ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. xlii.

An Act for rendering more efficient the *Dublin* Consumers Gas Company. [21st *June* 1847.]

WHEREAS by a Deed of Settlement dated the Eleventh Day of *August* One thousand eight hundred and forty-five several Persons established themselves into a Company under the Name and Title of "The *Dublin* Consumers Gas Company," for the Purpose of manufacturing and supplying the Borough of *Dublin* and the Suburbs thereof, and other Places in *Ireland*, with Gaslight, and the said Company has been completely registered under and according to the Provisions of the Act of Parliament passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Registration, Incorporation, and Regulation of Joint Stock Companies:* And whereas it is expedient and would be highly advantageous to the Inhabitants of the said Borough and Suburbs if the Powers of the said Company were amended and enlarged, for the Purpose of enabling the said Company more effectually to supply and light with Gas other Parts and Places in and within the said Borough and its Suburbs not at present supplied by said Company: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parlia-

7 & 8 Vict. c. 110.

8 & 9 Vict. cc. 16. and 18. and 10 & 11 Vict. c. 15. incorporated with this Act.

ment assembled, and by the Authority of the same, That the several Acts of Parliament following, (that is to say,) the Companies Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Act, 1845, and the Gas Works Clauses Act, 1847, shall (save as hereafter excepted, and save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act,) be incorporated with and form Part of this Act, and shall be construed herewith as forming One Act, and shall be applicable to the Undertaking and Works hereby authorized to be carried on.

Powers of compulsory Purchase of Land limited.

II. Provided always, and be it enacted, That nothing in the said Lands Clauses Consolidation Act or in this Act contained shall authorize the Company hereby incorporated to purchase, take, or use any Lands, unless with the Consent of and by Agreement with the Owners and Occupiers thereof.

Title of Act.

III. And be it enacted, That from and after the passing of this Act the Name and Style of the Company shall be the Alliance and *Dublin* Consumers Gas Company; and in citing this Act in other Actsof Parliament, or in any legal Instruments, it shall suffice to use the Expression the Alliance and *Dublin* Consumers Gas Act, 1847.

Extension of Powers conferred by Joint Stock Companies Registration Act.

IV. And be it enacted, That the Powers and Privileges conferred upon the Company by the complete Registration thereof, pursuant to the Provisions of the said recited Act for the Registration, Incorporation, and Regulation of Joint Stock Companies, and the said Deed herein-before recited, shall be and the same are hereby extended to and incorporated with this Act: Provided always, that it shall be lawful for the Company, at any General Meeting specially convened for the Purpose, to amend, alter, or repeal any of the said Powers or Privileges, so far as the same might have been lawfully amended, altered, or repealed before the passing of this Act.

Purposes of the Company.

V. And be it enacted, That the Company shall be continued and maintained for the Purpose of manufacturing Gas, and for providing Gasometers, and all Apparatus, Machinery, and Buildings necessary for that Purpose, and for lighting with Gas the several Streets, Roads, Lanes, public Passages, and Churches, Chapels, Places, and Buildings, and also the several Shops, Taverns, private Houses, Warehouses, and other Buildings within the Limits of this Act, and also for selling and disposing of Coke, Tar, Ammoniacal Liquor, and of every Produce, Refuse, or Residuum arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the said Company may think proper.

Incorporation of the Company.

VI. And be it enacted, That every Person who at the passing of this Act shall be possessed, under the Provisions of the herein-before recited Deed, and all other the Deeds of the said Company, or either of them, of any Share in the said Company, and all other Persons who now are Proprietors of Shares in the said Undertaking and Company, and all such Persons as shall hereafter become Proprietors of Shares in the said Company, and their respective Executors, Administrators, and Assigns, shall from and after the passing of this Act be

united into and form a Company for the Purposes herein mentioned, and for such Purposes shall continue to be incorporated by the Name of "The Alliance and *Dublin* Consumers Gas Company," and by that Name shall continue to be a Body Corporate, with perpetual Succession and a Common Seal, and shall continue to have Power from Time to Time to purchase or take or lease and hold Lands, Tenements, Hereditaments, and Premises, within and subject to the Restrictions herein contained, for the Purposes of the said Company or Undertaking.

