



## CHAPTER cxxxv.

An Act to alter and amend the Acts relating to the Alliance and Dublin Consumers Gas Company, and make further provision with respect to the quality and price of Gas within the Company's district ; to confer on the Company additional powers as to Money, as to Steam Vessels, and otherwise ; and for other purposes. [16th July 1874.]

A.D. 1874.  
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**W**HEREAS by "The Alliance and Dublin Gas Act, 1866," (herein-after called "the Act of 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 section 6 of that Act (herein-after referred to as "the gas limits"), and were also empowered to make contracts with the Corporation of the city of Dublin, and with any local authorities having the charge of lighting any streets within the gas limits, 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 :

29 & 30 Vict.  
c. ccv.

And whereas by articles of agreement (herein-after referred to as "the articles of agreement"), dated the sixth day of April 1866, and made between the Company of the one part, and the right honourable the Lord Mayor, aldermen, and burgesses of Dublin (herein-after called "the Corporation") of the other part, the Company agreed with the Corporation for the term of ten years, commencing on the fourth day of January 1867, 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

Agreement  
dated 6th  
April 1866.

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34 & 35 Vict.  
c. cxci.

And whereas by "The Alliance and Dublin Gas Act, 1871," (herein-after called "the Act of 1871,") it was recited that the Corporation were desirous that the illuminating power of the gas supplied to the city or borough of Dublin should be increased to twenty candles; and it was accordingly enacted that, from and after the first day of July 1872, the gas so supplied by the Company should be of an illuminating power equal in intensity to the light produced by twenty sperm candles, and that gas of such increased illuminating power should, during the continuance of the articles of agreement, be supplied by the Company to the Corporation at the rate of four shillings and eightpence halfpenny per thousand cubic feet, which payment was to include services rendered by the Company in relation to the public lighting, and the maximum rates to be charged to consumers (other than the Corporation) were likewise defined by that Act, subject, however, to the proviso that in case, owing to any variation in the price of materials or labour, the cost of the manufacture of gas of the quality specified by that Act should be increased or reduced to the extent of ten per cent., the question whether the price of gas should be increased or reduced proportionately to such variance in cost as aforesaid should, in the events therein mentioned, be left to an arbitrator, nominated for that purpose by the Chief Secretary for Ireland for the time being; but it was by the Act of 1871 expressly provided, that no such arbitration to determine whether the price of gas ought to be increased or reduced should be called for until the expiration of four years from the first day of July one thousand eight hundred and seventy-seven, nor be called for oftener than once in four years from the date of any previous arbitration :



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And whereas since the passing of the Act of 1871 the prices of labour and of coal and other materials used by the Company in their business have varied considerably more than ten per cent., and have increased to an extent which was wholly unforeseen at the time when the Act of 1871 was passed, but under such Act relief cannot be obtained until after the first day of July one thousand eight hundred and eighty-one :

And whereas since the passing of the Act of 1871 experience has shown that the standard of twenty-candle gas is very difficult to be maintained, and is higher than the circumstances of Dublin and its vicinity and the consumers there require :

And whereas it is expedient that the obligation upon the Company to manufacture twenty-candle gas should accordingly be repealed, and that a standard of illuminating power more in accordance with local requirements, and capable of being maintained with certainty, should be established, and that such provisions as to quality, price, and testing of the Company's gas should be made as are herein-after expressed :

And whereas, on account of the great fluctuations which from time to time take place in the prices of labour and of coal and other materials, it is expedient that provision should likewise be made for the revision from time to time of the price of gas to be supplied by the Company, and for the effectual audit of the Company's accounts :

And whereas, with a view of affording facilities to the Company for obtaining a more regular and economical supply of coal, it is expedient that the Company should be authorised to purchase or otherwise provide steam and other vessels :

And whereas it is expedient that for these and other purposes the additional money powers contained in this Act should be conferred upon the Company, and that the existing Acts relating to the Company should be in some respects amended or repealed; but the several purposes aforesaid cannot be effected 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,)

1. This Act may for all purposes be cited as "The Alliance and Dublin Gas Act, 1874." Short title.

2. The Act of 1866 and the Act of 1871 (as amended respectively by this Act) and this Act shall be read and construed together as one Act. Former Acts and this Act to be construed together.

