, or the Persons or Person nominated

or

or appointed in the Room of them, or any of them, under the Provisions of this Act, shall go out of Office and cease to be Commissioners under this Act; and that in order to determine which of the said Nine Commissioners shall go out of Office and cease to be Commissioners, the Clerk of the said Society at the General Assembly of the said Society, to be holden on that Day (or some Adjournment thereof) shall, and he is hereby required to write upon Nine distinct Pieces of Paper the Name of One of each of the said Commissioners; and all such Papers shall be rolled up in the same Form as near as may be, and be put into a Box or Wheel, and Three of such Papers shall then be drawn out of such Box or Wheel by such Clerk one by one, and the Three Commissioners whose Names shall be upon such Papers respectively so drawn shall go out of Office and cease to be Commissioners; and the said Society shall then nominate and appoint by Ballot Three other Inhabitants of the said Town of *Belfast* to be Commissioners in the Room of such last-mentioned Commissioners; and on the Second *Tuesday* in the next succeeding Month of *May*, Three of the Six remaining Commissioners first nominated and appointed by virtue of this Act as Commissioners, or the Person or Persons nominated or appointed in his or their Room or Stead, shall go out of Office and cease to be Commissioners; and in order to determine which of such Six remaining first-appointed Commissioners shall go out of Office and cease to be Commissioners, the Clerk of the said Society, at the General Assembly of the said Society, to be holden on that Day (or some Adjournment thereof), shall, and he is hereby required to write upon Six distinct Pieces of Paper the Name of one of each of such Six Commissioners, and all such Papers shall be rolled up in the same Form as near as may be, and put into a Box or Wheel by such Clerk, and Three of such Papers shall be then drawn out of such Box or Wheel by such Clerk one by one, and the Commissioners whose Names shall be upon such Papers respectively so drawn shall go out of Office and cease to be Commissioners, and the said Society shall then nominate and appoint by Ballot Three other Inhabitants of the said Town of *Belfast* to be Commissioners in the Room or Stead of such Three Commissioners, and on the Second *Tuesday* in the then next succeeding Month of *May*, the Three then remaining of the Nine Commissioners first nominated and appointed by virtue of this Act as Commissioners, or the Person or Persons nominated or appointed in his or their Room or Stead, shall go out of Office and cease to be Commissioners as aforesaid, and the said Society shall at their General Assembly to be holden on that Day, nominate and appoint by Ballot such Three other Inhabitants of the said Town of *Belfast* to be Commissioners in the Room or Stead of such Three Commissioners, and that on the Second *Tuesday* in every Month of *May* in every subsequent Year, such Three of the then Commissioners as shall have been first nominated and appointed, or the Person or Persons nominated or appointed in his or their Room shall go out of Office, and Three Inhabitants of the said Town of *Belfast* shall be chosen, nominated, and appointed in manner hereinbefore mentioned, to act as Commissioners in their Stead, and the remaining or continuing, and the new Commissioners for the Time being shall from Time to Time be the Commissioners for carrying the Trusts and Purposes of this present Act into Execution: Provided always, that if, in consequence of any Delay in the Election of new Commissioners, or otherwise, the Number of Commissioners for the Time being shall fall short of Nine, then and in every such Case the

the Commissioners in Office, immediately before the Time when such new Election ought to have taken Place, shall continue and be competent to act until the Number shall be completed: Provided also, that it shall and may be lawful to and for the said Society again to nominate and appoint any such Person or Persons so qualified as aforesaid, and going out of Office, to be a Commissioner or Commissioners for the Purposes of this Act.

In case Commissioners are not appointed on the Day mentioned, another Meeting to be had for that Purpose.

III. Provided also, and be it enacted, That in case on any such Meeting in the Month of *May* in any Year, no such Nomination and Appointment of such Three Commissioners shall be made, then and in every such Case another Assembly of the said Society shall be holden on the *Tuesday* following, for the Purpose of making such Election; and in case no such Nomination and Appointment of such Three Commissioners shall be then made, then, and in every such Case, another Assembly of the said Society shall be holden on the *Tuesday* following, for the Purpose of making such Election, and so *toties quoties* until such Three Commissioners shall be chosen, but such Three Commissioners shall not continue in Office, or be Commissioners of the said Society for any longer Space of Time than if they had been elected on the said Second *Tuesday* in the Month of *May* as aforesaid.

Subsequent Appointment of Commissioners in the Room of those who shall die, refuse to act, or become disqualified by accepting Place of Emolument or Contract under the said Society.

IV. And be it further enacted, That in Case any Person or Persons, nominated and appointed by the said Society as a Commissioner or Commissioners as aforesaid, shall die, or refuse to act in the Execution of this Act, or shall hold any Place, Office, Employment, or Contract, under the said Society, then, and in every such Case, it shall and may be lawful to and for the said Society to nominate and appoint, at some Assembly of the said Society, some Person or Persons, qualified as aforesaid to be a Commissioner or Commissioners for executing this Act, in the Room or Stead of the Commissioner or Commissioners so dying, or refusing to act, or holding any Place of Emolument or Contract under the said Society; and every Person so nominated and appointed shall have the like Powers and Authorities, and shall be subject to the like Rules, Regulations, and Restrictions, as the Person in whose Room or Stead he shall be so nominated and appointed, and shall continue in Office as a Commissioner for such Time, and no longer, as the Commissioner in whose Room or Stead he shall be so nominated or appointed would have continued in Office.

Power to the President and Assistants to remove Commissioners.

V. And be it further enacted, That the said President and Assistants of the said *Belfast* Charitable Society shall have Power and Authority at any such General Assembly, to remove and displace any Commissioner nominated and appointed by Virtue of this Act, and from Time to Time to nominate, and in such Manner as is hereinbefore mentioned and provided, to appoint another Person or Persons in his or their Room or Stead.

President and Assistants may be especially convened.

VI. And be it further enacted, That if it shall at any Time appear, that for the more effectually putting this Act into Execution, a Special General Assembly of the said Society is necessary to be held, it shall be lawful for the said President or any Five of the Assistants of the said Society, to cause Six Days' Notice at least to be given of such Special General Assembly in some Newspaper usually circulating in the said Town of *Belfast*, or in the said County of *Antrim*, or in such Manner as
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the said Society shall at any General Assembly direct or appoint, specifying in such Notice the Reason and Intention of holding such Special General Assembly, and the Time when and the Place where the same shall be holden; which Place shall be in the said Town of *Belfast* or within Three Miles of the same; and the Society is hereby authorized to meet pursuant to such Notice, and that such of them as shall be present at such Special General Assembly shall proceed to the Execution of the Powers by this Act given to the said Society, with respect to such Matters alone as shall be specified in such Notice or incident thereto; and all Acts, Orders, or Determinations of the Society, or the major Part of them so met together at every such Special General Assembly, shall be as valid, with respect to the Matters specified in such Notice, as if the same had been done at any stated General Assembly.

VII. And be it enacted, That if any Person who shall be appointed a Commissioner under this Act shall refuse or neglect to undertake such Office, or who, after undertaking the same, shall refuse or neglect to execute the Duties thereof, every such Person shall for such Neglect or Refusal forfeit and pay to the President and Assistants of the *Belfast* Charitable Society, the Sum of Ten Pounds: Provided always, that no Person shall be obliged to act as a Commissioner oftener than once in every Three Years, if such Person shall decline such Appointment within the Time and in the Manner hereinafter mentioned and directed: Provided also, that no Person shall be subject or liable to the before-mentioned Penalty, for refusing to undertake or to execute the Office of Commissioner, who shall, at the Time of such Refusal, hold any Contract, or enjoy any Place of Profit under this Act, or be in any Manner interested, directly or indirectly, in supplying any Articles or Materials for the Use of the said Works.

Forfeitures
for not act-
ing.

