ANNO QUARTO

GEORGII IV. REGIS.

Cap. xxxviii.

An Act for establishing an additional Company for lighting the City and Suburbs of *Dublin* with Gas. [23d *May* 1823.]

WHEREAS it would be of great Benefit to the Inhabitants of the City and Suburbs of *Dublin*, and to the Police of the said City, if additional Means were provided for lighting the Streets and other public Passages and Places in the said City and Suburbs thereof, public Buildings, Houses, Shops, and Manufactories therein: And whereas Inflammable Air, procured from Coal, Turf, Peat, and other Substances, and conveyed by Means of Pipes, may be safely and beneficially used for further lighting the several Streets, Squares, and other Places within the said City, and the Suburbs of the said City and Places adjacent, and for lighting private Houses, Shops, Counting Houses, Warehouses, and public Works, Manufactories, public and other Buildings; and Coke obtained from such Coal may be beneficially employed as Fuel in private Houses and Manufactories; and Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil also obtained therefrom may be used and applied in various other Ways with great Advantage: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to effect the Purposes aforesaid; but the same cannot be carried fully and completely into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the

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 *William Lunell Gurmess*, *Joseph Robinson Pim*, *Robert Roe*, *Abraham Lane*, *Daniel O'Conerell*, *Solomon Watson*, *William Harding*, *Robert Simpson*, *Joshua Mason Chaytor*, *Nicholas Mahon*, *John Murray*, *Isaac Stewart*, *William Alexander*, *Edward Alexander*, *Robert Orr*, *Peter Brophy*, *James Garratt*, *Richard Garratt*, *Thomas Gresham*, *James Patterson*, *William Beauman*, *John Mills*, *John Charles Bacon*, *John Duffy*, *Andrew Rogers*, *James Greenham*, *John Tollerton*, *Samuel Tollerton*, *Wilcox Hubard*, *George MacBride*, *Jonathan Pim*, *George Milner*, *J. T. O'Reilly*, *Fitzgerald*, *David Kearney*, *William Moore*, *John Burn*, *George Meara*, *Henry Perry*, *John Nowland*, and *Robert Williams*, and all and every such other Person or Persons as have already become Subscribers, or from Time to Time shall subscribe and be duly admitted Members into the said Company, and their respective Successors, shall be and they are hereby declared to be one Body Politic and Corporate, by the Name of '*The Hibernian Gas Light Company*,' and by that Name shall have perpetual Succession and a common Seal, and by that Name shall and may sue and be sued; and that the said Company of Proprietors shall be established for the Purpose of producing Inflammable Air, Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, from Coal and other Substances; and shall have full Power to enter into any Contracts with the Commissioners acting in the Execution of an Act passed in the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Improvement of the City of* Dublin *and the Environs thereof*, or with any other Person or Persons having the Controul, Direction, or Management of the lighting of the said City of *Dublin* and Environs and Places adjacent, or any of the Liberties or Precincts thereof respectively, or any Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, willing and desirous of contracting and having Power and Authority to contract with the said Company of Proprietors for the lighting of the said City and Environs and Places adjacent, or any Part thereof, or any Streets, Squares, public Market Places, or Manufactories, or private Houses, or Places of public Exhibition, Shops, Counting Houses, or Warehouses, or other Places or Buildings within the said City or Environs, or Places adjacent, or Liberties or Precincts aforesaid; and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and all other Products arising from Coal and other Substances; and shall have full Power to purchase Lands, Tenements, Hereditaments, and Premises to them and their Successors or Assigns, for the Use of the said Undertaking, but for no other Use or Purpose.

Proprietors.

Incorporated.

47 G. 3. sess. 2. c. 109.

Works not to be erected within certain Limits without the Consent of the Justices.

II. Provided always, and be it enacted, That it shall not be lawful for the said Company of Proprietors to erect or establish any Manufactory or Manufactories, Gasometer or Gasometers, or any Building or Buildings, or Work or Works to be used or necessary for the making or procuring Gas within the Limits over which the Powers of the said Commissioners, or other Persons acting in the Execution of the said Act passed in the Forty-seventh Year of the Reign of His said late Majesty extend, except the same be erected between the *Great Canal Quay* and *Forbes's Street* on the East, and *Great Clarence Street* on the West, without the

Consent and Approbation of the Justices of the Peace, at some General Quarter Sessions of the Peace to be holden in and for the City of *Dublin*, or at some Adjournment thereof, on pain of forfeiting for every Day any such Manufactory or Manufactories, Gasometer or Gasometers, Building or Buildings, or Work or Works shall be so used, the Sum of One hundred Pounds, to be recovered by the said Commissioners, or other Persons acting in the Execution of the said Act, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Dublin*, wherein no Essoign, Protection, Wager at Law, or more than one Imparlance, shall be allowed; and the said Sum, when recovered, shall be paid to the said Commissioners, or other Persons aforesaid, to be by them applied and disposed of towards and in aid of any Rate or Assessment, Rates or Assessments made or to be made under the said Act.

Report of Works to be sent to the Lord Lieutenant, Half-yearly.

III. And be it further enacted, That the Directors of the said Company shall and they are hereby required, within One Calendar Month after every Half-yearly General Meeting of the said Company, or oftener, if required by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or by his or their Chief Secretary, to transmit to the said Lord Lieutenant or Chief Secretary a Report in Writing, signed by the Governor or one of the Directors of the said Company of the State of the said Company, and of their Works and the Means possessed by the said Company for securing the Continuance of their Operations and such other Matters relating to the Works and Proceedings of the said Company as the said Lord Lieutenant or Chief Secretary shall from Time to Time require; and in case the said Directors shall not within the said Period of One Month after every such General Meeting as aforesaid, or within the like Period after being so required as aforesaid by the Lord Lieutenant or Chief Secretary, transmit to the said Lord Lieutenant or Chief Secretary such Report in Writing, the said Company shall forfeit and pay the Sum of Fifty Pounds for every such Offence, to be recovered by His Majesty's Attorney General, by Information in the Court of Exchequer, or by Action of Debt in His Majesty's Court of King's Bench at *Dublin*, for the Use of His Majesty.

Stations and Works to be open at all Times to the Inspection of Persons appointed by the Lord Lieutenant.

IV. And be it further enacted, That all the Stations and Works of the said Company shall be opened at all convenient Times for the Inspection and Examination of such Person or Persons as the said Lord Lieutenant or Chief Secretary shall appoint from Time to Time for that Purpose, and the said Company shall and they are hereby required to conform to such Regulations and Proceedings in the several Parts of their Works and Operations as the said Lord Lieutenant or Chief Secretary shall consider necessary and proper, and shall direct to be adopted for the better and more effectually lighting the several Parts of the Metropolis and the Suburbs, Liberties, and Precincts thereof, where the Mains and Pipes of the said Company shall lie, and for more effectually securing a proper and permanent Supply of Gas for lighting the public Lamps therein, and for assisting and advancing the Benefits to be derived from an active and efficient Police, and for such other Purposes as to the said Lord Lieutenant or Chief Secretary shall seem meet and proper for the Advantage of the Public.

V. Pro-

Penalty on Company for conveying Washings into any Stream, &c.

V. Provided always, and be it further enacted, That if the said Company shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained or conveyed, or to run or flow any Washings or other waste Liquids, Substances or Things whatsoever, which shall arise or be produced in the Prosecution of the Works of the said Gas Light Company, or in the Process of obtaining the said Gas into any Leat, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Spring Head or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such Leat, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Spring Head or Well, Drain, Sewer or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then in each and every such case the said Company shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than one Imparlance shall be allowed, and the whole of such Penalty shall be paid to the Person or Persons who shall sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing, shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids or noisome or offensive Liquids, Substances or Things shall be drained, conducted or conveyed, or caused or suffered to run or flow in Manner aforesaid, into any Leat, Brook, or running Stream, or any Reservoir, Aqueduct, Feeder, Pond, Spring Head or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing, shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given to the said Company by any Person whomsoever, and the said Company shall not within Twenty-four Hours after such Notice shall have been given to them as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances or Things, from being drained, conducted, or conveyed, or from running or flowing in Manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such case the said Company shall forfeit and pay the Sum of Twenty Pounds, for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid, and such last-mentioned Penalty shall and may be recovered and levied, and shall be paid to the Informer or to the Person or Persons whom in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Proprietors to raise Money not exceeding

VI. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise a competent Sum of Money for the Purchase of Lands, Tenements, Hereditaments, and Premises,

mises, for the Purposes aforesaid, and for erecting, making, and maintaining such Houses, Buildings, Offices, Gasometers, or Reservoirs of Gas, and all other Works and Conveniences belonging or requisite thereto, as shall be necessary for the Purposes aforesaid, not exceeding in the whole the Sum of One hundred thousand Pounds Sterling; and all Sums of Money so raised shall be laid out in such Purchase as aforesaid, and applied in the making, completing, and maintaining the said Works, the Pipes for conveying the Gas, and other requisite Works and Conveniences for putting this Act into Execution; and that the said Sum of One hundred thousand Pounds shall be divided into Shares of Fifty Pounds each; and that the said Shares shall be and are hereby vested in the several Persons so raising and contributing the same, and their several and respective Successors, who shall severally subscribe for One or more Share or Shares towards carrying on and completing the said Undertaking, and other Purposes of the said Subscriptions, and shall be entitled to and receive an equal proportional Part, according to the Money so by them respectively paid, of the Profits and Advantages which shall and may arise and accrue from the Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act; and every Body Politic, Corporate and Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same, in Manner herein directed and appointed: Provided always, that a Sum equal to not less than Five Pounds *per Centum* of the net Profits of each Year shall be set apart in every Year, as a Sinking Fund, in Manner herein-after mentioned, to answer Contingencies, until such Sums so set apart shall amount to Ten thousand Pounds Sterling.