Capital of the Company.

VII. And be it enacted, That One hundred and ninety thousand Pounds shall be the Capital of the said Company.

Amount and Number of Shares.

VIII. And be it enacted, That the said Capital shall be divided into Nineteen thousand Shares, each of the Amount of Ten Pounds.

Half-yearly General Meetings.

IX. And be it enacted, That Meetings of the Shareholders of the Company shall be held in the Months of *March* and *September* in every Year in the City of *Dublin*, at the Office of the Company, or at such other convenient Place as the Directors shall appoint; and that the First Meeting shall be held in the Month of *March* immediately succeeding the passing of this Act.

Votes of Shareholders.

X. And be it enacted, That at every Ballot every qualified Proprietor holding One Share and less than Ten Shares shall be entitled to One Vote, and holding Ten Shares and less than Twenty Shares shall be entitled to Two Votes, and holding Twenty Shares and less than Forty shall be entitled to Four Votes, and holding upwards of Forty Shares shall be entitled to One additional Vote for every additional Twenty Shares.

Proxies.

XI. And be it enacted, That no Vote or Act by Proxy shall be admitted at any Meeting of the Company unless the Instrument appointing such Proxy shall have been left with the Secretary of the Company Three clear Days before the holding of the Meeting at which such Proxy is to be used; and that no One Person shall be at liberty to hold or exercise more than Five Proxies at any One Meeting or any Adjournment thereof.

First Directors named in the Act.

XII. And be it enacted, That *Timothy O'Brien*, Member of Parliament, *Patrick M'Owen*, *William Ford*, *John Keshan*, *Denis Moylan*, *Thomas Michael Gresham*, *Charles Patrick Gavin*, *Peter Brophy*, *James Brophy*, *Luke Butler*, and *William Fry* shall continue to be the Directors of the Company until the General Meeting of the said Company to be held in the Month of *March* One thousand eight hundred and forty-eight.

Board of Directors.

XIII. And be it enacted, That from and after the said last-mentioned General Meeting to be held in the Month of *March* in the Year 1848 it shall be lawful for the Company, by the Vote of any General Meeting of the Company, to increase or reduce the said Number of Directors, provided that the Number do not at any Time exceed Eleven or be less than Seven.

XIV. And

Meeting of Directors, and Quorum.

XIV. And be it enacted, That the said Directors shall meet once in every Week for the Despatch of Business, and as often and at such Time as they may from Time to Time appoint, at such Place within the City of *Dublin* as may be by them appointed; and Three or more Members of the said Board of Directors shall constitute a Quorum.

Qualification of Directors.

XV. And be it enacted, That every Person desirous of being elected a Director of the Company shall give Notice in Writing of his Intention to become a Candidate, and shall leave such Notice at the Office of the Company Fourteen Days previously to the Day of Election; and that no Person shall be qualified to be a Director unless he shall at the Period of Election have been possessed of Fifty Shares at the least in the Capital of the Company at least Three Months before the Day of such Election.

Remuneration of Directors, &c.

XVI. And be it enacted, That the Remuneration of the Directors and Secretary and also of the Auditors of the Company to be appointed under the Provisions of the Companies Clauses Consolidation Act, 1845, shall from Time to Time be fixed at a General Meeting of the Company, and be paid out of the Funds of the Company: Provided always, that the Sum to be paid to the Directors shall not exceed the Sum of Seven hundred Pounds *per Annum*, and the Sum to be paid the Secretary Two hundred and fifty Pounds *per Annum*, up to the Date of the first General Meeting of the Company in the Year 1848.

All Meetings to be in Dublin.

XVII. And be it enacted, That all General and Extraordinary Meetings of the Company and of the Directors shall be held within the City of *Dublin*.