VIII. And be it further enacted, That every Person who shall be appointed a Commissioner under this Act shall be informed of such Appointment by Notice, signed by the President of the said Society, or by the Chairman or Secretary of the Meeting at which such Appointment took place, such Notice to be left within Three Days after such Appointment at the Place of Business or Residence of every Person so appointed, and which Notices respecting the Appointment of Commissioners, the Persons hereinbefore mentioned are hereby required to send; and if any Person shall be appointed a Commissioner, and who shall under the Provisions of this Act claim to be exempted from acting as a Commissioner, such Person, in order to entitle him to such Exemption, shall, within Three Days after Notice shall have been left at his Place of Business or Residence, signify his Intention of declining to act as a Commissioner, by Notice in Writing, left at the Dwelling-House of the Person who shall have officially informed him of such Appointment, if such Person shall be resident in *Belfast*, or if non-resident, then such Notice shall be put into the Post Office of *Belfast*, within the Time hereinbefore mentioned.

Appoint-
ments to be
notified.

Intention of
not acting to
be notified.

IX. And be it further enacted, That when any Person or Persons shall refuse or decline to act as a Commissioner or Commissioners under this Act, then and in every such Case the Person or Persons who shall have the next greatest Number of Votes shall be a Commissioner or Commissioners in the Place and Stead of such Person or Persons so refusing or declin-

Persons
having the
next greatest
Number of
Votes shall
be elected.

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ing to act ; and the President or Secretary of the said Society shall give such Person or Persons the same Notice of his or their Election, as is hereinbefore directed to be given to the Person who shall be appointed a Commissioner under this Act.

No Commissioner to be concerned in any Contract.

X. And be it further enacted, That no Commissioner shall hold any Contract, or enjoy any Place of Profit created by this Act, or be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Works ; and in case any Commissioner shall hold any Contract or enjoy any Place of Profit created by this Act, or shall be in any Manner beneficially employed or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Works, every such Commissioner shall forfeit and pay the Sum of One hundred Pounds, together with full Costs of Suit to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record in *Dublin* by Action of Debt on the Case, or by Bill, Plaint, or Information, wherein no Effoign, Protection, or Wager of Law, or more than one Impar lance shall be allowed, and One Moiety of such Penalty, when recovered, shall be paid to the Person or Persons who shall first sue for the same, and the other Moiety shall be paid to the said President and Assistants of the *Belfast* Charitable Society, to be applied for the Purposes of that Society.

Chairman to be appointed.

XI. And be it enacted, That the Commissioners to be appointed in Manner aforesaid shall, within Eight Days after they shall have been so chosen as aforesaid, and afterwards once in every Month at least, and as much oftener as shall be thought necessary and proper, meet in the Room heretofore occupied by the Spring Water Committee, or some other convenient Place of meeting in the said Town of *Belfast*, and shall and may, at the first and every succeeding Meeting, appoint (by Ballot if the same shall be called for) a Person to be a Chairman of the Meeting ; and in case of Difference of Opinion, the same shall be determined by the Plurality of Votes of the Persons present ; and if the Votes shall be equal, the Person who had first entered the Room shall have the casting Vote.

Voting.

XII. And be it further enacted, That at all the Meetings of the Commissioners to be appointed under the Provisions of this present Act, the Chairman of the same shall be at liberty to vote, and that in case of any Differences the Matter in Dispute shall be determined by a Plurality of Votes to be taken on Ballot if called for ; and if the Votes shall be found equal the Chairman shall have the casting Vote.

Extraordinary Meetings of the Commissioners.

XIII. And be it enacted, That the Chairman of the last Meeting of the said Commissioners, or any Three of the said Commissioners, may at any Time call an extraordinary Meeting of the said Commissioners ; and every such monthly extraordinary or other Meeting shall be styled a Board of Commissioners, and no Business shall be transacted at a Board of Commissioners unless Three Commissioners be present at the Commencement of the Business, and when a Decision shall take place upon the Whole or any Part of the Business ; and that the Act of the Majority of the Members present, not being less than Three at every Meeting duly assembled, shall be and be considered as the Act of the said Commissioners :

Quorum.

Provided

Provided nevertheless, that any general Assembly of the President and Assistants of the *Belfast* Charitable Society may at any Time alter the Number necessary to form a Quorum at a Board of Commissioners.

XIV. And be it further enacted, That it shall be lawful for the Board of Commissioners at any Time to call an extraordinary general Assembly of the President and Assistants of the *Belfast* Charitable Society, by public Advertisement, signed by the Chairman or any Three of the said Commissioners, inserted Three Times at least in some Newspaper usually circulated in the Town of *Belfast*, or in such other Manner as the said President and Assistants may hereafter determine, and in such Advertisement by which any extraordinary General Meeting shall be called as aforesaid, the Object of the Meeting and the Place (which shall be within Three Miles of the Town of *Belfast*) and the Day and Hour at which it shall be held shall be specified, and at which General Meeting no Business shall be taken into Consideration except what shall be mentioned in such Advertisement; and the Day of such Meeting shall not be at an earlier Space than One Day, or a greater Space than Three Days from the Day on which such Advertisement shall be last inserted.

Extraordinary General Assemblies of *Belfast* Charitable Society.

XV. And be it further enacted, That it shall be lawful for the said Commissioners to nominate and appoint a Treasurer or Treasurers, Engineer or Engineers, Clerk or Clerks, Collector or Collectors, and such other Officers as to them the said Commissioners shall seem proper; and from Time to Time to remove any such Treasurer or Treasurers, Engineer or Engineers, Clerk or Clerks, Collector or Collectors, or other Officers, or any of them, and to nominate and appoint another Person or Persons in his or their Room or Stead, in manner aforesaid, taking such Security from every such Treasurer, Engineer, Clerk, Collector, or other Officer, for the due Execution of their respective Offices, and granting them such Salary or Compensation as the said Commissioners shall think proper; and such Clerk or Clerks shall, in a proper Book or Books to be provided by the said Commissioners for that Purpose, enter and keep a true and perfect Account of all Acts, Proceedings, and Transactions, of the said Commissioners.

Officers to the Commissioners to be appointed.

XVI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, every Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Effoign, Protection, or Wager of Law, nor more than one Imparlançe shall be allowed.

Same Person not to act as Clerk and Treasurer.

XVII. And

Appointing
Officers in
Cases of Suf-
pension,
Removal, or
Vacancy.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners to suspend or remove any Treasurer, Engineer, Clerk, Collector, Officer or Servant of the said Society, for any Neglect, Misconduct, or Inability, or for any other Cause they shall deem reasonable, and to appoint some other Person in their respective Places, and also to fill up the Vacancies that may occur by Death, Resignation, or otherwise.

Officers, &c.
to account.

XVIII. And be it further enacted, That every such Treasurer, Engineer, Clerk, Collector, and all other Officers and Persons, so to be appointed as aforesaid, shall under their Hands, at such Time and Times, and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Person or Persons as they respectively shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been by such Treasurer, Engineer, Clerk, Collector, or Officers, and Person or Persons respectively, received by virtue and for the Purposes of this Act, and how much thereof has been paid and disbursed, and for what Purposes, together with the proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they respectively shall appoint; and if any such Treasurer, Engineer, Clerk, Collector, Officer, or Person, shall refuse to produce or deliver up such Receipts or Vouchers, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint within Ten Days after, being thereunto required by the said Commissioners, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands to the said Commissioners, or as they shall direct or appoint, then, and in either of the Cases aforesaid, the said Commissioners may, and are hereby authorized and empowered to bring, or cause to be brought, any Action or Actions against the Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons respectively, or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they respectively shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place, wherein the said Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons so neglecting or refusing, shall be and reside, such Justice may, and is hereby authorized and required by a Warrant or Warrants under his Hand and Seal, to cause the Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons, so neglecting or refusing, to be brought before him, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses, upon Oath, it shall appear to such Justice, that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and required upon Non-payment thereof,
by

by a Warrant or Warrants under his Hand and Seal, to cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons respectively; and if no Goods or Chattels of such Treasurer, Engineer, Clerk, Collector, Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money, and the Charges of making and levying the same; or if such Officer or Officers, Person or Persons, shall still persist in refusing or neglecting to deliver up all such Books, Papers, and Writings as aforesaid, to the said Commissioners, or to such Person or Persons as they respectively shall appoint, then, and in any or either of the Cases aforesaid, such Justice shall commit every such Offender to the Common Gaol of such County, City, or Place, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account, and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition in such Manner as they respectively shall appoint, and until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof, to the said Commissioners, but no Treasurer, Engineer, Clerk, Collector, Officer, or Person so committed for want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act for any longer Space than Six Calendar Months.

