CHAPTER cxxxiv.

An Act to authorise the transfer of the undertaking of the Drogheda Gas Light Company Limited to the Municipal Corporation of the Borough of Drogheda to confer powers on the said Company and Corporation and for other purposes. [25th July 1898.] A.D. 1898.

WHEREAS in the year one thousand eight hundred and thirty-nine certain persons formed themselves into a gas company under the name of "The Drogheda Gas Light Company" for the purpose of lighting the town of Drogheda and the suburbs thereof with gas and such Company was on the twenty-eighth day of March one thousand eight hundred and sixty-one duly registered as a limited company (herein-after referred to as "the Company"):

And whereas in the year one thousand eight hundred and ninety-four under the provisions of the Companies (Memorandum of Association) Act 1890 the objects of the Company were extended to enable the Company to carry on the business usually carried on by gas companies and to obtain the necessary powers for same and such extension was confirmed by an order dated the twentieth day of June one thousand eight hundred and ninety-four of the Master of the Rolls of the High Court of Justice in Ireland:

And whereas the present share capital of the Company consists of sixteen thousand one hundred and ninety pounds divided into one thousand six hundred and nineteen shares of ten pounds each all of which have been issued and are fully paid up:

And whereas the Company have no mortgage debt:

And whereas the Company acquired a leasehold interest in the piece of land described in the schedule to this Act and erected gasworks thereon and have from time to time improved and enlarged the same with the capital raised by them and are now

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supplying gas in the town and county of the town of Drogheda aforesaid and it is expedient that the Company should be empowered to acquire the aforesaid land:

And whereas a plan of the lands required or which may be taken for the purposes or under the powers of this Act and a book of reference thereto containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the said lands were duly deposited with the clerk of the peace for the county of Louth the clerk of the peace for the county of Meath and the clerk of the peace for the county of the town of Drogheda and are in this Act respectively referred to as the deposited plan and book of reference:

And whereas the Company have agreed to sell and transfer their undertaking to the mayor aldermen and burgesses of the borough of Drogheda (in this Act called "the Corporation") on the terms in this Act appearing and it is expedient that such sale should be carried into effect and that the undertaking of the Company and all their powers rights privileges and authorities should be transferred to and vested in the Corporation and that provisions such as in this Act are contained should be made in relation thereto and for the winding up of the affairs and the dissolution of the Company upon the completion of the purchase by the Corporation:

And whereas it is expedient that the Corporation should be authorised to borrow money and apply their funds for the purposes aforesaid:

And whereas under the Drogheda Corporation Act 1896 certain borrowing powers were conferred on the Corporation which borrowing powers have not been exercised and it is expedient that such unexercised borrowing powers should on the exercise of the borrowing powers conferred by this Act be reduced in the manner by this Act provided:

And whereas the terms and provisions of the Bill for this Act have been approved by a resolution of an absolute majority of the whole number of the council at a meeting of the council held on the 6th day of May 1898 and have also been approved by a special resolution of the persons qualified to vote at an election of councillors for the borough of Drogheda at a meeting of such persons specially summoned for the purpose and held on the 10th day of May 1898:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

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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 Parliament assembled and by the authority of the same as follows (that is to say) :—

Short title.

1. This Act may be cited as the Drogheda (Corporation) Gas Act 1898.

Incorporation of Acts.

2. The Lands Clauses Acts are (subject to the provisions of this Act) incorporated with and form part of this Act And the Gasworks Clauses Act 1847 (except sections 30 to 34) and the Gasworks Clauses Act 1871 shall apply to the undertaking of the Company when transferred to the Corporation as if the same had been authorised by this Act and the said Acts herewith incorporated.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "the works" "the gasworks" and "the undertaking" shall respectively mean and include the gasworks pipes and works connected therewith by this Act vested in or authorised to be made or maintained by the Company and any improvement or extension thereof and the lands buildings estate right title property privileges and effects and the undertaking of the Company and every part thereof respectively ;

The expression "lands" shall include messuages buildings lands easements and hereditaments of any tenure.

