



### CHAPTER lvi.

An Act to confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Gasworks in the Township of Kilrush. A.D. 1891.  
[3rd July 1891.]

**W**HEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto, under the provisions of the Public Health (Ireland) Act, 1878, and of the Gas and Water Works Facilities Acts, 1870 and 1873 :

And whereas it is requisite that the said Order should be confirmed by Parliament :

Be it therefore 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 :

1. The Order as amended and set out in the schedule hereto shall be and the same is hereby confirmed, and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

2.—(1.) The sanitary authority mentioned in the said Order shall not under the powers of this Act or of the said Order, without the consent of the Local Government Board, purchase or acquire in any city, borough, or other urban sanitary district, as defined by the Public Health (Ireland) Act, 1878, or in any electoral division or part of an electoral division, or parish or part of a parish, not being within an urban sanitary district, ten or more houses which have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Special provision as to houses of labouring class.

(2.) For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working

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A.D. 1891.          for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons, other than domestic servants, whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

Short title.       **3.** This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (Kilrush Gas) Act, 1891.

SCHEDULE.

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A.D. 1891.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

KILRUSH GAS.

*Kilrush Gas.*

*Provisional Order.*

WHEREAS there is not any company or person authorised by Act of Parliament, or by Order confirmed by Act of Parliament, at present or for some time past, supplying gas within the sanitary district which consists of the township of Kilrush, in the county of Clare, of which district the commissioners of the township of Kilrush are the urban sanitary authority:

And whereas the said town commissioners, in order to enable them to undertake such supply, duly made an application to the Local Government Board for Ireland, under the Public Health (Ireland) Act, 1878, for a Provisional Order, subject to the provisions of the Gas and Water Works Facilities Acts, 1870 and 1873, empowering them to purchase or acquire the Gasworks and premises of the Kilrush Gas Company (Limited), and to do all necessary or incidental things for undertaking such supply in the said urban sanitary district:

And whereas all preliminary notices and other conditions required by the said Public Health Act having been duly given and complied with, the said Local Government Board have approved of the application:

And whereas the grand jury of the county of Clare being the road authority of the district, have consented to the making of this Order:

Now therefore it is ordered as follows:—

1. From and after the time of the confirmation of this Order by Parliament, the Kilrush town commissioners shall be empowered to purchase the Gasworks and premises of the Kilrush Gas Company (Limited), and to carry on the business of a gas company, and to construct and make gasworks, and to make and supply gas at Kilrush, in the parish of Kilrush, and barony of Moyarta, in the county of Clare.
2. The several words and expressions to which by the Acts in whole or part incorporated with this Order, and by the Gas and Water Works Facilities Act, 1870, meanings are assigned, have in this Order the same respective meanings.
3. The limits within which the provisions of this Order shall be in force and have effect (in the Order referred to as the limits of supply) shall be the Kilrush township.

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4. The Kilrush town commissioners shall be the Undertakers for the purpose of this Order, and are, in this Order, referred to as the "Undertakers."
5. The share capital of the Undertakers shall be 1,300*l.*, unless they be hereafter authorised to raise additional share capital, by Provisional Order under the Gas and Water Works Facilities Act, 1870, or by Act of Parliament.
6. The Undertakers may, by agreement, purchase and take on lease the lands and premises on which the works of the Kilrush Gas Company stood, and the plant, apparatus, and machinery appertaining thereto (which said lands are set out on the map deposited for the purpose of this Order herein referred to as "the deposited map," and are described in the schedule hereto annexed), and may use the same as may be required for the undertaking, hereby authorised.
7. The Undertakers may, by agreement, subject to the provisions of section 5 of the Gasworks Clauses Act, 1871, purchase or acquire for any of the purposes of this Order, any land, not exceeding five acres, in addition to the lands described in the schedule, hereto annexed.
8. The Undertakers may on any of the lands described in the schedule to this Order annexed, when the same have been purchased by, or leased to them, maintain and, if necessary, erect, maintain, alter and enlarge retorts, gas holders, receivers, purifiers, apparatus, and works for the manufacture and storing of gas and coke, and other residual products obtained in the manufacture of gas, and matters producible therefrom; and they may, subject to the provisions of this Order, make gas, and supply and sell the same within the limits of supply, and manufacture coke, coal-tar, pitch, asphaltum, and ammoniacal liquor oil, and all other residual products obtained in the manufacture of gas, and matters producible therefrom, and may sell and dispose of the same at the works and elsewhere. But the said Undertakers shall not manufacture gas or any residual products arising in the manufacture of gas on any land except the lands specified in this Order, nor store any gas on any land except the said specified lands within 300 yards from any dwelling-house existing at the time when the Undertakers propose to store gas on such land without the consent in writing of the owner, lessee, and occupier of such house.
9. If any difference shall arise between the Undertakers and any railway, canal, or other company, whose lands or works the Undertakers have power under the authority of this Order to cross, for the purpose of meeting the demands within the limits of supply, as to the mode of laying down, repairing, altering, or enlarging pipes, or as to the facilities to be afforded for the same, the difference shall be settled by an engineer to be appointed by the Board of Trade, at the request of either party.

