



ANNO QUARTO

# GEORGIIV. REGIS.

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## *Cap. xcix.*

An Act to enable the Company of Proprietors of the *Dublin Gas Works* to raise more Money for the further lighting the City and Suburbs of *Dublin* with Gas. [17th June 1823.]

**W**HEREAS by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for lighting the City and Suburbs of Dublin with Gas*, the several Persons therein named, and such other Persons as should be possessed of One or more Shares of the said Undertaking, and their respective Successors, should be and they were thereby united into a Company for the Lighting of the said City and Environs and Places adjacent with Gas, and for making, completing, and maintaining the necessary Works for that Purpose, by the Name of The *Dublin Gas Light Company*; and it was thereby further enacted, that it should and might be lawful for the said Company of Proprietors to raise a competent Sum of Money for erecting, making, and maintaining the Houses, Buildings, and Works, and Conveniences necessary for such Purpose, not exceeding in the whole the Sum of Fifty thousand Pounds Sterling, to be divided into Shares of Fifty Pounds each, to be laid out and applied in making the necessary Purchases of Ground, and in the making, completing, and maintaining the Works and Conveniences required for putting the said Act into Execution; and the said Company of Proprietors were further authorized to borrow  
[Local.] 25 £ and

1 G. 4. c. 55.

Company  
authorized  
to raise a  
further Sum.

and take up upon Loan, upon the Security of the said Undertaking, or to raise and contribute among themselves, or by the Admission of new Subscribers, any further Sum or Sums of Money not exceeding the Sum of Twelve thousand five hundred Pounds: And whereas the said Company of Proprietors have raised by Subscription among themselves, in Shares of Fifty Pounds, the aforesaid Sum of Fifty thousand Pounds, and have also raised further Sums to the Amount of the foresaid Sum of Twelve thousand five hundred Pounds, all of which have been expended for and upon account of the said Undertaking: And whereas many Applications have been made to the said Company of Proprietors for Light by Gas in several Streets in the City of *Dublin*, where no Main Pipes have yet been laid, and the said Company of Proprietors are unable to satisfy these and other Demands which have been and may be made upon them for Light by Gas, through the Want of Money to enable them to lay the Main and other Pipes, and to construct the Works necessary for such additional Supply: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Company of Proprietors, together with such other Person or Persons, and such Bodies Politic and Corporate or Collegiate as shall at any Time hereafter chuse to become interested in the said Undertaking, and to become Proprietors in the said Gas Works, to raise and contribute among themselves a further Sum of Money for making, completing, and maintaining the Works and Conveniences belonging or requisite thereto, over and above the Sums of Money allowed to be raised and contributed by the said before-recited Act, not exceeding in whole the Sum of Fifty thousand Pounds Sterling, which said Sum of Money, or such Part thereof as shall be so raised and contributed, shall be laid out and applied, in the first Place, in discharging the Charges and Expences of obtaining and passing this Act, and then in making, completing, and maintaining the Works and Conveniences requisite for rendering the said former Act more effectual, and putting this present Act into Execution; and that the said Sum of Fifty thousand Pounds Sterling, hereby authorized to be raised and contributed in addition to the said former Stock, or so much thereof as shall be so raised and contributed, 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, or agreeing for the Purchase thereof in the Manner hereinafter provided, to their and every of their proper Use and Benefit proportionally to the Share or Shares they shall severally purchase and acquire; and all Bodies Politic, Corporate, or Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, or Assigns, who shall severally subscribe for or acquire Right as after-mentioned to one or more Share or Shares towards carrying on and completing the said Undertaking, and other Purposes mentioned in the said former Act, shall be entitled to and receive, after the said Works and Conveniences shall be completed, and after a Sum equal to not less than Five Pounds *per Centum* of the Net Profits of each Year shall be set apart  
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in the Manner mentioned in the said recited Act, as a Sinking Fund for answering Contingencies, until such Sum shall amount to the Sum of Ten thousand Pounds, the entire and net Distribution along with the other Proprietors, whether holding Stock under the former Act or under this present Act, of an equal proportional Part, according to the Share or the Number of Shares acquired by and belonging to such Proprietors, of the Profits and Advantages which shall and may arise and accrue from the Rates and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors, by the Authority of the said recited Act.

II. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company of Proprietors, or of their Governor, Deputy Governor, and Directors mentioned in the said recited Act, by and with the Advice and Consent of any General Assembly of the said Company of Proprietors, to borrow and take up in Loan, at or below legal Interest, upon the Security of the said Undertaking, or to raise and contribute among themselves, or by the Admission of new Subscribers, in such Shares and Proportions as to them shall seem meet, in addition to the Sums authorized to be borrowed or taken up or raised by the said before recited Act, any Sum or Sums of Money for the Use and Behoof of the said Company, not exceeding in the whole the further Sum of Twelve thousand five hundred Pounds Sterling; in the same Manner that the said Company of Proprietors, or their Governors, Deputy Governor, and Directors, by and with the Advice and Consent of any General Assembly of the said Company of Proprietors, are authorized to borrow or to raise the said Sum of Twelve thousand five hundred Pounds by the said recited Act.

Further Sum  
may be bor-  
rowed.

III. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company of Proprietors, or their Governor, Deputy Governor, and Directors, to sell or agree for the Sale of the Shares of the said Stock authorized by this present Act, by private Sale or Bargain, at a Price not less than Fifty Pounds Sterling *per* Share, or to expose to Sale and sell the same by public Sale to the highest Bidder, at such Price as the same will bring, the Place of public Sale being at some convenient Place within the said City of *Dublin*, and the Time and Place of such Sale being previously advertized in some Two or more of the *Dublin* Newspapers and in the *London Gazette*, once at least each Week for Three Weeks immediately preceding such Sale; and also to adjourn the Sale of all or any of the said Shares so advertized and exposed for Sale, as may appear to them, or their Governor, Deputy Governor, and Directors, expedient for the Interest and Advantage of the said Company of Proprietors, and again to expose the said Share or Shares or any of them to Sale by public Auction in *Dublin*, after advertizing the Time and Place of such Sale in any Two of the *Dublin* Newspapers once a Week for Three Weeks immediately preceding the said Sale.

