



CHAP. cxci.

An Act to amend "The Alliance and Dublin Gas Act, 1866," A.D. 1871.  
to confer further powers on the Alliance and Dublin Consumers Gas Company ; and for other purposes.

[14th August 1871.]

WHEREAS by "The Alliance and Dublin Gas Act, 1866," the Alliance and Dublin Consumers Gas Company and the Commercial Gas Company of Ireland (Limited) were amalgamated and incorporated by the name of "The Alliance and Dublin Consumers Gas Company" (herein-after called "the Company"), and were authorised to acquire the Dublin undertaking of the United General Gaslight and Coke Company, and were empowered to supply gas for the purposes and subject to the restrictions in that Act contained within the gas limits defined by that Act, and were also empowered to make contracts with the corporation of the city of Dublin for the supply by the Company of gas to public and other lights, and with respect to other matters incidental to the business of the Company within the gas limits: 29 & 30 Vict.  
c. ccv.

And whereas it is expedient that the recited Act of 1866 should be amended to the extent and in the manner herein-after appearing, and that the Company should be authorised to store gas on such lands as are herein-after mentioned :

And whereas by articles of agreement dated the sixth day of April one thousand eight hundred and sixty-six, and made between the Alliance and Dublin Consumers Gas Company of the one part, and the Right Honourable the Lord Mayor, aldermen, and burgesses of Dublin (herein-after called "the corporation of Dublin") of the other part, the Company agreed with the said corporation, for the term of ten years commencing on the fourth day of January one thousand eight hundred and sixty-seven, to provide and erect lamp-columns, brackets, lanterns, meters, and other apparatus, and to lay down and maintain gas mains, service pipes, and apparatus for lighting the streets and public places within the limits of the city

A.D. 1871. or borough of Dublin, and to supply such lamps with gas according to the terms of the specification annexed to the said articles of agreement, and at the prices mentioned in the said articles :

And whereas it is expedient that the provisions relating to the illuminating power, testing, and price of the Company's gas contained in the recited Act of 1866 and in the said articles of agreement respectively should be amended as in this Act mentioned, and that provision should be made for an increase or diminution in the price of gas in certain events in this Act specified :

And whereas it is expedient that such further powers should be conferred on the Company as are herein-after expressed :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows ; (that is to say,)

Short title. **1.** This Act may for all purposes be cited as "The Alliance and Dublin Gas Act, 1871."

Interpretation of terms. **2.** In this Act the expression "the Act of 1866" means the Alliance and Dublin Gas Act, 1866 ; the expression "the Company" means the Alliance and Dublin Consumers Gas Company ; the expression "the corporation" means the Lord Mayor, aldermen, and burgesses of Dublin ; and the word "justice" means justice of the peace, and includes a divisional justice of the police district of Dublin metropolis.

Company may erect storage works. **3.** The Company may (notwithstanding anything contained in section 42 of the Act of 1866) erect works for the storage of gas upon the lands following ; (that is to say,) a plot of land now in the possession of the Company, and formerly belonging or reputed to belong to Robert Knox Courtney, situate in the parish of Saint Mark and county of Dublin, bounded on the south by the Dublin and Kingstown Railway, bounded on the north by a piece of ground belonging or reputed to belong to the said Robert Knox Courtney, and lying between the said lands of the Company and the road called Ringsend Road, bounded on the west by Barrow Street and on the east by South Lotts Road, containing in breadth in front to Barrow Street five hundred feet, in breadth to the rear of South Lotts Road five hundred feet, and in depth from front to rear throughout seven hundred and ninety-four feet : Provided always, that it shall not be lawful for the Company (except with the consent of the Right Honourable the Earl of Pembroke or the owner

for the time being of the Pembroke estates in the township of Pembroke) to erect upon the lands aforesaid, or upon any other lands within the said township, any greater number of gasholders than three, which gasholders shall be situated respectively in the positions shown upon the map which has been signed in duplicate by John Edward Vernon, Esquire, the agent of the said Earl, and the chairman of the Company respectively, and deposited at the rent office of the said John Edward Vernon and at the office of the Company; such gasholders respectively shall not be more in each case than one hundred and eighty-one feet and six inches in diameter, and shall at all times be kept by the Company in good staunch working order, free from leakage or other nuisance: Provided also, that the gasholder to be erected upon the spot marked B delineated on the said plan shall not be erected for a period of three years from the passing of this Act, and that the gasholder to be erected upon the spot marked C shall not be erected for a period of five years from the passing of this Act.