XIX. And be it further enacted, That the said Commissioners shall from Time to Time make Reports of their Proceedings to the said General Assemblies, and if required to the said Special General Assemblies of the Society, and shall obey its Orders and Directions; and the said Commissioners shall (subject nevertheless at all Times to such Orders and Directions as aforesaid,) meet at such Times and Places, and shall from Time to Time adjourn themselves to such other Times and Places as they shall think fit; and the said Commissioners shall (subject nevertheless to the Orders and Directions of such General or Special General Assemblies as aforesaid) have full Power and Authority to direct and manage the Affairs in respect to the Water-works of the said Society, and the said Commissioners shall by themselves or their Clerk keep a full and true Account of all Money disbursed and Payments made by the said Commissioners, and by all and every Person and Persons employed by or under them, and of all and every Sum and Sums of Money which they shall receive on Behalf or in respect of the said Undertaking, from any Collector or Collectors, or other Officer or Officers, or from any other Person or Persons whomsoever, employed in or having any Concerns, Dealings, or Transactions, with the said Undertaking, or in or with any Part or Parts thereof, and shall regularly by themselves or their Clerk as aforesaid, write, insert, and enter in a Book or Books to be from Time to Time provided, at the Expence of the said Society for that Purpose, Minutes or Copies, as the case shall require, of every such Contract, Bargain, Receipt, and Disbursement, and of all other their Orders and Proceedings; which Book or Books shall be deposited with and kept locked up under the Care and Direction of the said Commissioners.

Powers and Duties of the Commissioners.

XX. And be it further enacted, That the said President and Assistants shall, at their First Assembly after the passing of this Act, or any Adjournment of the same, nominate Three Members of the said Society to audit and examine the Accounts of the said Commissioners; and shall, on

Auditors appointed.

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the Second *Tuesday* of *May* annually, appoint Three other Members in their Room, or continue all or any of the Members before chosen to be Auditors for the Year ensuing, and that the said Commissioners shall, as soon as may be after the Thirtieth Day of *April* in every Year, furnish to the said Auditors a detailed Account of the Money received and expended by them, from the Period when the last Account terminated, up to the said Thirtieth Day of *April*, which Account shall be made out in such Form and Manner as the said President and Assistants may from Time to Time direct; and the said Auditors, after having examined such Account, shall make a Report thereon to the said Society, at their next subsequent Meeting.

For enabling the Commissioners to enter the Premises to see there is no Waste of Water.

XXI. And be it further enacted, That it shall and may be lawful to and for any Commissioner or Commissioners, or any Engineer, or any other Person or Persons acting by or under the Authority of the said Commissioners, at any Time or Times between the Hours of Ten in the Forenoon and Four in the Afternoon, to enter into any House, Building, or other Premises supplied with Water by the said Commissioners, in order to inspect and examine if there be any Waste, undue Diversion, or improper Appropriation of the Water so supplied by the said Commissioners; and if such Commissioners, or Engineer, or other Person, acting by or under the Authority of the said Commissioners, shall at any Time or Times, between the Hours of Ten in the Forenoon and Four in the Afternoon, be refused Admittance or Entrance into any such Dwelling-House, Building, or other Premises for the Purpose of making any such Inspection and Examination, as aforesaid, or on being admitted shall be obstructed in or prevented from making such Inspection and Examination, then and in every such Case it shall and may be lawful to and for the said Commissioners to cut and turn off or cause to be cut and turned off the Water supplied by the said Commissioners from such House, Building, or other Premises.

Repair of Pipes.

XXII. And be it further enacted, That when any Breach or Breaches shall happen or take place in any of the Pipes, which now are or which hereafter shall be laid to convey Water from the Main or Service Pipe of the said Society into any House or other Place in the Town of *Belfast*, it shall and may be lawful for the said Commissioners to cause such Pipe or Pipes to be repaired, and the Expence of such Repair, as well as the opening or repairing the Street, or the Flagging or Pavement thereof, shall be borne and paid by the Occupier of the said House or Place, and in case such Occupier shall neglect or refuse to pay such Expences within Six Days next after Demand shall be made thereof by the said Commissioners, or their Agent by Notice in Writing, left at or upon such House or Place, or in some conspicuous Spot near to the same, then and in every such Case, the Amount of such Expences shall and may be recovered in the Manner directed and provided by this Act for the Recovery of the Water Rent.

Cisterns to be provided.

XXIII. And to prevent as much as possible the wilful and negligent Waste of Water, be it enacted, That each and every Person supplied with Water by the said Commissioners 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 such Commissioners or their Agent deemed sufficient for his, her, or their

their Consumption, and he, she, and they are and is 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 or Service Pipe belonging to the said Society 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 supplied with Water by the said Commissioners 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, it shall and may be lawful to and for the said Commissioners, or any Person or Persons acting by virtue of or under Authority of the Commissioners, to cut and turn off the Water by such Ways and Means as to him or them shall seem right or proper, from the House, Building, or other Premises, of every such Person, until such Cistern or Cisterns shall be provided, and such Ball or Stop Cock added in manner aforesaid.

XXIV. And it is hereby further enacted, That the said Commissioners shall, at the Expence of the Occupiers of every House, Building, or other Place supplied or directed to be supplied with Water under the Provisions of the present Act, keep in proper Repair, State, or Condition, the leaden Branch by which the Water shall be conveyed to the same; and in case any such Occupier shall neglect or refuse to pay such Expences, within Six Days next after Demand shall be made thereof by the said Commissioners, or their Agent, by Notice in Writing left at or upon such House or Place, or in some conspicuous Spot near to the same; then and in every such Case the Amount of such Expences shall and may be recovered in the Manner directed and provided by this Act for the Recovery of the Water Rents.

Repair of
Branches to
Houses.

XXV. And be it further enacted, That if any Person shall throw any Ballast, Gravel, Stones, or Rubbish into any Part of the said Waterworks, Reservoirs, Aqueducts, Trenches, Water-courses, or Feeders, already made by the said Society, or to be made by virtue of this Act, or shall wantonly or unnecessarily open or cause to be opened any Lock, Gate, Paddle, Valve, or Clough, belonging to the said Waterworks; or shall snare, angle, or take any Fish out of the same, or wash or bathe therein, or if any Person or Persons shall wilfully flush, or draw off, or cause to be flushed or drawn off, the Water from any Part of the said Waterworks, or shall leave any of the said Valves or Cloughs open and running belonging to the same, or shall draw, or cause to be drawn, any Paddle, Valve, or Clough, in any of the Locks, Stop, or Clew Gates, on the said Waterwork, so as to mis-spend or waste the Water thereof, its Course, or Feeders, or shall wilfully obstruct, hinder, or prevent any Person acting in the Execution of this Act, every Person offending in any of the Cases aforesaid shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Penalty on
Persons
opening the
Locks or
doing other
Damage to
the Water-
works.