[Ch. cxxxv.] *The Alliance and Dublin Gas* [37 & 38 VICT.]  
*Act, 1874.*

A.D. 1874.  
10 & 11 Vict.  
c. 15. incor-  
porated.

3. "The Gasworks Clauses Act, 1847," shall be incorporated with this Act, and "The Gasworks Clauses Act, 1871," (save where expressly varied or excepted by or inconsistent with this Act,) shall apply to the undertaking of the Company as if the same were hereby authorised.

Provisions  
of certain  
general Acts  
incorporated.

4. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the following matters, viz., the distribution of the capital of the Company into shares, the transfer or transmission of shares, the payment of subscriptions and the means of enforcing the payment of calls, the forfeiture of shares for non-payment of calls, the remedies of creditors of the Company against the shareholders, the borrowing of money by the Company on mortgage or bond, the conversion of the borrowed money into capital, the consolidation of the shares into stock, the making of dividends, and the provision to be made for affording access to the special Act by all parties interested; Part I., relating to the cancellation and surrender of shares, Part II., relating to additional capital, and Part III., relating to debenture stock, of "The Companies Clauses Act, 1863," and "The Companies Clauses Act, 1869," are (save where expressly varied or excepted by or inconsistent with this Act) incorporated with and form part of this Act.

Interpreta-  
tion of terms.

5. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to such construction, and the expression "the Company's district" means the gas limits.

Quality and  
testing of  
gas.

6. Section 66 of the Act of 1866 (as to price of gas), together with section 4 (as to illuminating power of gas in Dublin), section 5 (in adjacent townships), sections 8 and 9 (in outlying townships), and section 11 (as to articles of agreement), of the Act of 1871, are hereby repealed; and section 12 of the Act of 1871 (reserving rights under sections 61, 62, and 63 of the Act of 1866) is hereby repealed or modified so far (but so far only) as the provisions of the said section are inconsistent with the provisions of this Act; and with reference to "The Gasworks Clauses Act, 1871," and to all the gas supplied by the Company, sixteen shall be the prescribed number of sperm candles, the prescribed place for testing shall be the place at which the Company's gas is now tested, or some other suitable place at a distance of not less than and as near as may be to one thousand yards, measured in any direction from the works of the Company, to be selected within six months from the passing of this Act, which for that purpose shall be the



prescribed time; and the prescribed burner shall be "a flat flame burner (a fish-tail or a bat's-wing) consuming five cubic feet of gas per hour."

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7. All gas supplied by the Company to private consumers shall be supplied at such pressure as to balance from 11 o'clock p.m. to sunset a column of water not less than six tenths of an inch in height, and to balance from sunset to 11 o'clock p.m. a column of water not less than one inch in height at the main as near as may be to the junction therewith of the service pipes supplying the consumer's house, building, or lands; provided that the Company shall not be bound to maintain such pressure as regards the supply of consumers at a greater distance than two thousand six hundred and forty yards from any of the Company's works; and any gas examiner appointed under the "Gasworks Clauses Act, 1871," may, subject to the term of his appointment, from time to time test the pressure at which the gas is supplied, and may for that purpose open any street, road, passage, or place vested in or under the control of any local or road authority, and the provisions of the "Gasworks Clauses Act, 1871," with reference to testing of gas and to penalties shall, *mutatis mutandis*, apply to such testing of pressure, and two hours previous notice shall be given to the Company of the time and place at which such testing shall be conducted.

Pressure of gas.

8. Within and for a period of three months after the first day of July one thousand eight hundred and seventy-four, the Company shall, if and when required, supply gratis to consumers of the gas supplied by the Company a sufficient number of burners suitable in all respects for the consumption of gas of the quality and illuminating power prescribed by this Act: Provided always, that the Company shall not be bound to furnish in any case a greater number of burners than the number of lights in respect of which the individual consumer applying for such burners shall previously have paid gas rates to the Company.

Company to supply suitable burners gratis in lieu of those in use.