Limits of Act.

4. The limits of this Act (herein-after called "the limits of supply") shall be the borough of Drogheda as existing at the passing of this Act.

Power to take lands.

5. Subject to the provisions of this Act the Company may for the purposes of the undertaking enter upon take and use the lands delineated on the deposited plan and described in the deposited book of reference and in the schedule to this Act as they may require.

Limit of time for compulsory purchase.

6. The powers of the Company for the compulsory purchase of the lands so delineated and described as aforesaid shall cease after the expiration of three years from the passing of this Act.

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Correction of errors &c. in deposited plan and book of reference.

7. If any omission misstatement or wrong description is found to have been made of any lands or of any owners lessees or occupiers of any lands shown or described or intended to be shown or described on the deposited plan or in the deposited book of reference the Company may apply to two justices for the correction thereof after giving ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction:

If it appears to the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly stating the particulars of the omission misstatement or wrong description and such certificate shall be deposited with the clerk of the peace for the county of Louth and a certified copy thereof shall be deposited with the clerk of the peace for the county of Meath and with the clerk of the peace for the county of the town of Drogheda:

The certificate and the certified copies thereof shall be kept by the clerks of the peace with the other documents to which they relate and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plan or book of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Company may enter on take hold and use those lands accordingly.

Powers as to construction and maintenance of gasworks &c.

8. Subject to the provisions of this Act the Company may from time to time maintain alter improve enlarge extend and renew or discontinue their existing gasworks upon the lands on which the same are erected or any part thereof and which are described in the schedule to this Act and they may also erect lay down provide and from time to time maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasholders receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as they may think proper for making and storing gas and for supplying gas within the limits of this Act and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke patent fuel tar pitch asphaltum ammoniacal liquor lime oil and all other products refuse or residuum of any materials employed in or resulting from the manufacture of gas or the materials used therein and also meters fittings tubes pipes and other articles and things in any way connected with gasworks or with the supply of gas as they may from time to time think fit

and may lay pipes conduits or other works for the delivery reception or carriage of any material used in the manufacture or distribution of gas.

Power to purchase lands by agreement.

9. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the schedule to this Act any lands and hereditaments not exceeding in the whole five acres which the Company may from time to time require for the purposes of their works and undertaking But the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to this Act.

Gas not to be manufactured except on lands scheduled.

Restriction on taking houses of labouring class.

10. The Company shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

For the purpose of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Price of gas.

11. The maximum price to be charged by the Company for gas supplied by them shall be five shillings and sixpence per one thousand cubic feet.

Discounts.

12. The Company may allow discounts or rebates not exceeding in any case ten per centum to consumers of gas in consideration of prompt payment of gas rents or of large consumption upon such scale and subject to such conditions and regulations as may be prescribed by special contract in writing between the Company and any of such consumers Provided that such discounts or rebates shall be of equal amount under the like circumstances to all such consumers.

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Power to supply gas fittings &c. for heating and other purposes.

13. The Company may manufacture purchase provide supply sell let for hire use and otherwise deal in fit up alter repair remove and refix fittings engines stoves ranges pipes and other apparatus and appliances for lighting motive power warming and ventilating premises cooking and all other purposes for which gas can or may be used and may provide all materials and do all work necessary or proper in that behalf and may require and take such remuneration in money or such rents and charges for and make such terms and conditions with respect to the sale supply letting fixing setting up altering repairing or removing of such meters fittings and other articles and things as aforesaid and for securing the safety and return to the Company of such meters fittings and other articles and things as aforesaid and otherwise as may be agreed upon between the Company and the persons to or for whom the same are sold supplied let fixed set up altered or removed The meters fittings engines stoves ranges pipes and other apparatus appliances articles and things let for hire under the provisions of this section shall not be subject to distress or to the landlord's remedy for rent of the premises where the same may be used nor to be taken in execution under any process of a court of law or equity or any proceedings in bankruptcy against the persons in whose possession the same may be Provided that such meters fittings engines stoves ranges pipes and other apparatus appliances articles and things have upon them a distinguishing metal plate affixed to a conspicuous part thereof or a distinguishing brand or other mark conspicuously impressed or made thereon sufficiently indicating the Company as the actual owners thereof And the Company may supply gas for heating cooking motive power warming ventilating and other purposes and for the particular requirements of any trade industry manufacture or business and may do all things needful therefor on such terms and conditions in all respects as may be agreed upon between the Company and the party to whom such supply may be given.