XXVI. And be it further enacted, That if any Person or Persons shall knowingly, wilfully, or maliciously, break, throw down, damage, or destroy any Banks or other Works erected, made, or maintained according to the Provisions of the said recited Acts, or either of them, or

Punishment
on destroying
Works.

to

to be made or maintained under the Provisions of this Act, then and in every such Case such Person or Persons shall be adjudged guilty of Felony, and the Court by and before whom such Person or Persons shall be tried and convicted, shall have Power and Authority to cause such Person or Persons to be transported for the Term of Seven Years, or in Mitigation of such Punishment, such Court may award such Sentence as the Law directs in Cases of Petit Larceny.

Powers to the Commissioners to make Agreements, &c.

XXVII. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Commissioners to be appointed under this Act from Time to Time, as occasion may require, to make any Agreement or Agreements with all Brewers, Malsters, Distillers, Sugar-Bakers, Tanners, Skinners, Dyers, Butchers and Slaughterers, Innkeepers, or any other Description of Persons who have an extraordinary Consumption of Water, for a sufficient Quantity, according to their respective Consumptions, provided the Sum to be paid, or agreed to be paid, by any Person or Persons, for his or their Supply, shall not exceed the Sum of One hundred Pounds Sterling by the Year.

Commissioners to pay the Applotters 25l. annually.

XXVIII. And be it further enacted, That the said Commissioners shall, and they are hereby required to pay to the Applotters, to be appointed by virtue of this Act, at the Time they shall return the annual Applotment as directed by this Act, the Sum of Twenty-five Pounds Sterling, to be applied to the Payment of a Clerk, or in any other Manner the Majority, or any Five or more of the said Applotters, may think fit.

Payment to Belfast Charitable Society.

XXIX. And be it enacted, That the Commissioners to be appointed under this Act shall pay to the President and Assistants of the *Belfast* Charitable Society, to be expended in the Support and Maintenance of the Poor in the Poor-House and Infirmary of the said Town annually, for the Term of Five Years, to commence and be computed from the First Day of *May* One thousand eight hundred and seventeen, the Sum of Five hundred Pounds; and after the said Term of Five Years shall have expired, the said Commissioners are hereby authorized and required to pay to the said President and Assistants for the Purposes aforesaid annually, during the Continuance of their present Leases of Spring Water, and also during the Continuance of all and every Renewal or Renewals which may be had or gotten thereof, the Sum of Seven hundred and fifty Pounds, or such other Sum, being greater than Seven hundred and fifty Pounds, as the Inhabitants of *Belfast* at the annual Meetings to be held for the Appointment of Applotters, and for fixing the Rates of Applotment, shall direct and determine.

Powers to the Commissioners.

XXX. And be it further enacted, That the several Rates of Applotment directed to be made and levied under this Act shall be paid yearly, or half yearly, in advance; the first and every future Rate of Applotment to commence from the Time when the last Applotment under the said recited Act and this Act ended, and not otherwise; and if any Person or Persons shall refuse or neglect to pay the Sum or Sums applotted on him, her, or them respectively by virtue of this Act, either yearly or half yearly, as the same shall be required, or shall refuse or neglect to pay the Sum or Sums he, she, or they shall have agreed to pay to the said Commissioners for the extraordinary Supply of Water which they shall require for their respective

respective Consumptions, for Twenty-one Days after personal Demand thereof made by any Collector, or Person appointed to receive the same, or after Demand in Writing left by such Collector or Person at the Place of abode, or at any other Place in the Occupation of the Person or Persons liable to pay such Sum or Sums, it shall and may be lawful for the said Collector or Person so appointed, by Warrant under the Hand and Seal of the Sovereign, or other Magistrate, resident in the said Town, which Warrant the said Sovereign, or other Magistrate, is hereby authorized and required to grant in the Presence and with the Assistance of a Constable, or Peace Officer, to enter into the House or Houses, Yard, Ground, or Premises within the said Town, occupied by such Person or Persons so chargeable with such Sum or Sums of Money, and to distrain his and their Goods and Chattels; and if such Sum, together with the Costs of such Distress, and of keeping the same, shall not be paid within Ten Days after such Distress taken, then to sell so much and such Part of such Distress as shall be sufficient to pay the said Sum or Sums, with all Costs attending such Distress, Detention, and Sale, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels so distrained and sold; and in case any Replevin shall be brought for the Goods and Chattels so distrained, the said Sovereign or other Magistrate resident in the said Town, is hereby empowered and required to issue a Summons in Writing to all Parties concerned, and to hear and determine the Matter in dispute, whether the same shall depend upon a Claim of Property by a Stranger or otherwise, in a summary Way by examining Parties and Witnesses on Oath, which the Sovereign, or other Magistrate, is hereby empowered to do, and to award Return of Goods so distrained, or a Sale thereof, for Payment of the said Sum or Sums appointed on or agreed to be paid by the said Person or Persons, unless such Distress be forthwith redeemed; and the Determination of the said Sovereign, or other Magistrate, shall be final and conclusive to all Parties.

XXXI. And be it further enacted, That the said Commissioners shall, and they are hereby required, upon the carrying into and laying down any Main Pipe in any Square, Street, Passage, or Place, for the supplying the same with Water, to fix and place, or cause to be fixed and placed, at the Time of laying down such Main Pipe, one or more proper and sufficient Fire Plug or Fire Plugs in each Square, Street, Passage, or Place supplied with Water from such Main or Mains, for the Supply of Water for the extinguishing of Fires; and when and so soon as any such Fire Plugs shall be finished, the said Commissioners shall immediately deliver a Key or Keys of such Fire Plug or Fire Plugs at each and every House or Place in the Parish in which such Fire Plug shall be, wherein any Engine shall be kept for the extinguishing of Fires.

Requiring the Commissioners to make Fire Plugs in every Street, &c.

XXXII. Provided always, and be it further enacted, That no Water Pipes belonging to the said Society shall be laid down at a less Depth under Ground than Sixteen Inches under the Pavement in any of the said Streets or Places within the said Town.

Directing how Pipes shall be laid down.

XXXIII. And be it further enacted, That the said Commissioners shall, within Three Years from the passing of this Act, lay down a Metal Main to join to and be continued from the present Metal Main, terminating opposite

Mains to be laid in certain Places, and to be kept

[Local.]

16 K

full of water during the Night.

posite the *Bank Buildings*, in *Castle Street*, in the said Town of *Belfast*; and that the Metal Main so laid down shall be continued and carried through *Castle Street* and *High Street* to *Bridge Street*, and thence conducted through *Bridge Street* and along *Waring Street* to the Foot of *Donegal Street*, and thence to *York Street*; and that the said Metal Main shall always be charged with Water during the Night, to be used in case of Accidents by Fire, and that a Fire Plug shall be fixed to the said Metal Main, and the Pipes already laid or hereafter to be laid wherever it shall be judged necessary by the said Commissioners.

Requiring Commissioners to deliver Keys of Pipes, &c. to certain Officers.

XXXIV. And be it further enacted, That in case any Company for Insurance from Fire, which shall be established in the said Town, or any of the Inhabitants of the said Town shall be desirous of and shall apply to the said Commissioners for a Key or Keys of the Mains, Plugs, or Services belonging to the said Waterworks, in order that such Key or Keys may be kept by the said Company or Companies so applying, or the Fireman or other their Officers or Servants, or in some proper Place to be agreed upon at a Vestry of the Inhabitants of the said Town, to the End that thereby, in cases of Fire, the Supply of Water from the said Works may be more easily and readily obtained, the said Commissioners shall be bound and obliged to furnish such Key or Keys to such Company or Companies, or Persons so applying, in order to their being so kept; and in case the said Commissioners shall refuse such Key or Keys to any Company or Persons so applying, they shall forfeit to such Company or Persons to whom such Refusal shall be made the Sum of Fifty Pounds, which Penalty shall and may from Time to Time be recovered by Action, Plaint, or Suit in any Court in *Dublin*.

Applotters to be appointed.