9. The Company may, at their own expense, readjust the street lamp governors throughout the gas limits wherever the same shall be necessary, and shall in like manner, within six months after the first day of July one thousand eight hundred and seventy-four, supply new burners to the street lamp governors of all public street lamps within the gas limits in charge of the Corporation or of any local authorities upon being required in each case so to do: Provided always, that in readjusting the street lamp governors as aforesaid the Company shall readjust the governors upon the metered lamps to the same rate of passage and consumption of gas per hour as in the case of the governors of the unmetered lamps.

Company to readjust and supply street lamp governors at their own expense.

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Price of gas.

**10.** From and after the first day of July one thousand eight hundred and seventy-four, the highest charge of the Company for gas supplied by them of the quality of sixteen candles, authorised by this Act and tested by the burner herein-before prescribed, shall not exceed the maximum rates following; (that is to say,)

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

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

Provided always, that the maximum rate of five shillings so authorised to be charged after the first day of July one thousand eight hundred and seventy-six, shall be expressly subject to the provisions herein-after contained with respect to revision of price of the gas supplied by the Company after that date.

In certain event price may be altered after 1876.

**11.** If at any time after the first day of July one thousand eight hundred and seventy-six the Company, by writing under their common seal, represent to the Board of Trade that the aforesaid maximum rate of five shillings is inadequate or unremunerative, and shall seek relief from such maximum rate, and the substitution in lieu thereof of a rate more remunerative to the Company, the Board of Trade, after an investigation to be publicly held, at such place as may be appointed by the Board of Trade, of the representations so addressed to them by the Company, may, if they think fit, authorise the substitution of a higher maximum rate for the aforesaid maximum rate of five shillings ; and with respect to any such application by the Company to the Board of Trade, the several provisions of the "Gas and Waterworks Facilities Act, 1870, Amendment Act, 1873," (herein-after referred to as "the Act of 1873,") as to principles and procedure, and in all other respects shall be observed by and shall be binding upon the Company and the Board of Trade respectively : Provided always, that nothing in the Act of 1873 or in this Act contained shall in anywise prejudice, restrain, or affect any application which the Company may be desirous of making to Parliament after the first day of July one thousand eight hundred and seventy-six.

Sections 61, 62, and 63 of 29 & 30 Vict. c. ccv. how to be read.

**12.** Section 61 of the Act of 1866 shall be read and have effect as if the words "an argand burner having fifteen holes and a seven-inch chimney" were omitted from the said section, and the words "a flat-flame burner (a fish-tail or a bat's-wing)" were inserted in



lieu thereof; and section 62 of the Act of 1866 shall in like manner be read and have effect as if the words "an argand burner having fifteen holes and a seven-inch chimney or other approved burner capable of" were omitted from the said section, and the words "a flat-flame burner (a fish-tail or a bat's-wing) and" were inserted in lieu thereof; and section 63 of the Act of 1866 shall be read and have effect as if, instead of the powers by the said section conferred as to the time and mode of entering on the premises of the Company or other place where the gas is to be tested and of making experiment of the lighting power of the gas, the time and mode of testing the gas, and the other powers in that behalf contained in "The Gasworks Clauses Act, 1871," incorporated with this Act, were substituted therefor.

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**13.** Notwithstanding anything contained in the Act of 1871, the articles of agreement shall (save as herein-after mentioned) be read, and shall operate in all respects as the same were originally made, concluded, and entered into by and between the Company and the Corporation, on the sixth day of April 1866: Provided always, that the articles of agreement shall throughout be read as if, in lieu of the burner defined by those articles, the burner prescribed by this Act had been therein expressly mentioned and defined.

Saving for articles of agreement.

**14.** Upon or within one month previous to the expiration of the articles of agreement, the Corporation and any body of consumers of gas supplied from the Company's works, whose gas rental shall not be less in the aggregate than twenty-five thousand pounds yearly, may, if they think proper, make application to the Company for a supply of gas of an illuminating power equal to fourteen candles, at a price being eightpence per thousand cubic feet below the prices by this Act authorised, and actually charged by the Company for sixteen-candle gas at the time of making such application, such supply to be in lieu of gas of the illuminating power and price herein-before authorised; and in the event of such application being made by the Corporation and consumers (but not otherwise) and of such application being acceded to by the Company, this Act shall thenceforward be read and have effect as if the quality of fourteen candles and such price as aforesaid had been originally and exclusively inserted in and authorised by this Act, and as if the several provisions of this Act, so far as the same are applicable, had throughout relation to gas of such quality and price respectively: Provided always, that in the event of gas of the quality of fourteen candles being at any time supplied by the Company, the burner to be used for testing such gas shall be Sugg's London argand burner,

Corporation and consumers may apply for different quality and price of gas after 1877.