Notice of discontinuance.

14. A notice to the Company from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing and be left at or sent by post by prepaid letter to the office for the time being of the Company.

Power to refuse to supply persons in debt for other property.

15. If a person requiring a supply of gas from the Company has previously occupied premises at which gas was supplied to him by them without paying to them all gas or meter rent or other moneys due from him to the Company they may refuse to furnish to him a supply of gas until he pay the same.

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Company to pay interest on money deposited as security.

16. If any person is required by the Company to give to them security for the payment of gas rates or of the price or rent of a meter the Company shall pay interest after the rate of four pounds per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands subject however to the right of the Company to set off the same against any money due to the Company from such person.

Period of error in defective meters.

17. In the event of any meter used by a consumer of gas being tested in manner provided by the Sale of Gas Act 1859 and being proved to register erroneously within the meaning of the said Act such erroneous registration shall be deemed to have first arisen only during the then last preceding quarter of the year unless it be proved to have first arisen during the then current quarter The amount of the allowance to be made to or of the surcharges to be made upon the consumer by the Company in pursuance of the certificate of the inspector shall be paid by or to the Company to or by the consumer as the case may be and shall be recoverable in any court of competent jurisdiction for the recovery of debts of like amount.

Company may contract with local authority and others for supply in bulk.

18. The Company may contract with any local authority company or persons for the supply beyond the Company's limits of supply of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon but such supply shall not be given without the consent in writing of the local authority and of any company supplying gas under the authority of Parliament within the district within which the supply is to be given.

Payment and recovery of gas rents.

19. All rents payable to the Company for a supply of gas and all sums payable to the Company under any agreement with respect to the supply of gas shall be recoverable by the Company in like manner as rates leviable by a Corporation are recoverable or at the option of the Company as a civil debt:

Provided that this section shall not apply to any sums payable to the Company for fittings supplied and work done in respect thereof.

Gas consumers to give notice to Company before removing.

20. Twenty-four hours' notice in writing shall be given to the Company by every gas consumer before he shall quit any premises supplied with gas by meter by the Company and in default of such notice the consumer so quitting shall be liable to pay to the Company the money accruing due in respect of such supply up to

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the next usual period for ascertaining the register of the meter on such premises or the date from which any subsequent occupier of such premises shall require the Company to supply gas to such premises whichever shall first happen Notice of the effect of this enactment shall be endorsed on every demand note for gas rent.

Pressure of gas.

21. All gas supplied by the Company to any consumer of gas shall be supplied at such pressure as to balance a column of water from midnight to sunset not less than six-tenths of an inch and from sunset to midnight not less than eight-tenths of an inch in height at the main as near as may be to the junction therewith of the service pipe supplying such consumer and any gas examiner appointed under the Gasworks Clauses Act 1871 may subject to the terms of his appointment from time to time test the pressure at which the gas is supplied and may for that purpose open any street road passage or place vested in or under the control of any local or road authority and the provisions of the Gasworks Clauses Act 1871 with reference to testing of gas and to penalties shall mutatis mutandis apply to such testing of pressure and two hours' previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Quality of gas.

22. The prescribed number of candles shall be fifteen.

Testing place.

23. Within twelve months from the passing of this Act a testing place shall be provided at the works of the Company.

Burner.