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4. Whereas by the said articles of agreement of the sixth day of April one thousand eight hundred and sixty-six provision was made, in a certain event in those articles mentioned, for an increase in the illuminating power of gas to be supplied to the city or borough of Dublin beyond the illuminating power of sixteen-candle gas required by the Act of 1866 and by the said articles of agreement: And whereas the corporation of Dublin are desirous that the illuminating power of the gas supplied to the city or borough of Dublin shall be increased to twenty candles: Therefore the said articles of agreement, and every part thereof, shall be read and have effect as if the several provisions which are herein-after contained had likewise been set forth in the said articles of agreement; and to the extent to which the said articles of agreement, or any part or parts thereof, may be at variance or inconsistent with the provisions of this Act, such part or parts of the said articles of agreement shall be deemed to be modified by the provisions of this Act or (as the case may require) to be absolutely annulled:

Illuminating power of gas in Dublin to be increased.

- (1.) From and after the first day of July one thousand eight hundred and seventy-two, all the gas supplied by the Company within the city or borough of Dublin shall be at least of such illuminating power as at a distance of not less than one thousand yards from the gasworks to produce from a union jet (sometimes called a fish-tail) burner capable of consuming five cubic feet of gas per hour, under a pressure, measured as nearly as possible at the point of ignition, equal to a column of water five tenths of an inch in height, a light equal in intensity to the light produced

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by twenty sperm candles of six to the pound, each of them burning one hundred and twenty grains per hour, and such gas shall be so far free from sulphuretted hydrogen as not to discolour moistened test-paper imbued with acetate or carbonate of lead when such test-paper is exposed for one minute to the current of gas issuing under a pressure of five tenths of an inch of water, and shall not contain more than twenty grains of sulphur nor more than five grains of ammonia in one hundred cubic feet of gas :

- (2.) The burner to be used in testing gas supplied by the Company to the city or borough of Dublin, in accordance with the provisions of this Act, shall be a union jet (sometimes called a fish-tail) burner capable of consuming five cubic feet of gas per hour, under a pressure, measured as nearly as possible at the point of ignition, equal to a column of water five tenths of an inch in height, and four test-burners defined as aforesaid, and certified by Thomas Greaves Barlow, John Stevenson, John Richardson Wigham, and William Francis Cotton, shall, within three months after the passing of this Act, be deposited in the office of the clerk of the peace for the county of the city of Dublin for reference and public inspection, in the manner and subject to the rules for the inspection of public documents deposited for reference in the said office :
- (3.) From and after the first day of July one thousand eight hundred and seventy-two, and thenceforward during the continuance of the said articles of agreement, all the gas supplied by the Company to the corporation of Dublin shall be supplied at the rate of three shillings and elevenpence halfpenny per thousand cubic feet, exclusive of the further rate of ninepence per thousand cubic feet to be payable to the Company for services rendered by them in relation to the public lighting in accordance with the provisions of the said articles of agreement, making together the gross rate or sum of four shillings and eightpence halfpenny per thousand cubic feet to be paid by the corporation to the Company for gas supplied and services rendered as aforesaid :
- (4.) From and after the first day of July one thousand eight hundred and seventy-two, the maximum rates to be charged by the Company to the consumers (other than the corporation of Dublin) of gas of the quality prescribed by this Act shall be the several rates following ; (that is to say,  
For and during the two years ending the first day of July one thousand eight hundred and seventy-four,

a maximum rate not exceeding five shillings and sixpence per thousand cubic feet;

For and during the year ending the first day of July one thousand eight hundred and seventy-five, a maximum rate not exceeding five shillings and fourpence per thousand cubic feet;

For and during the two years ending the first day of July one thousand eight hundred and seventy-seven, and thenceforward (save as herein-after provided), a maximum rate not exceeding five shillings per thousand cubic feet :

- (5.) The rates by this Act authorised for the supply of gas for public and private lighting after the first day of July one thousand eight hundred and seventy-seven may be varied or modified in certain events (but only in certain events) as follows ; (that is to say,) In case, owing to any variation in the price of materials or labour, the cost of the manufacture in Dublin of gas of the quality by this Act specified shall be increased or reduced to the extent herein-after mentioned, it shall be lawful for the Company on the one hand, and on the other hand for the corporation, or for any number of consumers in Dublin whose united gas rental shall not be less in the aggregate than two thousand pounds yearly (acting through the corporation by requisition presented to the town council, upon which requisition the corporation shall be bound to take action on being indemnified by such consumers against the cost of any action so taken on their behalf), to demand that the said rates shall be increased or reduced proportionately to such variance in cost as aforesaid. And in the event of such demand not being complied with, it shall be lawful for the parties, or any or either of them, by notice in writing (either by the Company to the town clerk of Dublin or by the corporation to the secretary of the Company), to require that the matter shall be left to the decision of an arbitrator to be appointed in manner herein-after mentioned, and before the arbitrator so appointed all persons interested in the increase or reduction of the price of gas may be heard, and the arbitrator may summon before him any person or persons whose evidence he may consider relevant to the issue, and may call upon the Company to produce all books, invoices, and documents in the possession or under the control of the Company relating to the cost of manufacture in Dublin of gas of the quality by this Act specified, and the award of the arbitrator upon the question