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10. The quality of gas supplied by the Undertakers shall, with respect to its illuminating power, be such as to produce a light equal in intensity to the light produced by 15 sperm candles, and shall in all respects, be in accordance with the provisions of the Gasworks Clauses Act, 1871. A.D. 1891.  
*Kilrush Gas.*
11. The price to be charged, by the Undertakers, for gas supplied by them, shall not exceed 7s. 6d. per thousand cubic feet during the period of three years after the passing of this Act, and thereafter shall not exceed 6s. per thousand cubic feet.
12. All gas supplied by the Undertakers to any consumer shall be supplied at such pressure as to balance, from midnight to sunset, a column of water not less than six-tenths of an inch, and from sunset to midnight not less than eight-tenths of an inch, in height at the main, as near as may be to the junction therewith of the service-pipe supplying such consumer, and any gas examiner, appointed under the Gasworks Clauses Act, 1871, for the purposes of this Order, may from time to time, subject to the terms of his appointment, at such testing place, or elsewhere, as and when he thinks fit, test the pressure at which the gas is supplied, and for that purpose may 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 Undertakers of the time and place at which such testing shall be conducted.
13. The Undertakers before supplying gas under the authority of this Order, shall cause to be provided at their works, a testing place with apparatus therein, according to the provisions of the Gasworks Clauses Act, 1871, and the burner to be used for testing the gas, shall be a "Sugg's London Argand, No. 1," with a 6-inch, by 1 $\frac{3}{4}$ -inch glass chimney, and if at any time the gas-flame tails over the top of the glass, a 6 by 2 inch chimney shall be used.
14. Where any money is deposited by any person, by way of security, with the Undertakers, for the payment to them of all moneys which may become due to them by such person, in respect of any supply of gas, or of the purchase or hire of any meter, the Undertakers shall pay interest at the rate of 5l. per centum per annum on every sum of 10s. deposited by way of such security, for every six months during which the same remains in their hands.
15. Section 140 of the Companies Clauses Consolidation Act, 1845, shall be, and is hereby incorporated with this Order, provided that for the purposes of such incorporation, the expression "the Company" in the section shall be construed to mean the Undertakers.
16. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, or otherwise in relation thereto, shall be paid by the Undertakers.

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A.D. 1891. 17. This Order may be cited for all purposes as the Kilrush Gas Order,  
*Kilrush Gas.* 1891.

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SCHEDULE

All that and those the houses, yards, and premises, situate at Stewart-street, and to the rear of Moore-street, in the town of Kilrush, parish of Kilrush, barony of Moyarta, and county of Clare, and in which the Kilrush Gas Company at present manufacture gas, as described in the deposited map, together with all the plant, apparatus, and machinery fixed or movable now standing thereon.

Given under our Hands and Seal of Office this thirty-first day of March, in the year of our Lord One thousand eight hundred and ninety-one.

(L.S.)

(Signed)

GEORGE MORRIS.  
F. MACCABE  
H. A. ROBINSON.

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