100,000*l.* for the Purposes of this Act.

VII. Provided always, and be it hereby enacted, That the said Company shall not be authorized to exercise any of the Powers granted under this Act, until the whole Sum of One hundred thousand Pounds shall have been subscribed towards the Purposes thereof.

Act not to be executed until 100,000*l.* shall have been subscribed.

VIII. And be it further enacted, That in case the said Sum of One hundred thousand Pounds, herein directed to be raised, shall be found insufficient for making, completing, and maintaining the Works herein authorized to be made, and defraying all necessary Charges and Expences relating thereto, then and in such Case it shall be lawful for the said Company of Proprietors, or of their Governor, Deputy Governor, and Directors, by and with the Advice and Consent of any general Assembly of the Company of Proprietors, to borrow and take up by way of Loan, upon the Security of the said Undertaking, or to raise and contribute among themselves, in such Shares and Proportions as to them shall seem meet, or by the Admission of new Subscribers, any further Sum or Sums of Money for completing and perfecting the said Undertaking, not exceeding the Sum of Twenty-five thousand Pounds, and every such Subscriber towards raising such further or other Sum of Money, shall be a Proprietor in the said Undertaking, and shall have a like Vote by himself or herself, or his or her Proxy, in respect of every Share in the said additional Sum so to be raised, and shall also be liable to such Forfeitures, and stand interested in all the Profits and Powers of the said Undertaking, in proportion to the Sum he, she, or they shall or may subscribe thereunto, as generally and extensively, to all Intents and Purposes, as if such further and other Sum

A further Sum of 25,000*l.* may be raised.

hereby allowed to be subscribed for and raised had originally been Part of the said Sum of One hundred thousand Pounds; any thing herein contained to the contrary thereof in anywise notwithstanding.

Company of Proprietors may contract for the Purchase of Lands.

IX. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors, and they are hereby empowered, when and as often as it may be necessary after the passing of this Act, to contract and agree for the absolute Purchase of any Lands, Tenements, or Hereditaments within the said City of *Dublin*, or Environs thereof, with any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, or any Tenant or Tenants in Fee Simple, for Life, or in Fee Tail, General or Special, or with any Person or Persons, Body or Bodies Politic, Corporate or Collegiate, seised or possessed for any Term or Terms for Life or Lives, with or without Covenants for Renewal, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of Lunatics and Idiots, or other Trustees whomsoever, not only for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, who are or shall be seised, possessed of, or entitled to or interested in their own Right, or with any Person or Persons whomsoever, who shall be willing to sell the same, for the Uses and Purposes of this Act: Provided always, that the Land so to be acquired shall not exceed Ten Acres in extent; and it shall and may be lawful to and for the said Company of Proprietors to hold such Lands, Tenements, and Hereditaments so purchased, without incurring or being subject to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statutes whatsoever.

Bodies Politic, &c. empowered to sell and convey.

X. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees of Lunatics, and all and every Person or Persons whatsoever, though under any legal Disability or Incapacity, who is, or are, or shall be seised or possessed of, entitled to, or interested in any Lands, Grounds, Tenements, Hereditaments, and Premises, which shall be necessary for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors; and all Bodies Politic, Corporate or Collegiate, and all other Persons whomsoever so conveying as aforesaid, are hereby indemnified for what they shall respectively do in relation to any such Sale, which he, she, or they, or any of them, shall make by virtue of and in pursuance of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances of any Lands, Tenements, Hereditaments, or Premises to the said Company of Proprietors, may be made according to the following Form:

'I *A. B.* of in consideration of the Sum of
'to me paid [*or, in consideration of the annual*
'Rent of to me to be hereafter yielded and paid by
'Yearly or Half-yearly Payments, as may be agreed upon], by the Com-
'pany of Proprietors of *The Hibernian Gas Light Company*, do hereby
'grant, release, and convey to the said Company all [*describe the*
'*Premises to be conveyed*], and all my Right, Title, and Interest to and in
'the same, and every Part thereof, to hold to the said Company and
'their

'their Successors for ever, by virtue and according to the true Intent and 'Meaning of an Act of Parliament made in the Fourth Year of the 'Reign of King *George* the Fourth, intituled *An Act* [*here insert the* '*Title of this Act*]. In witness whereof, I have hereunto set my Hand 'and Seal, this Day of in the Year of our 'Lord .'

Which said Conveyance, being registered in the Office for registering Deeds, Wills, &c. in *Dublin*, shall receive the same Effect, and be as valid and effectual to all Intents and Purposes, as any Instrument or Deed arising out of ordinary Transactions in *Ireland*.

Restraining the Company from purchasing more than Ten Acres of Land from incapacitated Persons, &c.

XL. And whereas the said Company of Proprietors are enabled to purchase Ten Statute Acres of Land by virtue of this Act for the Purposes thereof, and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all other Persons whomsoever, are empowered to sell such Quantity or Number of Acres to the said Company; and whereas it is expedient to restrain the said Company from selling any such Lands so purchased from any Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity in lieu or stead of the Lands so sold: Be it therefore enacted, That it shall not be lawful for the said Company of Proprietors to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such Ten Statute Acres; and in case the said Company shall afterwards sell the Whole or any Part of such Ten Statute Acres so purchased, it shall not be lawful for the said Company to purchase of or for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for Charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in Behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trust, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity to sell to the said Company any other Lands in lieu or instead of those

those Ten Statute Acres or any Part thereof, so sold or disposed of by the said Company.

Application of Compensation when exceeding 200*l.*

XII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, Hereditaments, or Premises, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Corporate, Collegiate, or Ecclesiastical, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, be with all convenient Speed paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery of *Ireland*, to be placed to his Account, *ex parte* '*The Hibernian Gas Light Company*,' to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, Hereditaments, or Premises, towards the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid affecting the said Lands, Tenements, Hereditaments, or Premises, or affecting other Lands, Tenements, Hereditaments, or Premises standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, Hereditaments, or Premises, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, Hereditaments and Premises which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Monies shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the Accountant General in his Name in the Purchase of Government Securities; and in the meantime and until the said Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of such Government Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Hereditaments, and Premises so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and above 20*l.*

XIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, Hereditaments, or Premises purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, or Premises, so purchased, taken, or used, or of

of his, her, or their Guardians or Committees in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *Ireland*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Two or more of the Directors herein-after appointed (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When less than 20*l.*

XIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Hereditaments or Premises so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Directors, or any Two or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardians or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Provision in case of a doubtful Title.

XV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, Hereditaments, or Premises, or any Estate, Right, or Interest in any Lands, Tenements, Hereditaments, or Premises to be purchased in pursuance of this Act, or to any Government Securities to be purchased with any such Money, or to the Dividends or Interest of any such Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, Hereditaments, or Premises, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, Hereditaments, or Premises, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the said Government Securities shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, Hereditaments, or Premises, or to some Estate or Interest therein.

Expences of Purchases may be allowed by the Court.

XVI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, Hereditaments, or Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase

Purchase of other Lands, Tenements, Hereditaments, or Premises, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the said Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Governor, Deputy Governor, and Directors, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to break up the Soil and Pavement for lighting the Streets, &c.