24. The prescribed burner shall be Sugg's London argand burner number one with a six-inch by one-and-three-quarter-inch glass chimney but if at any time the gas flame tails over the top of that glass a six-inch by two-inch chimney shall be used Any other chimney or burner approved of by the Board of Trade for this purpose may be used.

No penalty in case of unavoidable cause.

25. No penalty shall be incurred by the Company for insufficiency of pressure defect of illuminating power or for excess of impurity in the gas supplied by them in any case in respect of which it is proved that such insufficiency defect or excess was caused by an unavoidable cause or accident.

Dwelling-houses for workmen.

26. The Company may erect and maintain upon any lands for the time being belonging to them cottages or dwelling-houses suitable for their workmen.

Sale and transfer of undertaking to Corporation.

27.— (1.) Subject to the provisions of this Act the Company shall sell and the Corporation shall purchase for the sum of twenty-one thousand pounds the whole of the undertaking and works of the Company and all their property except as herein-after

mentioned) and all their rights powers and privileges as the same shall stand at the date of transfer herein-after mentioned subject to all liabilities and contracts affecting the same but excepting out of the said purchase—

(*a.*) The reserve fund of the Company as the same stood on the 31st day of December 1897 together with all interest accrued or to accrue due on same;

(*b.*) The minute books share register transfer books and letter books of the Company;

All of which (*a*) and (*b*) shall continue to belong to the Company;

(*c.*) The book debts cash in hand and at the bank and the coal and cannel in stock on the 31st day of December 1897 of the net agreed value of one thousand two hundred and fifty pounds after deducting liabilities and allowances.

(2.) The purchase shall be completed and the purchase money paid on the 31st day of December 1898 or such other date as may be agreed on between the Corporation and the Company in this Act called "the date of transfer."

(3.) On payment by the Corporation to the Company or to their account at the Hibernian Bank Drogheda of the said sum of twenty-one thousand pounds and the said agreed sum of one thousand two hundred and fifty pounds representing the net value of the book debts cash in hand and at bank and the coal and cannel in stock on the 31st December 1897 the undertaking and works of the Company and all their property except as aforesaid shall by virtue of this Act and without any deed or other conveyance but subject to any liabilities and contracts affecting the same be transferred to and vested in the Corporation for all the estate and interest of the Company therein and thenceforth the Corporation shall have and hold the undertaking and may exercise all the rights powers and privileges of the Company.

(4.) If for any reason the said sums of twenty-one thousand pounds and one thousand two hundred and fifty pounds are not paid on the date of transfer aforesaid the Corporation shall pay interest to the Company on the said sums at the rate of five pounds per centum per annum from the said date until payment.

Company to carry on undertaking till transfer.

28. Until the date of transfer the undertaking shall be carried on and managed by the Company as heretofore in the ordinary course of business and as from the 31st day of December 1897 shall subject as herein-after provided be deemed to have been carried on for the benefit of the Corporation Provided that the

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Company shall be entitled to receive all the revenues and receipts of the undertaking up to the date of transfer and shall pay thereout all the outgoings and liabilities on revenue account up to the date of transfer and out of the surplus of such revenues and receipts after making the payments aforesaid shall be entitled to pay to the shareholders of the Company a dividend at the rate of seven pounds per centum per annum from the 31st day of December 1897 to the date of transfer and the balance if any of the said revenues and receipts shall belong to the Corporation and if necessary for the purpose of giving effect to the provisions of this section the said revenues receipts and outgoings shall be apportioned.

Application of this Act to Corporation.

29. As from the transfer all the powers rights privileges and authorities of the Company under this Act shall be by virtue of this Act transferred to and vested in the Corporation and this Act shall except the sections relating to the purchase and transfer of the undertaking and winding up of the Company be read and have effect as if the Corporation had been therein named instead of the Company subject nevertheless and according to the following exceptions and provisions (namely) :—

(1.) The provisions of the Companies Clauses Acts 1845 to 1889 incorporated with this Act shall not apply to the Corporation :

(2) None of the provisions of this Act or of any Act incorporated herewith in any manner relating to the share or loan capital of the Company or to any limitation of the amount of profit to be received by the Company or undertakers or to the constitution meetings or directors of the Company shall apply to the Corporation.