XXXV. And be it further enacted, That such of the Inhabitants of the Town of *Belfast*, or the Precincts thereof, as shall be assessed for Water under the said recited Act, in the Sum of Twenty Shillings or upwards, shall assemble at a Vestry to be called by the Vicar of the said Parish of *Belfast*, or in case of his Absence by the Curate thereof, in the usual Manner of calling Vestries; which Vestries the said Vicar or Curate are hereby required to call upon the Third *Tuesday* after the passing of this Act, or within Eight Days after, between the Hours of Ten in the Morning and Two in the Afternoon, and shall at the first Vestry so to be called as aforesaid nominate and appoint by Ballot Twelve Inhabitants of the said Town, who shall each stand assessed under the said recited Act in the Sum of Twenty Shillings or upwards for Water Tax, to be Spring Water Applotters for the said Town of *Belfast*, for Three Years then next ensuing; and that on the Second *Tuesday* of the Month of *March* in every Third Year afterwards, the Inhabitants of the Town of *Belfast*, either assessed as aforesaid or under this present Act, shall assemble at a Vestry to be called as hereinbefore is mentioned, and elect and appoint Twelve Inhabitants of the said Town, qualified as aforesaid, to be Spring Water Applotters for Three Years then ensuing.

Compelling the Vicar or Curate to call the Meeting.

XXXVI. And be it further enacted, That if the Vicar, or in his Absence the Curate, so desired to call a Vestry as aforesaid, shall make Default in the Premises, the Vicar or Curate so making Default, as the Case may be, shall, for every such Offence, forfeit and pay any Sum not exceeding Fifty Pounds, which Penalty shall and may be levied by virtue of any

Warrant under the Hand and Seal of any One of the said Justices, by Distress or Sale of any of the Goods and Chattels of the Vicar or Curate so offending as aforesaid, rendering to him the Overplus after such Penalty and the Charges of such Distress and Sale shall be deducted; and every such Penalty shall go and be paid to the President and Assistants of the *Belfast* Charitable Society.

XXXVII. Provided always, That no Person holding any Place, Office, Employment, or Contract, under the said Society, shall be capable of being elected an Applotter during the Term of his Continuance in such Place, Office, Employment, or holding such Contract.

No Applotter to be concerned in any Contract, &c.

XXXVIII. Provided also, and be it further enacted, That if on any such Meeting of Vestry in the Month of *March* in every Year, no such Nomination and Appointment of such Twelve Applotters shall be made, then and in every such Case another Vestry of the Inhabitants of the said Town of *Belfast* shall be holden on the *Tuesday* following, for the Purpose of making such Election; and in case no such Nomination and Appointment shall be then made, then and in every such Case another Vestry of the Inhabitants of the said Town of *Belfast* shall be holden on the *Tuesday* following for the Purpose of making such Election; and so *toties quoties* until such Twelve Applotters shall be elected; but such Twelve Applotters shall not continue in Office, or be Spring Water Applotters, for any longer Space of Time than if they had been elected on the said Second *Tuesday* in the Month of *March* as aforesaid.

In case of no Appointment another Vestry to be called.

XXXIX. And be it further enacted, That in case any Person or Persons nominated and appointed by such Vestry as a Spring Water Applotter or Spring Water Applotters, shall die, or refuse to act in the Execution of this Act, or shall hold any Place, Office, Employment, or Contract, under the said Society, then, and in every such Case, it shall and may be lawful, to and for the Inhabitants of the said Town of *Belfast*, to nominate and appoint, at some Vestry of the said Inhabitants, to be summoned as hereinbefore is mentioned, some Person or Persons qualified, as aforesaid, to be a Spring Water Applotter or Spring Water Applotters, in the Room or Stead of the Spring Water Applotter or Spring Water Applotters so dying or refusing to act, or holding any Place, Office, Employment, or Contract, under the said Society; and every Person so nominated and appointed shall have the like Powers and Authorities, and shall be subject to the like Rules, Regulations, and Restrictions, as the Person in whose Room or Stead he shall be so nominated and appointed, and shall continue in Office as a Spring Water Applotter for such Time, and no longer, as the Spring Water Applotter in whose Room or Stead he shall be so nominated and appointed would have continued in office.

Subsequent Appointment of Applotters in the Room of those who shall die, refuse to act, or become disqualified.

XL. And be it further enacted, That if any Person who shall be appointed a Spring Water Applotter under this Act shall refuse or neglect to execute the Duties thereof, every such Person shall, for such Neglect or Refusal, forfeit and pay to the President and Assistants of the *Belfast* Charitable Society the Sum of Ten Pounds: Provided always, that no Person shall be obliged to act as a Spring Water Applotter oftener than once in every Six Years, if such Person shall decline such Appointment;

Forfeiture for not acting.

No Person obliged to act oftener than once in Six Years.

ment within the Time and in the Manner hereinafter mentioned and directed.

Information of Appointment to be given.

XLI. And be it further enacted, That every Person who shall be appointed a Spring Water Applotter under this Act, shall be informed of such Appointment, by Notice signed by the principal Clerk of the said Commissioners; such Notice to be left within Forty-eight Hours after such Appointment at the Place of Business or Residence of every Person so appointed; and which Notices respecting the Appointment of Spring Water Applotters the Persons hereinbefore mentioned are hereby required to send; and if any Person shall be appointed a Spring Water Applotter, and who shall under the Provisions of this Act claim to be exempted from acting as a Spring Water Applotter, such Person, in order to entitle him to such Exemption, shall within Forty-eight Hours after Notice shall have been left at his Place of Business or Residence, signify his Intention of declining to act as a Spring Water Applotter, by Notice in Writing left at the Dwelling-House of the Person by whom he shall have been officially informed of such Appointment, if such Person shall be resident in the said Town of *Belfast*.

The Person having the next greatest Number of Votes shall be elected.

XLII. And be it further enacted, That when any Person or Persons shall refuse or decline to act as a Spring Water Applotter under this Act, then and in every such Case the Person or Persons who shall have the next greatest Number of Votes shall be a Spring Water Applotter in the Place or Stead of such Person or Persons so refusing or declining to act.

Applotters to be sworn.

XLIII. And be it further enacted; That each of the said Applotters shall, previous to his acting as an Applotter under this Act, take and subscribe an Oath (or solemn Affirmation, if of the People called Quakers) before the Sovereign or other Magistrate resident in the said Town; which Oath or Affirmation the said Sovereign or other Magistrate is hereby empowered and required to administer in the Form following, (that is to say,)

Form of Oath.

‘ I *A. B.* do swear [or solemnly affirm] that I will according to the best of my Skill and Judgment fairly and impartially, without Favour or Affection, Malice, or Ill-will, value the different Dwelling-Houses in the Town of *Belfast*, which are situated in those Streets along which Service Pipes have been laid and supplied with Water, and applot the Sums to be paid by the Owners or Occupiers of such Houses according to the Provisions of an Act made in the Fifty-seventh Year of the Reign of His present Majesty, intituled [*Here set forth the Title of this Act.*]
‘ So help me GOD.’