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A. D. 1874. or such other burner as may from time to time be approved by the London gas referees for testing fourteen-candle gas.

Auditor of accounts.

**15.** There shall be an auditor of the accounts of the Company, being a competent and impartial person, from time to time appointed and removable by the Board of Trade.

Ascertainment of capital of Company.

**16.** The auditor shall, with all practical speed after the passing of this Act, investigate the current accounts of the Company, and certify the amounts of the capitals heretofore issued and to be issued hereafter by the Company, distinguishing share from loan capital.

Periodical audit.

**17.** The auditor shall audit the half-yearly accounts of the Company, and if he finds the same correct, he shall forthwith certify to that effect, but if in any instance he finds the accounts incorrect in principle or in detail, he shall require the Company to correct the same, in such manner as he thinks right, and he may, if he thinks fit, grant a conditional certificate, so as to authorise the payment of a dividend, subject to correction if need be, and except in the case of a conditional certificate, a dividend shall not in any case be declared until the accounts are certified by the auditor to be correct.

Facilities for auditor.

**18.** The Company shall give to the auditor, his clerks and assistants, access to the books and documents of the Company, and shall, when required, furnish to him and them all vouchers and information for the purposes of the audit, and shall afford to him and them all facilities for the proper execution of his and their duty.

Power to purchase collier ships, &c.

**19.** The Company from time to time may purchase, hire, charter, navigate, work, employ, and maintain (but only for the purposes of their undertaking) all such collier ships, lighters, steam and other vessels, as they may require or deem necessary or expedient for efficiently and economically carrying on such undertaking.

Separate accounts to be kept and audited.

**20.** A separate account shall be kept of all capital moneys expended in the purchase of ships, lighters, and vessels, under the powers of this Act, and such account shall be audited under and according to the provisions for the time being in force with respect to audit of the gas accounts of the Company.

Company to make a map of mains.

**21.** The Company shall, within twelve months after the passing of this Act, make a map of the district within which their mains or pipes are or shall be laid, to a scale of not less than one inch to a mile, and shall show thereupon the lines and sizes of all their existing mains and pipes except service pipes, and shall once in every year, on or before the thirty-first day of December, correct such map and make such alterations as may be necessary to show



correctly, as near as may be, the lines and sizes of the various mains and pipes except as aforesaid, and shall keep such map in the principal office of the Company, and the same shall be open to the inspection of the respective local authorities within the gas limits, and their officers and to the public generally, at all reasonable times, who may inspect and take copies of or extracts from the same, and the Company may charge and take the sum of one shilling for each inspection of such map, and the further sum of two shillings and sixpence for each extract, tracing, or copy taken of such map, and such map may be in several sheets. A.D. 1874.

**22.** If the Company wilfully fail to comply with any requirements of this Act in respect of such map, they shall for every such offence forfeit and pay any sum which two justices of the peace may adjudge not exceeding five pounds, and any further sum not exceeding two pounds for every day during which the Company shall wilfully fail to comply with any such requirement. Penalty on Company for default.

**23.** With reference to section 5 of the "Gasworks Clauses Act, 1871," the Company may manufacture gas and residual products, and may store gas upon the lands numbered respectively 1, 2, and 3, and described in the schedule to this Act, and may also store gas upon the land numbered 4, and described in the same schedule, subject to the proviso contained in section 3 of the Act of 1871. Lands for manufacture and storing of gas.

**24.** From and after the passing of this Act, the Board of Trade shall appoint and shall always keep appointed a competent and impartial person to be a public gas examiner of the gas supplied by the Company, and such public gas examiner (herein-after called "the examiner") shall from time to time test the illuminating power of the gas supplied by the Company. Appointment of public gas examiner.

**25.** The examiner shall at least once in every week make and publish a report of the result of the testings conducted by him on the immediately preceding week, and shall publish such report in a daily newspaper circulating within the city of Dublin, and the books kept by the examiner for recording the results of the testings by him shall be open at all reasonable times to the inspection of the Company without payment. Weekly report and access to books.