XVII. And be it further enacted, That if at any Time after the passing of this Act, the Commissioners acting in the Execution of the said recited Act passed in the Forty-seventh Year of the Reign of His late Majesty, or any other Person or Persons having the Controul, Direction, or Management of the lighting the said City of *Dublin*, and the Environs thereof and Places adjacent, should think it fit and convenient to contract with the said Company to light the said public Streets, Passages or Places, or any Part of them, or either of them, in the said City or Suburbs, by means of Gas, that then and in such case it shall be lawful for the said Company and their Successors, and they are hereby fully authorized and empowered, under the Direction and Inspection of such Commissioners or Persons, or any Two or more of them, or of their Surveyor or Surveyors, to break up the Soil and Pavements of any such Streets, Passages, and Places, and to dig and sink Trenches and lay Pipes, and put Stopcocks or Plugs or Branches from such Pipes, in such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of supplying any such Light as aforesaid; and from Time to Time, and under such Direction and Inspection as aforesaid, to alter the Position of and to repair, relay, and maintain such Pipes, Stopcocks and Plugs, and to do all such other Acts, Matters, and Things, as the said Company and their Successors shall, under such Direction and Inspection as aforesaid, from Time to Time think necessary and convenient for completing, amending, repairing, improving, and using the same.

Power to break up the Soil or Pavement to supply Dwelling Houses, &c. with Gas.

XVIII. And be it further enacted, That the said Company shall have full Power and Authority, after Forty-eight Hours Notice in Writing given to the said Commissioners or other Persons having the Controul, Direction, or Management of the lighting the said City of *Dublin*, and the Environs thereof and Places adjacent, and under the Direction and Inspection of the Surveyor or Surveyors of the said Commissioners, if such Surveyor or Surveyors shall choose to attend, to break up the Soil and Pavement of any of the said Streets, Passages, or Places, or any Part of them, or either of them, and to sink Trenches and lay any Main or Pipe, communicating or to communicate with the Works of the said Company under, across, and along any of the said Streets, Passages, or Places, or any or either of them, requisite for the Supply of any Dwelling House or Houses, Manufactories, public or private Buildings, with Gas, although no Contract may have been entered into with the said Commissioners or other Persons aforesaid, for lighting any public Street, Passage or Place in the Parish or Place where such House, Manufactories, or Buildings shall lie or be situated; any thing contained in this Act to the contrary notwithstanding.

XIX. Pro-

Pavement to be broken up only during a specified Time.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to authorize the said Company to break up the Soil and Pavement of any of the said Streets, Passages, or Places, for the Purpose of laying down any new Main, Pipe, Stopcock, Plug, or any other Apparatus, between the Thirtieth Day of *November* and the First Day of *March* in any Year, unless with the Consent of the said Commissioners or other Persons aforesaid, or any Two of them, (except in Cases of Accident); and if the said Company shall so do, the said Company shall forfeit and pay the Sum of Five Pounds for every such Offence, to be sued for and recovered in the Manner in which any such Penalties or Forfeitures imposed by this Act are to be sued for or recovered.

Not to break up the Pavement, &c. after certain Hours.

XX. Provided also, and be it further enacted, That nothing in this Act contained shall extend to authorize the said Company, except in all Cases of sudden Emergency, to break up the Soil or Pavement of any of the said Streets, Passages, or Places for the Purpose of repairing, relaying, and maintaining any Pipe, Stopcock, Plug, or any other Apparatus, or for laying or placing any new Pipe, Stopcock, Plug, or any other Apparatus in lieu of any such as may be or become unserviceable after the Hour of Three of the Clock in the Afternoon, from *Lady Day* to *Michaelmas*, nor after the Hour of One of the Clock in the Afternoon from *Michaelmas* to *Lady Day*, unless with the Consent of the said Commissioners or Persons aforesaid, or any Two of them, or their Surveyor or Surveyors; and if the said Company shall so do, the said Company shall forfeit and paythe Sum of Five Pounds, to be sued for and recovered in like Manner as any such Penalties or Forfeitures imposed by this Act are to be sued for or recovered.

Notice to be given that Commissioners may relay Pavement.

XXI. And in order to enable the said Commissioners or other Persons acting as aforesaid, to have the Management and Controul of the Paving of the Streets and public Places of the City of *Dublin* and Places adjacent, be it enacted, That in all Cases whatever, before the said Company shall, under the Powers and Authorities given them by this Act, break up or open the Pavement of the said Streets, or public Place or Places adjacent, for the Purposes of this Act, Forty-eight Hours previous Notice in Writing of the Intention of the Company to break up such Pavement shall be given by the said Company to the said Commissioners or other Persons acting as aforesaid, at their Office, in which Notice shall be specified the Situation and Extent of the Pavement so to be broken up; and it shall and may be lawful for the said Commissioners or other Persons acting as aforesaid, and they are hereby required, when and as soon as the Work shall be completed and finished by the said Company, for which such Pavement shall be broken up as aforesaid, to relay such Pavement in such Manner as they shall think fit, the Expence of which relaying shall be paid to the said Commissioners or other Persons acting as aforesaid by the said Company, within One Week after the same shall be demanded, at such Rate as the said Commissioners shall order and direct, not exceeding Two Shillings for every Yard of such Pavement that shall be broken up, provided the same shall not exceed Three Feet in Width, and if the same shall be more than Three Feet wide, that then Payment shall be made in due Proportion to the said Charge; and in case of Non-

payment,

payment, the same to be recovered as any Penalty under this Act may be recovered.

Powers of the Company in lighting Houses.

XXII. And be it further enacted, That the said Company of Proprietors shall have full Power and Authority in such Cases as to them shall seem meet and convenient, to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Passage, or Place by the said Company, by virtue of this Act, in, to, or through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting the same, or any public or private Lamp from any such Main or Pipe, or to continue the same with the Consent of the Owner and Occupier of such Dwelling House or Houses, public or private Buildings, but not otherwise (except as herein-after provided for), although no Contract may have been entered into with the said Commissioners, or other Persons aforesaid, for lighting any public Street, Passage, or Place in the said City, or the Environs thereof and Places adjacent, where such Houses, Manufactories, or Buildings shall lie or be situated, any thing in this Act to the contrary thereof in anywise notwithstanding: Provided nevertheless, that nothing herein contained shall authorize and empower the said Company to carry or lay any Pipe or Pipes through any Dwelling House or Houses, Manufactories, public or private Buildings, for the Purpose of lighting any other Dwelling House or Houses, Manufactory, public or private Building, or to continue the same without the previous Consent of the Owner or Occupier of such Dwelling House or Houses, Manufactory, public or private Building, through which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid: Provided always, that nothing herein contained shall extend or be construed to extend so as to enable the said Company to carry or lay any Pipe or Pipes in, through, over, or upon any private Lands and Grounds, without the Consent in Writing of the Owner or Owners, and Occupier or Occupiers thereof, first had and obtained for that Purpose.

For the Protection of Water Pipes.

XXIII. And be it further enacted, That when and as often as the said Company, their Servants, Agents, or Workmen, shall dig or sink any Trench or Trenches for laying any Main or Mains, Pipe or Pipes, or other Apparatus, or shall open any Ground for the Purposes of this Act, or any of them, in, upon, or near to which any Water Pipe or Pipes belonging to the Lord Mayor, Aldermen, and Citizens of the said City of *Dublin*, for conveying Water into or about the said City of *Dublin*, Liberties and Precincts thereof, or any Branch or Service Pipe or Pipes, for the Supply of any Dwelling House or Building shall be laid, the said Company, their Servants, Agents or Workmen, shall and they are hereby required to give such previous Notice thereof to the Surveyor for the Time being of the said Lord Mayor, Aldermen, and Citizens, or to the Occupier of such Dwelling House or Building, supplied by such Branch or Service Pipe or Pipes, as the Case may be, as is herein-before required to be given to the said Commissioners, or other Persons aforesaid, or their Surveyor or Surveyors, for other Purposes under this Act; and shall in the meantime fence or guard and affix sufficient Lights during the Night, at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers,

sengers, Cattle and Carriages; and on every such Occasion the said Company, their Servants, Agents, and Workmen shall, under the Direction and Inspection of the Surveyor for the Time being of the said Lord Mayor, Aldermen, and Citizens, or of the Occupier of such Dwelling House or Building, or his or her Surveyor, as the Case may be, protect and secure such Pipe or Pipes from any Injury or Damage, and shall also repair and make good any Damage that shall or may be done to any such Pipe or Pipes on any such Occasion; and in default being made in any of the Matters aforesaid, the said Company, their Servants, Agents, and Workmen, or such of them as shall offend herein, shall forfeit and pay any Sum not exceeding Five Pounds, and shall also pay to the said Lord Mayor, Aldermen, and Citizens, or to such Occupier of such Dwelling House or Building, as the Case may be, the Costs and Expences which shall have been incurred by them, him, or her, in the securing and protecting, or in repairing or making good any Injury or Damage that may be done to such Pipe or Pipes by the Means aforesaid; such Costs and Expences to be ascertained by any Justice of the Peace for the County of the said City of *Dublin*, and to be sued for and recovered in the same Manner as any Penalty under this Act may be sued for and recovered.