And if any of the Applotters to be appointed pursuant to this Act shall neglect, omit, or refuse to take such Oath or Affirmation, or shall happen to die before the said Applotters or any Five or more of them shall have made the aforesaid Applotment, such Neglect, Refusal, Omission, or Death shall not invalidate the Applotments made or to be made by the other of the said Applotters or any Five or more of them; but in every such Case, notwithstanding such Neglect, Omission, Refusal, or Death, the Applotment made or to be made by the others of the said Applotters or any Five or more of them shall be good and valid; and all the said Applotments in Ten Days after the same shall be so made shall be returned to the Commissioners for the Time being, to be

be appointed under the Authority of this Act, in Writing signed by the Applotters thereof or any Five or more of them; and if any Person who shall be appointed an Applotter pursuant to this Act shall neglect, omit, or refuse to take upon him the said Office, or undertaking the same shall neglect or omit the Execution thereof or any Part thereof, or shall neglect, omit, or refuse to return the Applotments to be made by him or them as aforesaid, in such Manner and at such Time as hereinbefore is mentioned, or shall without reasonable Cause neglect or omit for the Space of forty-eight Hours after being summoned thereto in Writing signed by the Sovereign or other Magistrate resident in the said Town, to appear before the said Sovereign or other Magistrate, and to take the Oath or Affirmation hereinbefore mentioned, or shall neglect or omit for Twenty-one Days after the Majority of the Applotters appointed pursuant to this Act shall have taken the Oath or Affirmation to make the aforesaid Applotment pursuant to this Act, then and in every such Case every Person so offending shall forfeit to the President and Assistants of the *Belfast* Charitable Society the Sum of Ten Pounds; and if it shall happen that no such Applotment as hereinbefore required shall be made by the aforesaid Applotters, or any Five or more of them, within Forty-two Days after the said Applotters shall have been appointed pursuant to this Act, then and in every such Case each and every of the said Applotters shall from the End of the said Forty-two Days forfeit to the said President and Assistants of the *Belfast* Charitable Society the further Sum of Five Shillings for every Day after the Expiration of the said Forty-two Days, until the said Applotment shall be made and returned to the said Commissioners according to the Directions of this Act.

XLIV. And be it further enacted, That the said Spring Water Applotters, or any Five or more of them, shall within Ten Days after their Appointment proceed to ascertain the Annual Value of the different Dwelling-Houses within the said Town, including in such Valuation the Coach-Houses, Stables, and other domestic Offices thereunto attached, situate in such Streets along which Service Pipes have been or shall be laid and supplied with Water, and which Houses are so situated that they may receive the Benefit of such Water, and shall applot the Sums to be paid by the Owners or Occupiers of such Houses, which shall in their Opinion be of the Annual Value of Five Pounds or upwards; and in such Applotment, the said Applotters are hereby required to specify the Value of each House, the Sum applotted thereon, the Name of the Occupier or Possessor thereof, and the Name of the Street, and the Number of the House where such Street shall be named, and such Houses shall be numbered.

Applotters
to make
Rates.

XLV. And be it further enacted, That if the Applotters to be appointed, under the Authority of this Act shall at any Time or Times, during the Space of Six Weeks next after the Second *Tuesday* of *March* in every Fifth Year as hereinbefore is mentioned, neglect or omit to value or applot the Sums to be paid for all or any of the several Dwelling-Houses liable to be charged for under this Act, or shall neglect or omit to return the Valuation and Applotment to the said Commissioners as herein directed, then and in every such Case, it shall and may be lawful for the said Commissioners, or any Three or more of them, (having first taken the Oath as is hereinbefore directed to be taken by

In case Ap-
plotters shall
neglect,
Commission-
ers may
value.

the Persons who shall act as Spring Water Applotters under this Act,) to value the Dwelling-Houses so omitted, and to applot the Sums to be paid for Water by the respective Owners or Occupiers thereof conformably to the true Intent and Meaning of this Act; and all such Valuations and Applotments shall be as valid and effectual as if the same had been made by the Applotters directed to be appointed under this Act.

Storehouses held separately from Dwellings, to be separately assessed.

XLVI. And be it enacted, That whenever the Ground Floor of the Front of any House or Premises in the said Town, shall be permanently appropriated and occupied as a Shop, Warehouse, or Office, and the Remainder of any Part of such House and Premises shall be occupied as a Dwelling-House, then, and in every such Case, the Value of such Shop, Warehouse, or Office, shall not be included in the Valuation to be made for the Purposes of this Act; but the Remainder of such House or Premises shall be valued as if the same was separate and apart from such Shop, Warehouse, or Office.

Shops, &c. to be valued separate from Houses.

XLVII. Provided always, and be it further enacted, That in all Cases where any Person or Persons shall hold, occupy, or enjoy any Shop, Storehouse, Manufactory, Provision-Yard, Timber-Yard, or other Yard, of Business or Trade whatsoever, separately and apart from his, her, or their Dwelling-House, the said Assessors or Valuers shall value and assess all such Shops, Storehouses, Manufactories, Provision-Yards, Timber-Yards, and other Yards, separately and not conjointly with such Dwelling-House.

Buildings for public Worship and Education to be exempted.

XLVIII. Provided always, and be it further enacted, That all Churches, Chapels, Meeting-Houses, Buildings, and Hereditaments in the said Town of *Belfast*, set apart and appropriated, or to be set apart and appropriated, for the Purpose of religious Worship, (but exclusive of any Messuages, Tenements, or Hereditaments occupied or used as Dwellings for the Ministers or other Persons officiating in such Places of Worship,) and all Messuages, Tenements, Buildings, and Hereditaments in the said Town set apart and appropriated, or to be set apart and appropriated, as public Charities or public Foundations for the Purpose of Education, and for the Accommodation of the Objects of such Charities or Foundations, and of the Officers and others belonging thereto; and any School-House not occupied as a Dwelling-House shall, so long as the same respectively shall continue to be occupied and used for the respective Purposes aforesaid, and for no other Purposes, be exempted from the Payment of the Rates hereby directed to be raised and levied.

Houses unoccupied for Six Months not to be rated.

XLIX. Provided also, and be it further enacted, That in case any Messuage or Dwelling-House hereby made liable to such Rate or Assessment shall be unoccupied for the Space of Six Months preceding the making of such Rate or Assessment, or upwards, the same shall not, after the Expiration of such Six Months, be charged or chargeable with any Rate or Assessment as aforesaid during the Time the same shall continue empty or unoccupied.

As to rating Houses letting Lodgings.

L. And whereas many Houses are let out in Lodgings or Tenements to divers Tenants, be it enacted, That in every such Case the Water-Tax payable out of such House, according to the Provisions of this Act, shall

shall be paid, and the said Commissioners are hereby empowered to levy the same from the Owner or Owners of such Tenements, or from the Occupier or Occupiers of any Part of such Houses or Tenements in such Manner as other Distresses and Sales are by this Act directed; and such Occupier or Occupiers of such Tenements, being Parts of Houses, are hereby authorized and required to pay such Sums as hereinbefore mentioned to be apportioned on such Tenement in pursuance of this Act, and to deduct the same out of the Rent of his or their Holdings; and the Owners or Proprietors are required to allow such Deductions and Payments upon the Receipt of the Residue of the Rent, and all such Tenants paying such Water-Tax shall be acquitted and discharged for so much as such Tax amounts to, as if the same was actually paid to such Persons to whom the Rents of their Holdings should have been due and payable: Provided always, that no such Occupier or Occupiers shall at any Time be subject or liable to pay any greater Sum for or towards the Discharge of the said Water-Tax than the Amount of the Rent due by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners of the Premises so occupied by him, her, or them respectively.

LI. Provided always, and be it enacted, That the annual Sums to be paid for Water by the respective Owners or Occupiers of any Dwelling-houses within the said Town of *Belfast*, shall not in any Case exceed the Rates and Sums following; that is to say, Rates.

If such Dwelling-houses are of the annual Value of Five Pounds, and not amounting to Ten Pounds, Sixpence in the Pound:

If of the Value of Ten Pounds, and not amounting to Twenty Pounds, Ninepence in the Pound:

If of the Value of Twenty Pounds or upwards, One Shilling in the Pound.

LII. Provided always, and be it enacted, That no Owner or Occupier of any House within the said Town shall be apportioned or liable to pay any greater Sum for Water in any One Year than Five Pounds Sterling, unless such Owner or Occupier shall require extraordinary Accommodation, in which Case such Owner or Occupier shall pay such Sum as shall be agreed upon between him and the said Commissioners: Provided also, that no Person who shall be the Owner or Occupier of any Dwelling-house in the said Town, under the yearly Value of Five Pounds, shall be charged with or liable to pay any Rate or Rates for Water on account of such House. No greater Rate than 5l. except, &c.