**26.** Provided always, that the Company shall not be subjected to any penalties whatever in consequence of any reports made by such examiner: Provided always, that these provisions shall in no way affect the testing of gas and penalties (if any) which may be inflicted under any agreement with the Corporation or under "The Gasworks Clauses Act, 1871." Reports of gas examiner not to expose Company to additional penalties.



- A.D. 1874.      **27.** The Company may, if they think fit, on each occasion of the testing of the gas by the examiner, be represented by some officer, but such officer shall not interfere in the testing, and two hours notice at least of such testing shall in all cases be given to the Company.
- Representa-  
tion of Com-  
pany.
- Remunera-  
tion of ex-  
aminer.
- 28.** The fees or other remuneration of the examiner, not exceeding the sum of one hundred and fifty pounds per annum, shall be paid by the Company.
- Application  
by Company  
of existing  
funds.
- 29.** The Company may apply, for the purposes of this Act, any money which they are authorised by the Act of 1866 to raise, and which is not required for the purposes of that Act.
- Power to  
raise addi-  
tional  
capital.
- 30.** In addition to the money which the Company were by the Act of 1866 authorised to raise, they may from time to time raise by the creation and issue of new shares such sums of money as they shall think necessary, not exceeding in the whole the sum of fifty thousand pounds, and the Company may create and issue such shares, either wholly or partially as ordinary or wholly or partially as preferential shares, as they may think fit.
- One fifth to  
be paid on  
shares.
- 31.** It shall not be lawful for the Company to issue any such share of less nominal value than ten pounds, nor shall any such share vest in the person accepting the same unless and until a sum not being less than one fifth part of the amount of such share has been paid in respect thereof.
- Limitation  
of calls.
- 32.** One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.
- Money to  
form part  
of general  
capital.
- 33.** Money raised by the Company under this Act shall form part of the general capital of the Company, and shall be applied for purposes authorised by the Act of 1866, or by the Act of 1871 or this Act, and not otherwise.
- Limit of  
dividends on  
new capital.
- 34.** The Company shall not, in respect of any one year, pay out of their profits any larger dividend on any part of their new capital of fifty thousand pounds by this Act authorised to be raised in respect of every one hundred pounds actually paid of such capital, than seven pounds in the case of ordinary capital and six pounds in the case of preference capital.
- Powers for  
conversion of  
shares into  
stock.
- 35.** The powers conferred by the "Companies Clauses Consolidation Act, 1845," for the conversion or consolidation of shares into stock, may be exercised as well in respect of the share capital



by this Act authorised or any part thereof as of the capital of the Company or any part thereof authorised by the Act of 1866. A.D. 1874.

**36.** The Company shall not at any time make or pay any greater dividend than five pounds per centum per annum on any borrowed money converted into capital after the passing of this Act.

Limiting dividends on borrowed money converted into capital.

**37.** The Company may from time to time, in addition to the sums authorised by the Act of 1866 to be borrowed, borrow on mortgage or bond, in respect of each ten thousand pounds of the additional capital by this Act authorised, any sums not exceeding in the whole the sum of two thousand five hundred pounds for each ten thousand pounds of such additional capital.

Power to borrow on mortgage or bond.

**38.** Provided that no part of any one of the said sums of two thousand five hundred pounds by this Act authorised to be borrowed in respect of additional capital shall be so borrowed until the whole of the respective portion of additional capital, in respect of which it is to be borrowed, is subscribed for, issued, and accepted, and one half of that portion of additional capital is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that the whole of such portion of additional capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such portion of additional capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such portion of additional capital was issued bonâ fide and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, or their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

Restriction on borrowing.

**39.** All mortgages and bonds granted by the Company under or in pursuance of the Act of 1866, and subsisting at the time of the passing of this Act, shall, during the continuance thereof, have priority over all mortgages granted in pursuance of this Act.

Existing mortgages to have priority.

**40.** The Company may create and issue debenture stock.

Debenture stock.

**41.** Notwithstanding anything in Part III. of "The Companies Clauses Act, 1863," contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the

Interest on mortgages and debenture stock to rank equally.

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Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Priority of mortgages and debenture stock over other debts, &c.