Shares may  
be sold.

IV. Provided always, and be it further enacted, That if the said Company of Proprietors, or their Governor, Deputy Governor, and Directors for the Time being shall deem it expedient, out of any Surplus

Company  
empowered  
to buy up  
Shares.

Surplus Monies or otherwise, to buy up any Share or Shares in the said Undertaking which shall be offered for Sale by any Proprietor or Proprietors, then and in every such Case it shall be lawful for any General Assembly of the said Company of Proprietors, either to direct that any such Share or Shares so bought shall merge in the said Undertaking, or that the same shall be transferred to the Clerk of the said Company, in trust for the said Company, and that such Share or Shares may in such last-mentioned Case at any Time thereafter be sold for the Benefit of the said Company of Proprietors, and for the raising of any Sum of Money which may be wanted for or towards the erecting or repairing of any Works belonging to the said Undertaking, or any other Purpose necessary for completing and maintaining the same.

To prevent Washings being carried into any Cut, &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 Company, or in the Process of obtaining Gas, into any Cut, 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 Cut, 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 and 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 the full Costs of Suit, in any of His Majesty's Courts of Record at *Dublin* by Action of Debt, wherein no Essoin, Protection, Privilege, Wager at 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 Annoyances, 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, and whether the said Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids, noisome or offensive Liquids, Substances, or Things shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid into any Cut, 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 whosoever, 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

from being emptied, 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 emptied, 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.

VI. 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 One hundred 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.

Report of Works to be sent to Secretary.

VII. And be it further enacted, That all the Stations and Works of the said Company shall be open 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

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

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Lieutenant

Lieutenant or Chief Secretary shall seem meet and proper for the Advantage of the Public.

Mode of laying Pipes.

VIII. 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 the said recited Act; and wherever the Width of the Carriage Way or Foot Path 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 said Company 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 Pipes 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 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,

respectively, air-tight, and to prevent the said Gas from escaping therefrom.

IX. Provided also, and be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which have been or shall be laid down or set up by the said Company, the said Company shall at their own Expence immediately after receiving Notice by Parol or in Writing to be left or given at their Office or usual Place of transacting their Business of any such Escape of Gas, from any Inhabitant or Inhabitants of the said City or Suburbs of *Dublin*, or other Person or Persons, 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 by Parol or in Writing as aforesaid of any such Escape of Gas, effectually stop and prevent such Gas from escaping, and wholly and satisfactorily remove the cause of Complaint, then and in every such Case the said Company shall for every such Offence forfeit and pay any Sum not exceeding 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 so 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 before One or more Justice or Justices of the Peace for the County of the City of *Dublin*, and be recovered with all reasonable Costs and 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 aforesaid, to be granted in like Manner, and subject to the like Provisions as are directed by the said recited Act touching other Penalties to be recovered from the said Company.

Penalty on  
Gas escap-  
ing.

X. Provided always, and be it further enacted, That the said Company shall at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any Occupier or Occupiers of any House or Building into which any Pipe for conveying Gas shall have been introduced, or against or upon which any such Pipe set up or placed in the Manner directed by the said recited Act, or within Twenty Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose for or on Behalf of the Owner or Owners, or the succeeding Occupier or Occupiers of any such House or Building, remove, take, and carry away, or cause to be removed, taken, and carried away; any Pipe or Pipes, Cocks, or Branches from any Main or Pipe which shall have been introduced or laid, or set up, or placed by the said Company in, against, or upon any such House or Building, pursuant to the Power for that Purpose given by the said recited Act, and repair and make good such House or Building where the same shall have been so introduced or laid or set up or placed, any thing in the said recited Act contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall and may be lawful to and for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under their, his, or her respective Authorities or Authority, to cause such Pipes, Cocks,

Company to  
remove  
Pipes, &c.  
when Te-  
nants quit,  
if required.

Cocks, or Branches to be removed, taken, and carried away, and the House or Building where the same shall have been introduced, or against which the same shall have been set up to be repaired and made good; and the reasonable Costs and Charges for doing the same shall be immediately paid by the said Company, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require: Provided nevertheless, that if such reasonable Costs and Charges be not paid within One Calendar Month next after Demand shall be made by such Owner or Owners, Occupier or Occupiers, Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace acting for the County of the City of *Dublin*, 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, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more such Justice or Justices as aforesaid, (and which Warrant such Justice or Justices is and are hereby empowered to grant,) and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may require.

Private Property not to be broken up without Consent.

XI. Provided also, and be it further enacted, That nothing contained in the said recited Act shall be deemed or construed to authorize or empower the said Company to break up any Land or Ground belonging to any Person, or Body Politic or Corporate, not being a Public Street, Road, Passage, or Place, or to lay therein any Main or Pipe communicating with the Works of the said Company, or any Pipe communicating with any such Main or Pipe for the Supply of any Dwelling House or Building with Gas, without the Consent of the Owner or Occupier of such Private Property.

1 G 4. c. 55. to remain in force.

XII. And be it further enacted, That the said recited Act, and all the Powers, Provisions, Authorities, Matters, and Things therein contained, except in so far as the same are hereby altered, or are inconsistent with or repugnant to this present Act, shall continue in full Force and have full Effect and Operation, in the same Manner as if this Act had made Part of the said recited Act.

Public Act.

XIII. And be it 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.