Receipt for purchase money.

30. The receipt in writing of any three of the directors of the Company for the said purchase money or the payment thereof by the Corporation to the account of the Company with the Hibernian Bank Drogheda shall effectually discharge the Corporation from the sum so paid and from being concerned to see to the application thereof and from being answerable or accountable for the loss misapplication or non-application thereof.

Saving for pending actions &c.

31. If at the time of the transfer any action or proceeding is pending or existing by or against or in favour of the Company the same shall not abate or be discontinued or in anywise prejudicially affected by reason of the transfer or of anything in this Act but the same may be continued prosecuted and enforced by or against or in favour of the Corporation as and when it might have been continued prosecuted and enforced by or against or in favour of the Company if this Act had not been passed.

Saving for contracts &c. of Company.

32. All agreements bonds contracts conveyances deeds and other instruments affecting the Company and in force at the time of the transfer shall be as binding and of as full force and effect in every respect against or in favour of the Corporation as the case may be and may be enforced as fully and effectually as if instead of the Company the Corporation had been a party thereto.

Application of purchase money.

33. The directors of the Company shall hold the purchase money and any other moneys belonging to the Company in trust to pay thereout all their debts and liabilities and to distribute the residue among the shareholders of the Company their executors administrators or assigns according to and in proportion to the value of their respective shares in the capital of that Company and the said directors may exercise all powers and do all acts necessary or proper for that purpose and for winding up the affairs of the Company.

Payment into court by directors where person entitled to money cannot be found.

34. Where the directors of the Company are for twelve months after the transfer unable after diligent inquiry to ascertain the person to whom any part of the purchase money or other moneys to be distributed by them is payable or where any part thereof is payable to a person who or whose committee cannot give an effectual receipt for the same the directors may pay the same into a Civil Bill Court or into the Chancery Division of the High Court as the case may require under any Act for the time being in force for the relief of trustees.

Eventual dissolution of Company.

35. When and as soon as the moneys aforesaid have been distributed by the directors of the Company and all debts and liabilities of the Company have been paid and satisfied and the affairs of the Company have been completely wound up the Company shall be by virtue of this Act dissolved.

Books &c. to remain evidence.

36. All books and documents which if the transfer had not been made would have been evidence in respect of any matter for or against the Company shall be admitted in evidence in respect of the same and the like matter for or against the Corporation.

Power to borrow.

37.—(1.) The Corporation may from time to time independently of any other borrowing power borrow at interest any sum or sums of money for the purposes herein-after mentioned not exceeding the respective amounts herein-after specified (if any) (that is to say):—

(*a.*) For the purchase of the undertaking of the Company the sum of twenty-one thousand pounds and for paying the sum payable by the Corporation to the Company in respect of the book debts cash in hand and at the bank and the coal

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and cannel in stock on the 31st December 1897 the sum of one thousand two hundred and fifty pounds making in all the sum of twenty-two thousand two hundred and fifty pounds;

(*b.*) For the purchase of lands for and the extension and improvement of the gas undertaking such sums as may be sanctioned by the Local Government Board not exceeding seven thousand seven hundred and fifty pounds;

(*c.*) For payment of the costs charges and expenses incurred by the Corporation in connexion with the transfer of the undertaking of the Company and of the proceedings taken by the Corporation in connexion with this Act any sum not exceeding two thousand pounds.

(2.) In order to secure the moneys so borrowed they may mortgage the borough fund and the borough rate and the net revenue of their gas undertaking and all or any of their funds and revenues.

(3.) Money borrowed under this section shall be applied only to the purposes for which it is authorised to be borrowed and to which capital is properly applicable and not otherwise.

(4.) Money borrowed under this Act shall be repaid within the following periods from the respective dates of borrowing the same (that is to say) Under subsection (*a*) within forty years under subsection (*b*) within fifty years and under subsection (*c*) within ten years.