**42.** All moneys raised on mortgage by the Company under this Act, and the interest due thereon, and the interest due on debenture stock created and issued under this Act, shall have priority against the Company and the property from time to time of the Company over all other claims on account of debts incurred or engagements entered into by the Company after the passing of this Act; but this priority shall not affect any claim against the Company in respect of any rentcharge granted or to be granted by them in pursuance of "The Lands Clauses Consolidation Act, 1845," or "The Lands Clauses Consolidation Acts Amendment Act, 1860," nor shall anything herein-before contained affect any claim for land taken, used, or occupied by the Company for the purposes of their works, or injuriously affected by the construction thereof, or by the exercise of any powers conferred on the Company.

Company to pay interest on money deposited as security for gas meter, &c.

**43.** If any person is required by the Company to give to them security for the payment of the price or rent of the meter, the Company shall pay interest after the rate of five per centum per annum on every sum of ten shillings deposited by way of such security for every six months during which the same remains in their hands.

Saving of contracts with public bodies.

**44.** From and immediately after the period when the Company shall commence to supply gas of the illuminating power by this Act authorised, the Company (having regard to existing contracts) shall make to all public bodies or companies (if any) having a just and equitable claim thereto, such allowances in each case, whether by way of reduction of the amounts stipulated to be paid by them respectively to the Company, or of increase of the quantity of gas stipulated to be supplied to them respectively by the Company, as shall most nearly represent and be proportioned to the difference between the gas supply which such public bodies or companies (if any) as aforesaid respectively would be entitled to receive under the provisions of the existing contracts respectively, and the gas supply which they respectively would be entitled to receive under the provisions of this Act.

Differences may be settled by arbitration.

**45.** In the event of the Company and such public bodies or companies aforesaid (or any of them) being unable to agree upon the allowances which ought properly to be made in relation to any existing contract or agreement in accordance with the foregoing



provisions, any difference which may so arise shall be from time to time settled by arbitration in manner provided by "The Companies Clauses Consolidation Act, 1845," with respect to the settlement of disputes by arbitration. A.D. 1874.

**46.** Nothing in this Act shall alter or affect the price named in any existing contract for the supply of gas by the Company to any private consumer. Saving of contracts with private consumers.

**47.** All penalties by or under this Act recoverable against the Company shall be expressly subject, mutatis mutandis, to the proviso contained in clause 7 of the specification annexed to the articles of agreement with respect to penalties under those articles of agreement and specification affecting the Company. Penalties, how recoverable.

**48.** In all proceedings against the estate of any bankrupt or under any sequestration, any person appointed for that purpose by the directors of the Company may represent the Company and act in their behalf in all respects as if the claim or demand of the Company against such estate were the claim or demand of such person and not of the Company. As to proceedings in bankruptcy on behalf of the Company.

**49.** All the costs, charges, and expenses of and incidental to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company. Expenses of Act.

A.D. 1874.

The SCHEDULE referred to in the foregoing Act.

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1. The lands described in the Act of 1866 as “the lands on which are the existing gasworks of the Alliance Company at Sir John Rogerson’s Quay in the city of Dublin.”

2. The lands described in the Act of 1866 as “the lands on which are the now existing gasworks of the United Company at Great Brunswick Street in the city of Dublin, and at Mount Town and Dunleary in the district of Kingstown, in the county of Dublin, and at or near the docks at Bray in the county of Wicklow.”

3. The lands described in the Act of 1866 as “the lands on which the Commercial Company have erected gasworks at Old Dunleary, in the township of Kingstown in the parish of Monkstown and county of Dublin, containing two acres one rood and thirty-two perches, or thereabouts (statute measure), bounded on the north by a proposed public road from Monkstown to Kingstown, and measuring in front to the proposed road seven hundred and seventy-five feet, with a rear to the base of the high bank and slope at the south, bounded on the west by the holding of the United Company or the Hibernian Gas Company, and on the east and south-east by the base of the high bank and slope commonly called ‘the Pig Bank,’ and on the south partly by the holdings of the representatives of Edward Armstrong and Sexton, and partly by the base of the high bank and slope aforesaid abutting on the high road from Dublin to Kingstown, and which land is in the barony of Rathdown and county of Dublin.”

4. 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.