Mode of laying Pipes.

XXIV. And be it further enacted, That all and every the Pipes or other Conduits hereafter to be laid or used for the Conveyance of Gas, in, under, through, along, across, or round any Road, Street, Square, Market Place, Lane, Alley, Passage, Court, or other Place within the said City and Suburbs thereof, shall be so laid at the greatest practicable Distance from the nearest Part of any Pipe already laid down, or hereafter to be laid down by or by the Order of any Water Works or Gas Light Company for the Conveyance of Water or Gas in, under, through, along, across, or round any of the said Roads, Streets, Squares, Market Places, Lanes, Alleys, Passages, Courts, or other Places within the Limits of this Act, and wherever the Width of the Carriageway or Footpath in such Street or Place will allow thereof, shall be laid at the Distance of Three Feet at least from the nearest Part of any such Pipe laid or to be laid as aforesaid, unless in Cases where it shall be unavoidably necessary to lay the Gas Pipes across or nearer to any of the said Pipes, in which Case the said Gas Pipes of the Company hereby established shall, wherever practicable, be laid over and above the said former Pipes at the greatest practicable Distance therefrom, and shall form therewith a right Angle as near as the Situation will admit; and that in such Cases the said Gas Pipes so crossing the said former Pipe shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any of the said former Pipes than Three Feet at least where the Width of the Road, Street, Square, Market Place, Lane, Alley, Passage, Court or other Place will admit; and that such Gas Pipes so crossing the former Pipes shall for the whole Length thereof be sufficiently bedded in with good sound Clay, or other fit Materials of a proper Consistence, and well worked and rammed into the Trenches all round the said Gas Pipes; and that in laying down the said Gas Pipes the said Company hereby established shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and also wherever practicable lay and well and sufficiently bed each and every

the Joints of the said Main Gas Pipes, and also the Joints or Screws of the Branch or Service Gas Pipes, connecting with the said Main Gas Pipes, and also the Joints of the Service or Branch Pipes for conveying the Gas from the Main Gas Pipes to the Houses and other Buildings, and all other Joints, Inlets, Apertures or Openings which are, or shall, or may be made in any of the said Gas Pipes, with such Clay or other fit Materials as aforesaid, all round the said several and respective Joints, Inlets, Apertures, or Openings, and for Six Inches in Length each Way from the Centre of each and every of the Caps or Joints of the Main Pipes and of the Inlets, Apertures, or Openings therein, and for Three Inches at least from the Centre of each of the Joints of the Service Pipes, so as to make and keep all and every such Pipes, and the Screws, Joints, Inlets, Apertures, or Openings therein respectively Air tight, and to prevent the said Gas from escaping therefrom.

For preventing Injury to Pipes conveying Water to Fountains.

XXV. Provided always, and be it further enacted, That the said Company or their Workmen, Agents, or Servants shall in nowise be empowered in carrying this Act into Execution, to do Damage or Injury to any public Sewer or Drain, or to any Pipe or Pipes, for conveying Water to any of the Fountains within the Limits over which the Powers of the said Commissioners or other Persons acting in the Execution of the said Act passed in the Forty-seventh Year of the Reign of His said late Majesty extend; and if any such Damage or Injury shall happen, or be done to any such public Sewer or Drain, or to any such Pipe or Pipes, the said Company shall forthwith well and effectually repair and make good every such Damage and Injury; and in default thereof it shall be lawful for the said Commissioners or other Persons so acting as aforesaid, or any Surveyor or Workmen acting under their Authority, effectually to repair and make good the same; and that in every such Case all reasonable Costs, Expences, and Charges incurred therein, shall be refunded and paid by the said Company to the said Commissioners, or other Persons so acting as aforesaid; and there shall be further paid by the said Company, the Sum of Five Pounds, by way of Penalty for every such Offence, which Costs, Charges, and Penalties, shall be recoverable from the said Company in a summary Way, upon the Oath of one or more credible Witness or Witnesses, by Information, to be laid and exhibited by Order of the said Commissioners, or other Person acting as aforesaid, before One or more Justice or Justices of the Peace of the County of the said City of *Dublin*, (or of the County of *Dublin*, as the Case may be) and shall and may be levied by Distress and Sale of the Goods and Chattels of the said Company, by Warrant, under the Hand and Seal, or Hands and Seals, of such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to issue.

For preventing the Escape of Gas.

XXVI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Company in pursuance of this Act, the said Company shall at their own Expence, immediately after receiving Notice by Parole or in Writing of any such Escape of Gas, from any Person whatsoever, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Company shall not, within Twenty-four Hours next after such Notice in Writing being given of any such Escape of Gas, proceed to discover and prevent the Gas from escaping, and to remove the Cause of Complaint,

plaint, and then and in every such Case the said Company shall, for every such Offence, forfeit and pay a Penalty of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before some One or more Justice or Justices of the Peace for the County of the said City of *Dublin*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Company, by the Warrant of any such Justice or Justices of the Peace as aforesaid, and the same shall, on being so recovered, be paid to the Informer.

Power to raise, sink, or alter Pipes, &c.

XXVII. And be it further enacted, That if for the Purposes of any or either of the Acts of Parliament for paving, repairing, lighting, watching, or cleansing the said City of *Dublin*, or the Environs thereof, or Places adjacent, it shall at any Time or Times be deemed necessary or expedient by the Commissioners, or other Persons aforesaid, acting under and by virtue of any or either of the said Acts, or their Surveyor or Surveyors, to require the said Company of Proprietors to raise, sink, or otherwise alter the Situation of any of the Pipes, Stopcocks, Plugs, or Branches, which shall be laid down for the Purposes aforesaid, the said Company of Proprietors shall at their own Expence, within One Week next after being required so to do by Notice in Writing to them given by the said Commissioners, or other Persons aforesaid, signed by their Clerk, or their Surveyor or Surveyors, raise, sink, or alter such Pipes, Stopcocks, Plugs, or Branches, according to such Notice, in such Manner and in such Place or Places as the said Commissioners, or other Persons aforesaid, or their Surveyor or Surveyors, shall think right and proper; and in default thereof it shall and may be lawful to and for the said Commissioners or other Persons aforesaid, or their Surveyor or Surveyors, or any other Person or Persons acting by their Order or under their Authority, to cause such Pipes, Cocks, Plugs, or Branches, to be raised, sunk, or altered, and that the reasonable Costs and Charges for doing the same shall immediately thereafter be paid by the said Company of Proprietors or their Treasurer: Provided nevertheless, that if such reasonable Costs and Charges be not paid within Thirty Days next after Demand shall be made by such Surveyor or other Person, acting by or under the Authority of the said Commissioners or other Person aforesaid or their Surveyor or Surveyors, Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace acting within the Limits of this Act, all such reasonable Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company of Proprietors, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace as aforesaid, and which Warrant such Justice or Justices is and are hereby empowered and required to grant, and such Costs and Charges shall be paid to the said Commissioners or other Persons aforesaid.

Power to contract for supplying Gas.

XXVIII. And be it further enacted, That the said Company or their Board of Governor, Deputy Governor, and Directors, may and are hereby authorized and empowered to enter into Agreements or Contracts with the

the Commissioners acting in the Execution of the said recited Act passed in the Forty-seventh Year of the Reign of His late Majesty, or with any other Person or Persons having for the Time the Controul, Direction, or Management of the Lighting of the said City of *Dublin*, and the Suburbs and Places adjacent, or any of the Liberties or Precincts thereof respectively, or with any Person or Persons, Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, willing and desirous of contracting with the said Company of Proprietors, or with their Board of Governor, Deputy Governor, and Directors, for the Lighting of the said City and Suburbs, and Places adjacent, or any Part thereof, or any Streets, Squares, public Market Places, or Manufactories, or private Houses, or Places of public Exhibition, Shops, Counting Houses, or Warehouses, or other Places or Buildings within the said City or Suburbs, or Places adjacent, or Liberties or Precincts aforesaid, for Payment to the said Company of Proprietors, or their said Board, Yearly, Quarterly, or Monthly, such Sum or Sums of Money for such Gas as shall be mutually agreed upon between them; and in case of Default in Payment of any such Sum or Sums of Money so agreed to be paid as aforesaid, it shall and may be lawful to and for the said Company of Proprietors, or their said Board, to cause such Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with any Main or other Pipe or Pipes belonging to the said Company, to be separated from the said Pipe or Pipes with which the same shall so communicate, and to cause the Gas to be stopped from issuing or running into the House, Office, Building, Work, or Manufactory of any Person making such Default.