Existing Members to remain liable to Debts.

XVIII. And be it enacted, That the several Persons composing the said Company prior to the passing of this Act shall severally and respectively continue and remain bound to and liable for all just Debts and Demands against and for the due Performance of all Covenants and Agreements entered into by the said Company before the passing of this Act, in such Manner and to such Extent only as they would have been liable had this Act not been passed.

Power to borrow Money on Mortgage.

XIX. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums of Money not exceeding in the whole the Sum of Fifty thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the aforesaid Capital shall have been subscribed, and One Half thereof shall have been paid up.

Evidence of borrowing.

XX. And be it enacted, That a Copy of the Order of a General Meeting of the Company authorizing the borrowing of any Money, certified by the Signatures of Three of the Directors and the Secretary to be a true Copy, shall be sufficient Evidence of the Order for borrowing the Money having been made, and of the Rate of Interest to be paid for the same.

Vesting of present Gas Works in Company.

XXI. And be it enacted, That all the Erections, Buildings, and Lands, and all other Property, Stock, Effects, and every Species of Estate

Estate whatsoever, heretofore purchased by or conveyed to the *Dublin* Consumers Gas Company, or any Trustee or Trustees in their Behalf, from the Alliance Gas Company, for the Purpose of the Undertaking and Works hereby authorized, shall be and the same are (subject to all existing Charges and Liabilities thereon) hereby vested in the Company continued by virtue of this Act.

Power to purchase Land.

XXII. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Company to agree with the Owners of any Lands which they may think requisite or proper for the Purpose of the said Undertaking, for the absolute Purchase, for a Consideration of Money, of any such Lands, or such Parts thereof as they shall think proper, not exceeding in the whole Ten Statute Acres, and of all subsisting Leases therein, and of all Rent-charges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all other Estates or Interests in such Lands, of what Kind soever.

Company may construct Gas Works.

XXIII. And be it enacted, That it shall be lawful for the Company, subject to the Restrictions herein contained, from Time to Time to continue, make, construct, lay down, maintain, alter, or discontinue such Pipes, and to construct such Retorts, Gasometers, Receivers, and Buildings, Cisterns, Engines, Machines, and other Apparatus, Cuts, Drains, Sewers, Watercourses, Reservoirs, Machinery, and other Works, and also such Houses and Buildings, upon the Lands now held or hereby authorized to be held and purchased by the Company, and to do all other Acts necessary and convenient, as they shall think proper, for supplying the Inhabitants within the Limits of this Act with Gas, and also to sell, dispose of, or manufacture the Refuse of any such Gas.

Penalty for interrupting Company's Workmen

XXIV. And be it enacted, That if any Person shall wantonly, improperly, or maliciously hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing and performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption, to be recovered as provided by the said Gasworks Clauses Act.

Contracts. &c. prior to Act to be binding.

XXV. And be it enacted, That all Mortgages, Deeds, Surrenders, Assignments, Securities, Bonds, Covenants, Contracts, and Agreements entered into or made before the passing of this Act by the Company relating to the Undertaking, or by the Directors, Trustees, or Committee, or by any Persons acting on their Behalf, and now in force, shall be as binding upon the Company hereby incorporated as if the same had been effectually entered into or made by the Company after the passing of this Act; and all Persons whosoever who at the Time of the passing of this Act shall be Parties to any Mortgages, Surrenders, Assignments, Securities, Bonds, Covenants, Contracts, or Agreements entered into or made with or to any of the Members of the Company relating to the Undertaking, or with or to any Director,