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so referred to him shall be final, and the costs (if any) to be awarded shall be within the discretion of the arbitrator; provided that it shall not be lawful for the Company or for the corporation, whether acting on their own behalf or on behalf of the consumers, to call for any such arbitration as aforesaid before the expiration of four years from the first day of July one thousand eight hundred and seventy-seven, nor to call for any such arbitration oftener than once in four years from the date of any previous arbitration, nor in any case to call for arbitration unless it be alleged that the cost of producing gas in Dublin has increased or decreased to the extent of ten per cent. :

(6.) The arbitrator to be appointed in each case for the purposes of this Act shall be some fit and proper person nominated for the purpose by the Chief Secretary for Ireland for the time being.

Provisions as to illuminating power, &c. of gas in Dublin to apply to adjacent townships.

5. The provisions of this Act with regard to the illuminating power, quality, and price of gas to be supplied by the Company in the city of Dublin on and after the first day of July one thousand eight hundred and seventy-two shall likewise extend and apply to the several townships and districts supplied with gas from the Company's Gasworks at Dublin.

Quantity of gas consumed by public lamps to be ascertained by corporation.

6. The quantity of gas to be consumed per hour by each public lamp in the borough of Dublin on and after the first day of July one thousand eight hundred and seventy-two shall be determined by the corporation, and shall be intimated to the Company on or before the first day of May one thousand eight hundred and seventy-two, and clause 12 of the specification appended to the said articles of agreement of the sixth day of April one thousand eight hundred and sixty-six shall accordingly be read and have effect as if the quantity of gas so to be determined by the corporation and intimated to the Company had originally been inserted in the said clause 12 of the specification.

Operation of clauses 61, 62, and 63 of Act of 1866 restricted.

7. Clauses 61, 62, and 63 of the Act of 1866, as far as the same respectively may be inconsistent with the provisions of this Act, shall, from and after the passing of this Act, cease to apply to any gas of the Company supplied from their works at Dublin.

Illuminating power may be increased in outlying townships.

8. It shall be lawful for the commissioners of the several townships following, (that is to say, the townships of Kingstown, Blackrock, Dalkey, Ballybrack, and Killiney,) in case they shall so desire and jointly make application to the Company, but not otherwise, to obtain from the Company, as soon as the same can reasonably be

afforded, a supply of twenty-candle gas in lieu of the quality of gas supplied to those townships previous to the passing of this Act, and the increased price to be paid to the Company for the supply of twenty-candle gas to the said commissioners and to private consumers in those townships shall be proportioned to the quality of gas hitherto supplied, and to the price hitherto paid by them.

Like provision as to Bray township.

9. In case the Bray Improvement Commissioners shall so desire and make application to the Company, but not otherwise, they may in like manner obtain from the Company a supply of twenty-candle gas in lieu of the quality of gas supplied to the Bray township previous to the passing of this Act, and the increased price to be paid for gas supplied to the commissioners or to private consumers in that township shall in like manner be proportioned to the quality of gas hitherto supplied, and to the price hitherto paid by them.

10. Nothing in this Act contained shall alter or affect any existing contract for the supply of gas by the Company to any private consumer.

Not to affect existing contracts with private consumers.

11. Save as in this Act otherwise provided, nothing in this Act shall be construed to affect or vary any provision contained in the said articles of agreement of the sixth day of April one thousand eight hundred and sixty-six, but the same, as modified or explained by the provisions of this Act, shall remain good, valid, and binding, to all intents and purposes, for and during the term for which such articles of agreement were expressed to be made.

Saving for articles of agreement.

12. Nothing in this Act contained shall affect the quantity, quality, purity, or price of gas supplied by the Company, or the mode of testing the illuminating power or purity of the gas supplied by them, under sections 61, 62, and 63 of the Act of 1866, in any of the following townships, (that is to say,) Blackrock, Kingstown, Dalkey, Ballybrack, Killiney, and Bray, and as regards those townships the same sections shall, notwithstanding anything contained in this Act, remain in full force, and the supply of gas by the Company within the said townships respectively, and any rights of the commissioners and private consumers of and within those townships respectively with respect to such supply, or to the quantity, quality, purity, price, and mode of testing the illuminating power and purity of the gas so supplied, shall remain and be as if this Act had not been passed; but the commissioners of those townships (if they think proper to do so) may themselves apply to the Company in manner aforesaid for an alteration in the supply of gas within those townships.

Supply within townships named not to be affected.

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A.D. 1871. **13.** All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

Expenses of Act.

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