Provision as to public Lighting.

XXIX. And be it further enacted, That from Time to Time and at all Times so soon as Mains and Pipes can be laid in the Manner directed by this Act, the said Company shall be bound and obliged, whenever thereunto required by the said Commissioners or other Persons so acting as aforesaid, to furnish an adequate Supply of Gas for lighting in a proper and effectual Manner all such of the Streets, Squares, Passages, and other public Places within the said City of *Dublin*, as the said Commissioners or such other Persons so acting as aforesaid shall, by any such Notice or Notices, require to be lighted as aforesaid, and thenceforth to keep the same lighted with Gas upon the Terms and Conditions hereinafter specified; (that is to say), that the said Company shall supply such Quantity of Gas Light from such Mains and Pipes, when laid as aforesaid, at such Number of Lamps, with such Sorts of Burners, of such Dimensions, Constructions, and Qualities, to be set up in such Situations, and to continue burning at such Times, and for such Number of Hours, and under such Regulations, as the said Commissioners or such other Persons so acting as aforesaid shall from Time to Time direct, upon the said Company's receiving annually for every such public Lamp so required some Yearly Price or Sum, to be mutually arranged and contracted for Once in every Three Years, or oftener, between the said Commissioners or such other Persons so acting as aforesaid, and the said Company; it being hereby provided nevertheless, and made obligatory upon the said Company, that the Gas Lights which shall be supplied by the said Company for the public Lighting of the said City and the Suburbs, Places adjacent, and any of the Liberties and Precincts thereof respectively, shall at all Times be cheaper and better Lights than could be afforded from Oil, and at a Rate not exceeding that at which Gas shall be supplied for lighting

lighting the Streets of the Cities of *London* or *Westminster*, by any Company already incorporated, or that may hereafter be incorporated, where such Mains and Pipes shall have been laid as aforesaid; and that the Branch or Service Pipes which shall be set up by the said Company to supply the Gas for such public Lighting, shall in all cases be of a Diameter not less than Half an Inch in the Bore, and shall be kept fully charged with Gas whensoever it shall be necessary for the Purposes of such public Lighting as aforesaid.

Shares to be Personal Estate.

XXX. And be it further enacted, That all and every the Shares and Proportion of all Bodies Politic, Corporate, and Collegiate, and all other Person and Persons, of and in the said Works, or the Joint Stock or Fund of the said Company of Proprietors, or the Lands, Tenements, Hereditaments, and Premises to be purchased by the said Company in pursuance of this Act, shall be deemed Personal Estate, and transmissible as such, agreeably to the Law of that Part of the United Kingdom called *Ireland*, and not of the Nature of Real Property.

Number of Votes in respect of Shares.

XXXI. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One or more Shares in the said Undertaking, his, her, or their respective Successors, present in Person or by Proxy, at the stated General Assemblies and Special General Assemblies to be held as herein appointed, shall for Five Shares have One Vote, for Ten Shares Two Votes, for Fifteen Shares Three Votes, for Twenty-five Shares Four Votes, for Thirty-five Shares and upwards Five Votes; and every Question, Matter, and Thing which shall be proposed, discussed, or considered in any stated General Assembly, or any Special General Assembly of the said Company of Proprietors, shall be determined by the Majority of Votes then given in Person or by Proxy, computing the Votes as aforesaid.

Votes may be given by Proxy.

XXXII. And be it further enacted, That every such Vote, and all such Votes, shall and may be given by any Proprietor or Proprietors in Person, or by his, her, or their Proxy or Proxies (such Proxy or Proxies being a Proprietor of One or more Shares of the said Company), duly constituted under his, her, or their Hand or Hands, or Common Seal if a Corporation, or in cases of Infancy or Lunacy, under the Hand or Hands of his, her, or their Guardian or Guardians, Committee or Committees; and that every such Vote by Proxy shall be as valid and good to all Intents and Purposes as if such Principal or Principals had voted in Person, or being an Infant, had been of full Age; the Appointment of which Proxy shall and may be in the Words or to the Effect following, (varying the same so as to meet each particular Case); *videlicet*,

Form of Proxy.

‘ I One of the Proprietors [*or* we, Guardians of One of the Proprietors] of *The*
‘ *Hibernian Gas Light Company*, do hereby nominate, constitute, and ap-
‘ point to be my [*or* his *or* her] Proxy, in my [*or*
‘ his *or* her] Absence, to vote and give my [*or* his *or* her] Assent or
‘ Dissent to any Business, Matter, or Thing which shall be mentioned
‘ or proposed at any Meeting of the Proprietors of the said Company, in
‘ such Manner as he the said shall think proper,
‘ according

'according to his Opinion and Judgment, for the Benefit of the said 'Company. In witness whereof, I [*or* we] have hereunto set my Hand '[*or* our Hands] the Day of in the Year 'of our Lord .'

Joint Proprietors or Bodies Corporate how to vote.

XXXIII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to Five or more Shares in the said Undertaking, and in the Profits and Advantages thereof, such Persons shall be entitled to give their Vote or Votes in respect thereof by the First of such Persons whose Names shall stand in the Books of the said Company as Proprietors of such Shares, who shall be present at any Meeting of the said Company of Proprietors, or by any Proxy appointed as aforesaid under the Hands of such Persons.

No Person to vote where he is interested.

XXXIV. Provided always, and be it further enacted, That no Person or Persons shall vote at any of the Meetings of the said Company, upon any Question or Questions relating to the Concerns of the said Undertaking, in which such Person or Persons shall be in anywise interested other than as a Subscriber or Subscribers, Proprietor or Proprietors, to or of the said Undertaking.

Places of General Assemblies.

XXXV. And be it further enacted, That all the Meetings of the stated General Assemblies and Special General Assemblies of the said Company shall be held in the City of *Dublin*; and that at all and every such stated General and Special General Meetings, the Parties composing them shall pay their own Expences, the Hire of the House in which the Meetings shall be held only excepted.

Times of Meeting.

XXXVI. And be it further enacted, That the First General Assembly or Meeting of the said Company of Proprietors for putting this Act into Execution shall be held at *Dublin* upon the Ninth *Tuesday* after the passing of this Act, at the Hour of Eleven in the Forenoon; and all future General Meetings of the said Company (except such Special General Meetings as herein-after mentioned) shall be held on the Second *Tuesday* in the Month of *June* and the Second *Tuesday* in the Month of *December* in every Year thereafter, at the Hour of Eleven in the Forenoon; of all which General Assemblies or Meetings Thirty-one Days previous Notice at the least shall be given by public Advertisement in any Two of the Newspapers usually published in *Dublin*.

Special Meetings may be held.

XXXVII. And be it further enacted, That if at any Time it shall appear that for the more effectually putting this Act into Execution a Special Meeting of the said Company of Proprietors is necessary to be holden, it shall and may be lawful to and for any Ten or more Members of the said Company, holding in the Aggregate Fifty Shares or upwards of the Capital Stock of the said Company, at any Time by Notice in Writing under their Hands, left at the Office of the said Company, to require the Clerk for the Time being to call a Special General Meeting, so as such Requisition fully express the Object for which such Meeting is required to be called, and which Meeting such Clerk is hereby authorized and required forthwith to call by sending a Copy of such Requisition by the Post to each Member of the said Company, and giving at least Ten Days previous Notice of the Time and Place where such Meeting

ing is intended to be held; and in case of the Neglect or Refusal of the said Clerk to call such Meeting, the same may be called by the said Members as herein-after is expressed; and that every General Meeting may be adjourned from Time to Time, and from Place to Place, as shall be found expedient, and that at least Ten Days Notice of every General Meeting, and Three Days previous Notice of every Adjournment of any General Meeting shall be given: Provided always, that all Notices hereinbefore directed to be given of any General or Special Meetings or Adjournments respectively, or to any of the said Proprietors, upon any particular Occasion, and not herein otherwise provided for, shall be given to the said several Proprietors, or to such individual Proprietor respectively, by Letters from the Clerk of the said Company, sent by the Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietors entitled to such Notice (as the Case may be), and that such Notices shall be deemed and considered the same as Personal Service.

Special Meetings may be convened by Members on Neglect of Clerk.

XXXVIII. And be it further enacted, That in case the Clerk for the Time being shall refuse or neglect, for the Space of Six Days, to comply with any Requisition signed by Ten or more Members holding in the Aggregate Fifty Shares or upwards, directing him to call a Special General Meeting as herein-before mentioned, then and in such Case it shall be lawful for the Members who shall have signed the same to call a Special Meeting of the Company, by Advertisement in Two or more of the *Dublin* Newspapers, specifying the Place where and Time when such Meeting is to be held, the Time not being less than Ten Days after such Notice, and the Place somewhere in the said City of *Dublin*, and the Decision and Determination of the Proprietors present at such Meeting, or the major Part of them, according to the Number of Votes they shall have a Right to give respecting such Matter or Matters, shall be as valid, to all Intents and Purposes, as if the same had been made at a General Meeting of the said Company.