Trustee, or Committee, or with or to any Person or Persons acting on their Behalf, and now in force, shall be answerable to the Company hereby incorporated for the full Performance thereof, as if such Mortgages, Surrenders, Assignments, Securities, Bonds, Covenants, Contracts, or Agreements respectively had been made or entered into with the Company in pursuance of this Act; and all Persons whosoever who at the Time of the passing of this Act shall stand indebted to the Company, or to any Person or Persons acting on their Behalf, on account of the said Undertaking, shall be liable for the Payment of such Debts to the Company hereby incorporated; and in case of Non-payment thereof or of any Part thereof the Company are hereby empowered to proceed for the Recovery thereof, and to recover the same, in such and the same Manner, and that the Company shall have and possess the same Remedies in respect of all such Mortgages, Surrenders, Assignments, Securities, Bonds, Covenants, Contracts, or Agreements, as are given to them by this Act in respect of the Mortgages, Bonds, Covenants, Contracts, or Agreements made and entered into with the Company in pursuance of this Act.

Fitters-up to be approved of by the Company.

XXVI. And be it enacted, That no Person shall carry, fit up, and furnish any Pipes, Cocks, Branches, Materials, or Apparatus for the Purpose of supplying Gas from the Mains and Service Pipes of the Company, or shall repair, alter, or renew any Pipe, Cock, Branch, Material, or Apparatus, or any Part thereof, or cause the same to be done, but under the Direction or Superintendence of such Person as shall have been previously approved of by the Company, and shall upon such Approval have been appointed by the Company a Fitter-up for the Purpose aforesaid; but in case the Company shall without any reasonable or proper Cause refuse or decline to appoint any Person to be a Fitter-up, it shall be lawful for the Person requiring such supplying, repairing, or Amendment to have the same done, and by some proper Person of his own Selection.

General Saving.

XXVII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been made; and that nothing in this Act contained shall have the Effect of depriving any Person or Company of any Right which he or they at present possess of lighting Streets or Houses within the Limits of this Act, or in any other Manner.

Expences of Act.

XXVIII. And be it enacted, That the Costs and Expences incurred in obtaining this Act, and all Expences incurred preparatory or relating thereto, shall be paid by the Directors out of the Funds or Property of the Company, or out of the first Money which shall be received by them or by the said Company under the Authority of this Act.

Limits of Act.

XXIX. And be it enacted, That the Limits of this Act shall be the District included within the Boundary of the *Dublin* Police District according to the Definition and Regulation of the same under the Powers of the Act passed in the First Year of Her present Majesty, for regulating the Metropolitan Police Force of *Dublin*.

Company bound to supply public Lights.

XXX. And be it enacted, That the Company hereby incorporated shall be and they are hereby required to light the public Lamps of the City of *Dublin*, upon a Requisition to that Effect made by and from the Commissioners for paving and lighting the City of *Dublin* for the Time being, or by any Persons who may be hereafter authorized by Act of Parliament, at a Profit not exceeding Ten *per Cent.* upon the prime Cost at which Gas of the best Quality can be made and supplied in *Dublin*: Provided always, that it shall not be obligatory upon the Company hereby incorporated to supply the said public Lights as herein-before mentioned unless Two Years Notice in Writing shall first be given to that Effect; provided also, that upon such Two Years Notice having been given so to light the said Lamps it shall be obligatory upon the said Commissioners to give the Supply of the said Lamps to the Company hereby incorporated for the Term of Two Years, commencing from the Period of the laying of the Mains and the Erection of the Lamps, and so from Time to Time as may be agreed upon as aforesaid.

Company not to join any other Company

XXXI. And be it enacted, That it shall not be lawful for the said Company at any Time hereafter to join or connect themselves to or with any other Gaslight Company, or to transfer or agree to transfer for that Purpose any of the Powers or Authorities vested in them by this Act, or any Property that may be acquired by them in virtue thereof, to any such other Company, nor to purchase or acquire any of the Powers or Authorities that may be vested in any such other Gaslight Company (or any Part of the Property of any such Gaslight Company), for the Purpose of such Junction or Connexion, nor to enter into any Compact, Agreement, or Understanding with any other Gas Company, or the Corporation of *Dublin*, either to fix a Rate for the Sale of Gas, or the Supply (without Interference) of certain Districts, or to sell Gas to different Customers at different Prices.

Public Act.

XXXII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1847.