LIII. And be it further enacted, That no Tenant, Occupier, or Owner of any Dwelling-house in the said Town shall be liable to or shall pay any Rent or Sum for Water, unless a Service Pipe shall have been laid in or along the Street, Lane, Quay, or Passage in which such Dwelling-house is situated; and that such Tenant, Occupier, or Owner can or may be supplied with Water, if she, he, or they shall think fit; but such Tenant, Occupier, or Owner shall nevertheless provide and lay down at his, her, or their own Expence a Pipe to convey such Water from the Service Pipe to such Dwelling-house, the Bore and Thickness, or Dimensions, of which Pipe shall be determined by the Commissioners to be appointed under this Act. No Person to be rated unless a Service Pipe be laid in the Street, &c. in which such Dwelling-house shall be situate.

LIV. And

How Rates shall be apportioned on Change of Occupations.

LIV. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any House or Premises, the Tenant or Occupier whereof shall be applotted for or liable to pay Water-Tax under the Authority of this Act, every Person so removing from or quitting such House shall be liable to pay such Tax, in Proportion to the Time that such Person or Persons occupied the same respectively, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any House or Premises liable to pay Water-Tax as aforesaid, out of or from which any other Person or Persons shall have removed, or which at the Time of making such Applotment was empty or unoccupied, the Person or Persons coming in or occupying the same shall be liable to pay the Amount of such Applotment, although his, her, or their Name may not be inserted in such Applotment, in proportion to the Time that such Person or Persons shall occupy the same respectively, in like Manner as if the Name of such Person or Persons had been originally inserted in the said Applotment, which said Proportion, in case of Dispute, shall be settled and ascertained by all the Commissioners to be appointed under the Authority of this Act.

Mode of Payment for extraordinary Supply of Water to Inhabitants,

LV. And be it further enacted, That it shall be lawful for the said Commissioners to agree to allow to any Inhabitant of the said Town of *Belfast* an extraordinary Supply of Water; and if the said Commissioners and the Person requiring the said extraordinary Supply of Water shall not agree as to the Sum which should be paid by such Person or Persons for the same, it shall and may be lawful to and for the said Commissioners and such Person or Persons respectively to leave the Sum to be paid for such extraordinary Supply to the Arbitration and Decision of Two of the Applotters to be appointed under this Act, one to be chosen by the Commissioners and the other by such Person or Persons, with Liberty to such Applotters, in case they cannot agree, to call in a Third Applotter, and the Decision of such Applotters shall be as binding and conclusive on all Parties as if the same had been agreed on by the said Commissioners and the Person or Persons requiring such extraordinary Consumption of Water.

and to Commissioners.

LVI. And be it further enacted, That the said extraordinary Supply of Water may be allowed to any One of the said Commissioners by the other of them, and that the Sum to be paid for the same shall be fixed by Two Applotters, One of whom shall be chosen by the Commissioner requiring such extraordinary Supply, and the other of such Applotters shall be chosen by the Rest of the said Commissioners; and in case the said Applotters cannot agree, then by some Third Applotter, to be chosen by the said Two Applotters in Manner hereinbefore mentioned, and such Decision shall be binding and conclusive on all the Parties.

Appeal to Commissioners.

LVII. And be it further enacted, That in case any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Applotment which shall be made in pursuance of this Act, such Person or Persons as may apply to the said Commissioners, at any Meeting to be holden within Seven Days next after Demand of such Rate, but if no Meeting shall be holden within such Time, then at the next subsequent Meeting; and the said Commissioners are hereby authorized and empowered, if they shall

shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable.

LVIII. And be it further enacted, That the President and Assistants of the *Belfast* Charitable Society shall submit to the first Meeting of Vestry which shall be held for the Election of Spring Water Applotters under this Act, an Account of the Money expended by them from Time to Time on the Works for supplying the Town of *Belfast* with Water, and that at every succeeding Vestry, to be held as aforesaid; the Commissioners to be elected under the Authority of this Act shall submit to such Vestry a Copy of the Account which shall have been furnished as directed by this Act by the said Commissioners to the President and Assistants of the *Belfast* Charitable Society, at their Meeting in the Month of *May* preceding; and also Estimates of the probable Expence of keeping the Works in Repair, and of such new Works as they may recommend to be executed in the ensuing Year; also an Account of the Salaries of the Officers and Servants employed in the Waterworks; and the said Inhabitants so assembled are hereby empowered and required to fix and determine the Rate or Rates of Poundage to be paid by the Owners or Occupiers of the different Dwelling-houses in the Town of *Belfast* for Water, (not exceeding the Rates hereby authorized,) which Rate or Rates shall be sufficient to raise a Sum adequate to the Expence of keeping the Works in Repair, to the Execution of such new Works as may by them be deemed right to execute in the ensuing Year, and to the Payment of the Salaries of the different Officers and Servants employed by the said Commissioners, and also to the Payment of the Annuity hereinbefore directed to be paid to the President and Assistants of the *Belfast* Charitable Society, and to such increase of the said Annuity as they may deem it right to make, and which they are hereby authorized to make.

The President and Assistants shall submit an Account, &c. to the first Meeting of the Vestry to be held for the Election of Applotters.

LIX. And be it further enacted, That it shall and may be lawful for any one or more Justice or Justices of the Peace resident in the Town of *Belfast*, and he or they is and are hereby required to hear and determine any of the Offences not herein directed to be otherwise heard, which are made subject to and punishable by any pecuniary Penalties directed by this Act; and upon any Information or Complaint, (which shall in all Cases be made within Thirty Days next after the Offence committed,) exhibited before him or them, to issue a Summons for the Party accused to appear before him, or them, or the Justices at any Quarter Sessions of the Peace for the County of *Antrim*, at such Time and Place as shall be therein appointed, and upon Appearance or Contempt of the Party accused in not appearing according to such Summons, it shall and may be lawful to and for such Justice or Justices, upon due Proof of such Summons having been either personally served on the Party or Parties, or left at his, her, or their last and most usual Place of Residence, to proceed to the Examination of any Witness or Witnesses upon Oath, (which Oath such Justice or Justices is and are hereby empowered and required to administer,) and to hear the Circumstances of the Case, and thereupon, or upon Confession of the Party, to give and sign such Conviction and Judgment for the Forfeiture and Payment of such Penalty, or to acquit the Party accused, for want of due Proof of the Offence, as shall be just and conformable to the Tenor and true Meaning of this Act; and when the Party or Parties so accused shall be convicted, upon or by Reason

Power to the Justices to determine, &c.

[Local.]

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son of any such Complaint or Information, then the Penalty of Forfeiture wherein he, she, or they, shall be so severally convicted, and all and every the Penalties and Forfeitures, and all Fines by and under this Act incurred and imposed, (the Manner of Recovery and levying whereof is not otherwise hereby particularly described), shall and may, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any One or more such Justice or Justices, (which he or they are hereby empowered and required to grant,) be levied and recovered, with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Offender's Goods and Chattels, wherever such Goods and Chattels can be found, rendering the Overplus of such Distress (if any be) to the Party or Parties whose Goods and Chattels shall be so distrained; and in case sufficient Distress cannot be found, it shall and may be lawful to and for such Justice or Justices, and he and they are hereby required and empowered, by Warrant under his Hand and Seal, or under their Hands and Seals, to commit such Offender or Offenders to the common Gaol or House of Correction, there to be and remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless he, she, or they, shall have sooner paid such Penalty and Forfeiture, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or have paid such Composition for the same, as the said Commissioners, to be appointed under this Act, shall have agreed to make, and which Composition they are hereby empowered to make, and shall otherwise be delivered by due Course of Law; and all and every the Penalties, Fines, and Forfeitures, which shall be imposed or recovered by virtue of this Act, and which are not herein directed to be otherwise wholly applied, shall be applied immediately from and after the Imposition, Recovery, and Payment thereof respectively, as follows: that is to say, One Moiety thereof to the Informer, (which Informer shall be deemed a competent Witness,) and the other Moiety thereof to be paid to the Treasurer, for the Time being of the President and Assistants of the *Belfast* Charitable Society, to and for the Uses and Purposes of the said Society; and in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning the Execution of this Act, no Person shall be disqualified from giving Evidence, by reason of his or her being charged with and being liable to any Rate or Assessment under this Act.