Appointment of Governor and Deputy Governor.

XXXIX. And be it further enacted, That *William Lunell Guinness* Esquire shall be Governor and *Joseph Robinson Pim* Esquire shall be Deputy Governor of the said Company, until the Second *Tuesday* in the Month of *June* which will be in the Year One thousand eight hundred and twenty-six, when a Governor and Deputy Governor of the said Company shall be chosen by a Majority of Votes given in Person or by Proxy at the General Meeting then to be holden, and so at the Expiration of every Two Years, a Governor and Deputy Governor shall be chosen by a Majority of such Votes, at the General Meeting then to be holden: Provided always, that the said Governor and Deputy Governor hereby appointed, or any Governor or Deputy Governor to be chosen as aforesaid, shall and may be capable of being re-elected at the Expiration of the Period hereby limited for their continuing in Office.

Directors.

XL. And be it further enacted, That *Nicholas Mahon*, *William Harding*, *John Murray*, *Robert Roe*, *Joshua Mason Chaytor*, *Solomon Watson*, *Daniel O'Connell*, *Robert Simpson*, and *Abraham Lane*, shall be Directors of the said Company until the Second *Tuesday* in the Month of *June* which will be in the Year One thousand eight hundred and twenty-six, when the Three Directors herein first named shall cease to be Directors of the said Company,

Company, and Three other Directors shall be chosen in their Room by a Majority of Votes given in Person or by Proxy at the General Meeting then to be holden; and such Directors so chosen shall, with the said other Six Directors herein named, continue the Directors of the said Company until the Second *Tuesday* in the Month of *June* which will be in the Year One thousand eight hundred and twenty-seven, and so from Time to Time in each and every Year on the Second *Tuesday* in the Month of *June*, Three Directors according to the Rotation in which they are named by this Act shall cease to be Directors, and Three other Directors shall from Time to Time be chosen in their Room by a Majority of Votes given in Person or by Proxy at the General Meetings to be holden on the Second *Tuesday* in the Month of *June* in each and every Year: Provided always, that any Director hereby directed to go out by Rotation may be re-elected a Director, if a Majority of the Proprietors present in Person or by Proxy at any such General Meeting as aforesaid shall think fit to re-elect him.

Qualification of Governor, Deputy Governor, and Directors.

XLI. Provided always, and be it enacted, That no Person shall be qualified to be a Governor or Deputy Governor, or Director of the said Company, who shall not be possessed of Twenty Shares of the Stock of the said Company; and in the Event of the said Governor, Deputy Governor, or Directors disposing of their Stock, so as to be under the Qualification aforesaid, such Person shall no longer be entitled to act in the official Situations which they hold in the said Company.

Vacancies how to be filled up.

XLII. Provided also, and be it further enacted, That any Vacancy or Vacancies in the Offices of Governor, Deputy Governor, or Directors, by Death, Resignation, Removal, or becoming ineligible or unqualified, or being disqualified as aforesaid, may and shall be filled up at any Special Meeting or Meetings of the said Company, to be called for that Purpose in Manner herein directed; and that the Person or Persons so to be chosen to fill such Vacancy or Vacancies shall continue in his or their several or respective Office or Offices, for the Space of Time that the Person or Persons in whose room they shall be chosen are hereby directed to continue in Office.

Persons ceasing to hold Shares or interested in Contracts, &c. disqualified from acting as Directors.

XLIII. Provided also, and be it further enacted, That no Person shall be qualified to be elected, nor to serve or act as a Director of the said Company, who by Sale or otherwise shall cease to be a Proprietor in the said Undertaking, or who shall hold any Place of Profit under the said Company, or who shall be concerned or interested in any Contract to be made or entered into under this Act, or who shall offer to take or shall actually participate in any Manner in any Work to be done for the said Company, whether by Contract or otherwise.

Meetings of the Governor, Deputy Governor, and Directors.

XLIV. And be it further enacted, That for the better Management of the Affairs of the said Company, it shall and may be lawful for the said Governor, Deputy Governor, and Directors for the Time being, and they are hereby authorized and required, from Time to Time to assemble and meet together at any Place or Places in *Dublin*, for the Direction and Management of the Affairs of the said Company; and that at all such Meetings the Governor, and in his Absence the Deputy Governor, shall preside; and in case of their Absence the Directors present shall choose one of their Number to be their Chairman; and that any Three or more of the said Governor,

Governor, Deputy Governor, or Directors, but not less shall be a sufficient Number or Quorum to constitute a Meeting; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered at any such Meetings, shall be decided and determined by the Majority of the Members then present; but no Member shall have more than one Vote at any such Meeting, save and except that in case of an equal Division, the President or Chairman, besides his deliberative, shall also have a casting Vote: Provided always, that if on the Day appointed for any such Meeting there shall not attend so many Members as are hereby required to constitute a Meeting for exercising the Powers hereby vested in the said Governor, Deputy Governor, and Directors, then and in such Case, and when and so often as the same shall happen, the Meeting shall be adjourned to any future Day fixed by the Member or Members or Majority of them then present, or if no Member shall be present, by the Clerk of the said Company of Proprietors or such other Person as shall attend in his Place: Provided also, that it shall and may be lawful for the said Governor, Deputy Governor, and Directors to appoint any of their Number, not less than Two, to be a Sub-Committee or Sub-Committees for particular Purposes, for the better attending to and transacting the Business of the said Company, and subject to the Approbation of the said Governor, Deputy Governor, and Directors.

Officers to be appointed by the Governor, Deputy Governor, and Directors.

XLV. And be it further enacted, That it shall and may be lawful for the said Governor, Deputy Governor, and Directors, and they are hereby authorized and required, from Time to Time to nominate and appoint a Treasurer and Clerk, and such Engineers and Surveyors, Collectors, and other Officers as they may find necessary for enabling them to transact the Business of the said Company, and for the better carrying the Purposes of this Act into Execution, the said Governor, Deputy Governor, and Directors, always taking good and sufficient Security, and to such Extent as they shall think requisite from such Treasurer, Collector, and other Officer appointed to receive Money, or have the Care or Custody thereof, for the due accounting for all such Monies with which they may respectively be entrusted, and for the faithful Discharge of the Trust reposed in them; and also from Time to Time to discharge and dismiss any such Treasurer, Collector, Clerk, Engineer, Surveyor, or other Officer, and appoint others in their Stead, as the said Governor, Deputy Governor, and Directors shall think fit; and that all such Treasurers, Collectors, Clerks, Engineers, Surveyors, and other Officers of the said Company of Proprietors, who shall at any Time quit or be dismissed from the Service of the said Company, and the respective Executors and Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Governor, Deputy Governor, and Directors, or to such other Person or Persons as they shall appoint, all Books, Accounts, Writings, and Papers whatsoever, which shall be in the Custody or Power of such Treasurers, Collectors, Clerks, Engineers, Surveyors, or other Officers, Executors, or Administrators respectively, in anywise relating to the said Undertaking; and the said Governor, Deputy Governor, and Directors shall have Power and Authority, and they are hereby required to balance or cause to be balanced the Books of the said Company at *Christmas* and *Midsummer* in every Year, the first Balance being made on the Twenty-fifth Day of *December* in the Year One thousand eight hundred and twenty-three, or at such

other Period of each Year as any General Annual Meeting may from Time to Time appoint; and the same being so balanced shall be examined, docqueted, and signed by the major Number or Quorum of the said Governor, Deputy Governor, and Directors, and an Abstract thereof shall be produced at the General Meetings of the said Company of Proprietors to be held upon the Second *Tuesday* in the Months of *June* and *December* in every Year thereafter, so that any of the Proprietors attending the said Meetings may have an Opportunity of inspecting the same; and all Books of the said Company shall be open for the Inspection at all reasonable Times of any of the Proprietors.

Offices of Clerk and Treasurer not to be held by One Person.

XLVI. Provided always, and be it further enacted, That it shall not be lawful for the said Governor, Deputy Governor, and Directors to appoint the Person who shall 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 appoint the Person who shall be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes aforesaid, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending 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 Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Directing what shall be deemed a Service of Notices, &c. on the Company.