(5.) If having borrowed any money under the provisions of this Act the Corporation pay off the same or any part thereof otherwise than by instalments or by means of a sinking fund or by the application of any money in the nature of capital other than borrowed money they may re-borrow the same and so on from time to time Provided that all moneys so re-borrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such re-borrowing shall have been made and any amounts from time to time re-borrowed shall be deemed to form the same loan as the moneys in lieu of which such re-borrowing shall have been made and the obligations of the Corporation with respect to the repayment of such moneys shall not be in any way affected by such re-borrowing.

(6.) On the exercise by the Corporation of the borrowing powers under this section the borrowing powers of the Corporation under section 46 of the Drogheda Corporation Act 1896 shall be reduced in manner following (that is to say) The borrowing powers under subsection (c) of that section shall be reduced by five thousand pounds and the borrowing powers under subsection (d) of that section shall be reduced by twenty-seven thousand pounds.

Certain sections of Drogheda Corporation Act 1896 incorporated.

38. The provisions of the following sections of the Drogheda Corporation Act 1896 shall mutatis mutandis be incorporated with this Act and shall apply to the Corporation the expression "gas undertaking" being substituted for the expression "water undertaking" in the said provisions (that is to say) :—

Section 47.—(As to mortgages of Corporation.)
Section 48.—(Repayment of borrowed moneys.)
Section 49.—(Regulations as to sinking fund.)
Section 50.—(Regulations of Public Health (Ireland) Act not to restrict borrowing powers.)
Section 51.—(Priority of principal moneys secured by existing mortgages.)
Section 52.—(Protection of lender from inquiry.)
Section 53.—(Annual return to be made to Local Government Board.)
Section 55.—(Application of water revenue.)
Section 56.—(Case of deficiency in revenue.)

Corporation to execute Act so far as relates to them.

39. This Act so far as it relates to the Corporation shall be carried into execution by the Corporation acting by the Council and the purposes of this Act so far as the same relate to the Corporation shall be deemed sanitary purposes and the purchase of the undertaking of the Company the execution of works by the Corporation within the meaning of the Public Health (Ireland) Act 1878 and that Act shall be read and construed accordingly.

Act to be registered by Registrar of Joint Stock Companies.

40. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty :

Every penalty under this section shall be recoverable summarily.

Works below high-water mark not to be commenced without consent of Board of Trade.

41. The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may

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approve of such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable as a Crown debt or summarily.

Saving rights of the Crown in the foreshore.

42. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty.

Saving rights of the Corporation or their tenants in the foreshore.

43. Nothing contained in this Act shall be held to recognise confirm or prejudice any right title or claim of the Corporation or their tenants to the foreshore of the River Boyne adjacent to the borough it being the intention of this Act that the right and title to such foreshore shall remain in the same state as if this Act had not been passed.

Saving rights of Crown under Crown Lands Act.

44. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections twenty-one and twenty-two of the Crown Lands Act 1866 and belonging to or exerciseable on behalf of Her Majesty.

Costs of Act.

45. All the costs charges and expenses of incident and preliminary to the preparing and applying for obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Company Provided always that the Corporation shall pay the costs of their own parliamentary agent counsel and solicitor in connexion with the transfer of the undertaking of the Company and of the proceedings taken by the Corporation in connexion with this Act.

The SCHEDULE referred to in the foregoing Act.

Gas Lands.

A piece of land containing eleven thousand two hundred square yards or thereabouts forming the site of the gasworks of the Limited Company abutting on the Marsh Road otherwise known as James Street leading from Drogheda to St. James' and which piece of land is situate in the parish of St. Mary's and county of the town of Drogheda and is bounded on the north by the River Boyne on the south by the said Marsh Road otherwise known as James Street on the east by the premises of the Drogheda Chemical Manure Company Limited and on the west by the premises of the St. Mary's Flax Spinning Company.

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