Prosecutions
for Penalties
limited.

LX. And be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, unless some Proceedings or Notice of some Proceeding shall be had or given according to the Direction of this Act, respecting such Offence or Offences, within Six Calendar Months next after such Offence committed.

Distress not
unlawful for
want of Form.

LXI. 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 this Act, or the said recited Act of the Fortieth Year of the Reign of His present Majesty, no Replevin shall issue for such Distress, nor shall the Distress itself be deemed unlawful, nor 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

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 afterwards be done by the Party or Parties so distrained; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action on the Case.

LXII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Actions for Irregularity, or for any Trespass or other wrongful Proceeding, done or committed by any Person or Persons touching or concerning the Execution of any of the Powers or Directions contained in the said recited Act, of the Fortieth Year of the Reign of His present Majesty, and this Act or either of them, unless Notice in Writing shall be given to the Clerk of the said Commissioners 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 such Action if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall be lawful 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 Proceeding, Order, and Judgment shall be made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Actions not to be brought till Notice, and not after Tender of Amendment.

LXIII. And be it further enacted, That no Order, Verdict, Assessments, Judgment, or other Proceeding made, touching, or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, or the said recited Act of the Fortieth Year of the Reign of His present Majesty, shall be quashed or vacated for want of Form only, or be removed or removable by *Certiorari*, or other Writ or Proceeding whatsoever, into any of His Majesty's Courts of Record at *Dublin*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings not to be quashed for want of Form.

LXIV. And be it further enacted, That the said Sovereign, and all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Words, or in any other Form of Words to the same Effect; (that is to say,)

Form of Conviction.

BE it remembered that on this Day of
A. B. is duly convicted before me (*or, us*)
of His Majesty's Justices of the Peace for
of having [*here state the Offence against this Act, as the Case may be*]
contrary to the Form of the Statute in that Case made and provided,
and I (*or, we, as the Case may be*) do declare and adjudge that the said
A. B. hath forfeited for his (*or, her, as*
the Case may be) said Offence the Sum of
Given under my Hand and Seal [*or, our Hands and Seals, as the*
Case may be] the Day and Year first above written.

LXV. Pro-

Power of
Appeal.

LXV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate, Assessment, or Assessments, or by any Bye Law, Rule, or Order made in pursuance of this Act, or any other Matter or Thing done, or directed to be done, or omitted to be done, in pursuance of the said recited Act of the Fortieth Year of the Reign of His present Majesty, or of this Act, (except such Determinations, Acts, or Proceedings of the said Commissioners as are by the said last recited Act or this Act directed to be final,) such Person or Persons may appeal to the General or Quarter Sessions of the Peace, to be held for the County or Place where the Cause of Appeal shall have arisen, within Six Calendar Months next after such Cause of Complaint shall arise, or such Determination of the said Commissioners shall be made, such Appellant first giving or causing to be given Twenty-one Days' Notice at the least in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Clerks of the said Commissioners, or to the other Party or Parties concerned on such Appeal, or leaving such Notice for him, her, or them, at his, her, or their last or usual Place or Places of Abode, and within Three Days after such Notice entering into a Recognizance before One of His Majesty's Justices of the Peace for the County or Place where the Cause of Appeals shall have arisen, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such Quarter or General Sessions, and the said Justices at such Quarter or General Sessions of the Peace for the County or Place where the Cause of Appeal shall have arisen, upon due Proof of such Notice having been given as aforesaid, and of entering into such Recognizance, shall hear and determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as they the said Justices shall think proper, and the Determination of such Justices shall be binding and conclusive upon all Parties.

Limitations
of Actions.

LXVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, or the said last recited Act, after Three Calendar Months next, after the Fact committed, and every such Action or Suit shall be brought and tried in the County where the Cause of Action have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his or their Election, plead specially or the general Issue, and give this Act and the said last recited Act, and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act or the said last recited Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall receive treble Costs, and have such Remedy for the same as any Defendant or Defendants hath in either Cases by Law.

LXVII. And

LXVII. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever, relating to or concerning this Act or the said last recited Act, none of the said Commissioners, nor any Inhabitant within the said Town or Precincts thereof, shall be deemed incompetent to give Evidence by reason of his or her being charged with and liable to pay and paying any Rate or Assessment by virtue of this Act.

Commissioners and Inhabitants not incompetent Witnesses.

LXVIII. And whereas it is, by the said Act of the Thirteenth and Fourteenth Years of the Reign of His present Majesty, enacted, that the said President and Assistants of the *Belfast* Charitable Society should and might purchase, take, or receive any Manors, Lands, Tenements, Annuities, or Hereditaments in Possession, Reversion, or Contingency, not exceeding One thousand Pounds a Year in the Whole; and whereas it will tend to the carrying the beneficial Objects of the said Society into Execution, if the said Power was extended; be it therefore enacted, That it shall and may be lawful for the said President and Assistants, without Licence in Mortmain, to purchase, take, or receive any Manors, Lands, Tenements, Annuities, or Hereditaments in Possession, Reversion, or Contingency, not exceeding the Value of Two thousand five hundred Pounds a Year in the Whole, under and subject to the Rules, Regulations, Powers, and Provisions contained in the said last-recited Act.

Power to purchase Lands.

LXIX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to repeal, alter, abridge, or defeat all or any of the Articles, Clauses, Provisions, Powers, and Authorities, in the said recited Acts contained, which are not hereby varied, altered, or repealed, and which are not inconsistent with the Provisions intended to be hereby made; and that the said President and Assistants of the *Belfast* Charitable Society shall have full Power and Authority to act in all and every the other Matters in the said recited Acts contained not hereby expressly repealed.

This Act not to affect such of the Powers of the former Acts as are not altered or repealed.

LXX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat, abridge, derogate from, prejudice, or interfere with, in any Manner whatsoever, the Rights, Interests, Privileges, Franchises, or Authorities of *George Augustus*, Marquis of *Donegall*, the Lord of the Manor of *Belfast*, or the Lord or Lords of the said Manor for the Time being, or the Powers and Authorities vested in and heretofore exercised by the Courts Leet and Courts Baron within the said Manor, or Dues, or Custom of Right, payable to the Lord or Lords of the said Manor, or his or their Deputy or Deputies for the Time being; nor shall the same be construed to extend, defeat, prejudice, or interfere with the Rights or Authorities of the Sovereign of the Corporation of the said Borough of *Belfast*, but that the same and all and every Part thereof shall be enjoyed and exercised by the said Lord and Lords of the said Manor, and his and their Deputy and Deputies, and also by the said Sovereign in as full, ample, and beneficial a Manner as at the Time of passing this Act the same and every Part thereof were enjoyed and exercised.

This Act not to affect certain Privileges.

LXXI. And be it further enacted, That the Costs and Charges of obtaining this Act, and the soliciting thereof, and all other Charges and Expences

Expences of the Act.

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relating thereto, with legal Interest for the Money advanced by any Person or Persons for that Purpose, shall be paid by the said Commissioners, or any Three or more of them, to the Person or Persons entitled thereto, out of the Money already raised by virtue of the said recited Act of the Fortieth Year of the Reign of His said Majesty, or out of the first Monies which shall be raised by virtue of the said Act, and this Act, or either of them.

Public Act.

LXXII. 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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