XLVII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs or other legal Proceedings, the Service thereof upon the Clerk of the said Company, or at any of the Offices of the said Company, or left at the last or usual Place of Abode of the Clerk to the said Company, or Service upon any Agent or other Officer employed by the said Company, or upon the said Governor or Deputy Governor, or any One of the said Directors, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

Contingencies and Division of Profits.

XLVIII. Provided always, and be it enacted, That a Sum equal to Five *per Cent.* shall be set apart out of the Profits to arise from the said Undertaking in every Year, until the same shall amount to at least Ten thousand Pounds Sterling, as a Fund for answering Contingencies, before any Dividend shall be made among the said Proprietors of any Part of the said Profits, and such Sum so set apart shall be invested in Government Securities, to be approved by the said Governor, Deputy Governor, and Directors; and the Dividends and Interest thereof, as well as the Yearly Profits to arise from the said Undertaking, so soon as such Sum shall have been set apart as aforesaid, shall be divided among the several Proprietors of the said Company, according to the Shares which they severally hold in the said Undertaking; but if from any Accident which may happen to the said Undertaking, the said Sum of Money, or any Part

Part thereof so set apart, shall be required to repair the same, a Sum equal to Five *per Cent.* shall be again set apart out of the Profits to arise from the said Undertaking, until the Part thereof which shall have been so expended shall be replaced, or until another Sum, not less than Ten thousand Pounds Sterling, shall be set apart as aforesaid.

Governor, Deputy Governor, and Directors may make Calls for Money.

XLIX. And be it further enacted, That the Governor, Deputy Governor, and Directors of the said Company for the Time being, shall have full Power and Authority from Time to Time as aforesaid, to make such Call or Calls for Money from the several Subscribers to and Proprietors of the said Undertaking, in order to defray the Expences of or carrying on the same, as they shall from Time to Time find wanting and necessary for those Purposes, until the Sums subscribed are paid; so that no such Call shall exceed the Sum of Twenty Pounds *per Centum* for or in respect of every Share in the said Undertaking; and so that no such Calls be made but at the Distance of Six Calendar Months at least from each other, and so that Thirty-one Days Notice at least shall be given of every such Call by Advertisement in some Newspapers usually published in *Dublin;* all which Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer of the said Company of Proprietors, to be issued, paid, and applied for carrying on the said Undertaking in such Manner as the said Governor, Deputy Governor, and Directors shall from Time to Time order and direct.

Contracts for the Purchase of Land.

L. And be it further enacted, That the said Governor, Deputy Governor, and Directors shall have full Power and Authority, on behalf of the said Company of Proprietors, to contract for and purchase all such Lands, Tenements, Hereditaments, and Premises as the said Company are hereby authorized to purchase, and all such Materials and other Things as shall or may be wanted for the said Undertaking and the Works hereby authorized to be made; and to treat and agree with any Person whomsoever touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given; and to enter into and make such Contracts and Agreements with any Contractors, Agents, Workmen, Servants, and other Persons, in and about and for the carrying on the said Undertaking and Works, or any Part thereof, as shall be thought expedient; and to enter into and make all such Contracts, Bargains, and Agreements whatever, touching or in anywise concerning the said Undertaking, as they shall think proper; and to order and direct how the several Works shall from Time to Time be carried on, and generally to direct and manage all and singular the Affairs and Business of the said Company of Proprietors; and to do, execute, and perform all Acts, Matters, and Things which the said Company are by this Act authorized to do, save and except such only as are hereby expressly directed to be done by the Proprietors at large at any Meeting or Meetings of such Proprietors to be held as aforesaid.

Governor, Deputy Governor, and Directors to enter their Proceedings.

LI. And be it further enacted, That the said Governor, Deputy Governor, and Directors shall enter or cause to be entered in Books, to be provided for that Purpose at the Expence of the said Company of Proprietors, a full and true Account of all Money disbursed, and Payments made by or under the Direction of such Governor, Deputy Governor, and Directors, and by all and every Person and Persons employed by or under

under them, and of all Monies that shall be paid to or received by them respectively, for or on account of the said Company of Proprietors; and also a full and true Account, or proper Notes and Minutes of every Contract, Bargain, and Agreement which shall be entered into for or on behalf of the said Company of Proprietors, and of all and singular their respective Orders, Transactions, and Proceedings whatsoever in and about the Affairs and Business of the said Company; but that no Money shall be issued or paid by any Treasurer to the said Company of Proprietors for or on account of the said Company, or otherwise, than in such Manner as shall be directed by the said Governor, Deputy Governor, and Directors; and every such Book, and all other Books, Papers, and Writings belonging to the said Company of Proprietors, shall at all seasonable Times, upon Application to the said Governor, Deputy Governor, and Directors, be submitted to the Inspection of any of the Proprietors, who may take Copies thereof, or Extracts therefrom, without Fee or Reward.

General Meetings may make Bye-laws.

LII. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time at any of their General Meetings as aforesaid, to make such Rules, Orders, and Bye-laws as to them shall seem meet and proper, for regulating the Proceedings of the said Governor, Deputy Governor, and Directors, and for the regulating of all Officers, Workmen, and Servants to be employed in or about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye-laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye-laws, or any of them, not exceeding the Sum of Five Pounds for any One Offence, as to the said Company at a General Meeting shall seem meet and expedient; and all Rules, Orders, and Bye-laws so made as aforesaid (being reduced into Writing, and the Common Seal of the said Company thereto affixed), shall be binding upon all Persons, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye-laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, or any of the express Directions or Provisions of this Act: Provided also, that Copies thereof shall be printed, fixed, and continued in the Office of the Clerk or other the Buildings and Premises of the said Company; and all such Rules, Orders, and Bye-laws shall be subject to Appeal in manner by this Act directed.

Proprietors to pay their Shares as appointed.

LIII. And be it further enacted, That every Proprietor of any Share or Shares in the said Undertaking shall from Time to Time pay his or her Proportion of the Money so to be called for as herein-before is mentioned, into the Hands of the Treasurer of the said Company, at such Time and Place as shall be appointed for that Purpose by the said Governor, Deputy Governor, and Directors, and of which Notice shall be given as herein-before is directed; and that if any Person or Persons shall neglect or refuse to pay his, her, or their proportionate Part of the Money so to be called for as aforesaid, at the Time and Place which shall be appointed for that Purpose in Manner aforesaid, then and in such Case the Person

Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof; and all Shares that shall or may be so forfeited shall be vested in the said Company of Proprietors, in Trust for and for the Benefit of all the Rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking; and in the Event that any Person or Persons paying any such First Call as aforesaid, shall neglect or refuse to pay his, her, or their proportionable Part or Parts of the Money to be thereafter called for as aforesaid, and for the Space of Two Calendar Months after the Time to be appointed for Payment thereof as aforesaid, then and in such Case the Share or Shares shall and may be sold by the said Company of Proprietors, or the said Board of Governor, Deputy Governor, and Directors, by public Auction, for the highest or best Price or Prices that can be got for the same, every such Sale being advertised at least Once a Week for Three Weeks successively, in some One or more of the Newspapers published in *Dublin*, and the said Company of Proprietors, or the said Board of Governor, Deputy Governor, and Directors rendering an Account of every such Sale or Sales to every such Person or Persons when demanded, and paying to every such Person any Overplus of such Price or Prices, after deducting all such Charges, and such further proportionable Sum or Sums of Money which may remain due upon such Share or Shares by such Person or Persons to the said Company of Proprietors; but no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Undertaking as aforesaid, unless the same shall be declared at some General or Special Meeting of the said Company, which shall be held not earlier than Two Calendar Months next after the said Forfeiture shall happen; and that any such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

Shares may be sold.

LIV. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, his, her, or their respective Executors, Administrators, and Assigns, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyances of which Shares may be in the Form or to the Effect following; *videlicet*,

'I *A.B.* of in consideration of
'paid to me by *C.D.* of do hereby convey,
'sell, assign, and transfer to the said *C.D.* the Sum of
'Capital Stock of and in *The Hibernian Gas Light Company*, being One
'Share [*or so many Shares, as the Case may be*] in the said Undertaking;
'to hold to the said *C.D.* his Executors, Administrators, and Assigns,
'subject to the same Rules, Orders, and Restrictions, and on the same
'Conditions that I held the same immediately before the Execution here-
'of; and I the said *C.D.* do hereby agree to take and accept the said
'Capital Stock or Share, subject to the same Rules, Orders, and Restric-

'tions and Conditions. In witness whereof, we have subscribed these
'Presents, at the Day of
'before these Witnesses and '

And on every such Sale the said Assignment or Deed of Conveyance (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Shares) shall be indorsed by any Three of the said Governor, Deputy Governor, or Directors, and shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk to the said Company of Proprietors shall have entered, in a proper Book or Books to be kept for that Purpose, a Memorial or Specification of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Three Shillings Sterling shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly immediately, without any undue Delay; and until such Deed of Sale, Indorsement, and Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Right to any Part or Share of the Profits of the said Undertaking, or any Vote as a Proprietor or Proprietors of the said Undertaking.

Persons selling after Call shall be liable to such Call.

LV. And be it further enacted, That after a Call of such Money shall have been made, every Person and all Persons selling or transferring any Share or Shares, which he, she, or they shall possess in the said Undertaking shall, as well as the Person or Persons to whom such Share or Shares shall be sold, be liable to the Payment of every such Call in the Manner directed by this Act; and no such Transfer shall be entered or registered in the Books of the said Company, unless such Person or Persons so selling or transferring shall, at the Time of such Sale or Transfer, have paid to the Treasurer of the said Company of Proprietors the whole and entire Sum of Money which shall have been previously called for upon each Share so sold and transferred.

Names of Proprietors to be entered in a Book, and Certificate to be granted.

LVI. And be it further enacted, That the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the Shares, and also the proper Number by which every Share shall be distinguished, shall be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company; and after such Entry, a Certificate thereof shall be signed by the Clerk of the said Company, and shall be delivered to every Proprietor on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatever as Evidence of the Title of such Proprietor, his, her, or their Executors, Administrators, and Assigns, to the Share or Shares therein specified.

Who in cases of Call to be deemed Proprietors.

LVII. And be it further enacted, That the Bodies Politic, Corporate, and Collegiate, and all and every Person or Persons whose Names shall at any Time hereafter stand in the said Register Book, or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as Subscribers or as Successors, Executors, Administrators, or Assigns of Subscribers, shall be deemed and taken to be the Proprietors of the several Shares

standing in the said Book in their respective Names, and shall be subject and liable to the Payment of every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures and Penalties to which original Proprietors of Shares in the said Undertaking are made subject and liable by this Act; and that all Notices hereby required to be given, previous to the Forfeitures of Shares, to the Proprietors thereof shall, if given to the Persons appearing by the said Register Book of the said Company to be such Proprietor or Proprietors, or their Representatives, or left at his, her, or their last or most usual Place of Abode, be in all respects good, sufficient, and conclusive; and all Payments of Interest and Dividends due and to grow due on such Shares shall be made to such Persons as by the said Book of the said Company shall so appear to be Proprietors thereof; and that no Assignment, Transfer, Bargain or Sale of any Share or Shares, or other Instrument giving Title to any Share or Shares which shall not have been enrolled or registered as directed by this Act, shall be admitted as Evidence either to defeat any Action or Suit brought or to be brought by the said Company of Proprietors to receive the said Calls, or to entitle any Persons to recover any Share or Shares forfeited to the Company of Proprietors, or to make the said Company of Proprietors liable to the Payment of Dividends to any other Person than such as appear upon the said Book to be Proprietors of the said Shares; but that in all Cases the said Book shall be considered as Evidence of the Proprietorship of the said Share or Shares.

Property of the Undertaking vested in the Proprietors.

LVIII. And be it further enacted, That the Property of and in the said Undertaking and Profits arising therefrom, after deducting the Money laid out in obtaining and passing this Act, and in making the different Surveys and Plans of the same, and of the Lands and Grounds through which the same is intended to pass or be carried as aforesaid, and making and constructing the Works authorized by this Act, and all other incidental Costs, Charges, and Expences whatsoever touching or concerning the same in anywise howsoever, which shall be respectively borne, paid, and defrayed by the said Company of Proprietors, is and are hereby vested in the said Company of Proprietors, and they shall severally and respectively be entitled thereto in such Shares and Proportions and in the Manner prescribed by this Act.

Recovery and Application of Penalties.

LIX. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed, or by any Bye-law or Rule made in pursuance thereof, (the Manner of levying, recovering, and applying whereof is not herein otherwise directed), shall upon Proof of the Offences respectively before any Justice of the Peace for the County of the City of *Dublin*, if the Offence should be committed therein, or any Justice of the Peace for the County of *Dublin*, if the Offence should be committed in the County of *Dublin*, (as the Case may require), either by the Confession of the Party offending or by the Oath of any credible Witness or Witnesses, (which Oath such Justice is in every such Case hereby fully authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any) after such Penalties, Forfeitures and Fines, and the Charges of such

such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and in case such Penalties, Forfeitures, and Fines shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice, on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County of the City of *Dublin*, or the County of *Dublin*, as the Case may require, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, nor less than One Month, unless such Penalties, Forfeitures, and Fines respectively, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid and applied as follows, One Moiety thereof to the Informer and the other Moiety thereof to such public Charity of and in the said County of the City of *Dublin*, or the County of *Dublin*, as the said Justices shall think proper.

LX. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; *videlicet*,

Form of Conviction.

'County of (the City of if the Case be so) Dublin, to wit. } BE it remembered, That on the Day of in the Year of our Lord One thousand eight hundred and is [*or* are] convicted before me [*or* us, *as the Case may be*] of His Majesty's Justices of the Peace for the County of the City of *Dublin* [*or the County of Dublin, as the Case may be*], by virtue of an Act of Parliament passed in the Fourth Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*], of having [*specifying the Offence, and the Time and Place when and where the same was committed, as the Case shall be*], contrary to the said Act; and for which Offence I [*or* we, *as the Case shall be*], do order and adjudge the said to pay the Sum of for Expences, Charges, and Costs to the Given under my Hand and Seal [*or* our Hands and Seals], the Day and Year first above written.'

Proceedings to be within Six Calendar Months.

LXI. And be it further enacted, That no Person or Persons, Body or Bodies Politic or Corporate, shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any

any Offence or Offences against this Act, unless Information respecting such Offence or Offences shall have been lodged before a Magistrate within Six Calendar Months next after such Offence is committed.

Distress not unlawful for Want of Form.

LXII. And be it further enacted, That where any Distress shall be made for any Money to be levied by this Act, the Distress itself shall not be deemed unlawful, nor the Parties making such Distress be deemed Trespassers, on account of any Default or Want of Form in any Proceedings relative thereto, nor yet be deemed Trespassers *ab initio*, on account of any Irregularity afterwards done by the Party or Parties distraining; but the Person aggrieved by such Irregularity may recover full Satisfaction for the Special Damage in any Action on the Case.

Plaintiff not to recover if Tender of Amends be made.

LXIII. And be it further enacted, That no Plaintiff shall recover in any Action for any such Irregularity or Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings before such Action shall be brought; and in case no such Tender shall be made before the Commencement of such Action, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, before Issue shall be joined, to pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings or Order and Judgment shall be had, made, and given in and by such Court as in other Actions wherein a Defendant is allowed to pay Money into Court.

Appeal.

LXIV. And be it further enacted, That if any Person or Persons thinking himself, herself, or themselves aggrieved by any thing done or prevented from being done in pursuance of this Act (and for which no particular Method of Relief is herein-before appointed), or by any Order, Judgment, or Determination relating to any Matter or Thing in this Act mentioned or contained, or by any Order, Judgment, or Determination made or given in pursuance of any Rule, Order, or Bye-law, such Person or Persons may, within Three Calendar Months next after such Order, Judgment, or Determination shall have been made or given (first giving Twenty-one Days Notice of such Complaint to the Person or Persons against whom such Complaint is intended to be made), complain to the Justices of the Peace at the General Quarter Sessions to be held in and for the City or County in which the Cause of Appeal shall arise, who shall in a summary Way either hear and determine the said Complaint at such General Quarter Sessions, or if they think proper may adjourn the hearing thereof to the next General Quarter Sessions of the Peace to be held for such City or County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Order, Judgment, or Determination; but no Proceeding to be had and taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Dublin*, or elsewhere, any Law, Statute, or Usage to the contrary notwithstanding; and the said Justices may award and order to the Party for whom such Appeal shall be determined, such Costs as they shall judge reasonable and proper; and all Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Saving of Rights.

LXV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, abridge, or diminish any Rights, Privileges, Jurisdictions, and Powers which now belong to or are enjoyed by the Lord Mayor, Sheriffs, or Police Magistrates of the City of *Dublin*, in virtue of former Acts of Parliament, Royal Charters, immemorial Usages, or otherwise: Provided also, that nothing herein shall extend or be construed to extend to prevent any Person or Persons from proceeding against the said Company, or against any of their Officers, Servants, or Workmen, in respect of any Works of the said Company, or of the Method which shall be employed by them for furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against the said Company, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Methods of Lighting, whether such Injury shall proceed from the Nature of such Method of Lighting, or the Carelessness or Want of Skill of the Persons employed therein.

Public Act.

LXVI. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1823.