



ANNO DECIMO OCTAVO & DECIMO NONO

# VICTORIÆ REGINÆ.

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## *Cap. cxxxvii.*

An Act for incorporating the “Gaslight Company of *Sligo*,” and for other Purposes.

[16th *July* 1855.]

**W**HEREAS by a Deed of Settlement bearing Date on the Twenty-ninth Day of *May* 1840 certain Persons formed themselves into a Company, under the Name of the “Gaslight and Coke Company of *Sligo*,” for the Purpose of supplying the Town of *Sligo* and the Inhabitants thereof with Gaslight, both for the public Purpose of lighting the Streets of the said Town, and also for the Purpose of supplying Gaslight to such of the Inhabitants of the said Town and its Vicinity as might choose to contract for the same with the said Company: And whereas it was by the said Deed of Settlement provided that the Capital of the Company should be Six thousand Pounds, divided into Six hundred Shares of Ten Poundseach, and the whole of the said original Share Capital has been subscribed for, and Five thousand six hundred Pounds, being the Amount of Five hundred and sixty Shares in the said Company, have been paid up, but no Payment in respect of the remaining Forty Shares has as yet been made: And whereas, in accordance with the Provision hereinafter contained, the Capital of the said Company has been increased to Nine thousand Pounds by the Creation of Six hundred additional Shares of Five Pounds each: And whereas the whole of the said additional Shares have been subscribed for, but no Payment in respect thereof hath hitherto been made or required: And whereas the said Company have constructed their Works in the said Town of *Sligo*,

Deed of Settlement,  
dated 29th  
May 1840.

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and



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and have long since laid down Pipes, and have since 1842 supplied and are now supplying with Gas the greater Part of the said Town of *Sligo*, and intend to extend the said Supply as the same may be required by or on behalf of the Inhabitants of the said Town of *Sligo*: And whereas the said Company would be better able to carry on their Undertaking if they were incorporated, and if certain Powers were conferred upon them by Parliament; but these Objects cannot be accomplished 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:

8 & 9 Vict.  
cc. 16. & 18.  
and  
10 & 11 Vict.  
c. 15. incor-  
porated.

I. The several Acts of Parliament following, (that is to say,) "The Companies Clauses Consolidation Act, 1845," "The Gasworks Clauses Act, 1847," and "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Short Title.

II. In citing this Act it shall be sufficient to use the Expression "The *Sligo Gas Company's Act, 1855.*"

Compulsory  
Power to  
take Land  
not to be  
exercised.

III. Provided always, That nothing in the said Lands Clauses Consolidation Act contained shall authorize the Company to take or use any Land unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof.

"The Com-  
pany."

IV. The Expression "the Company" in this Act shall mean the Company by this Act incorporated.

Interpreta-  
tion of cer-  
tain Expres-  
sions in Acts  
incorporated  
herewith.

V. In construing the said "Companies Clauses Consolidation Act," "Lands Clauses Consolidation Act," and "Gasworks Clauses Act," as incorporated with this Act, the Expression "the Special Act" shall mean this Act, and the Expression "the Works" or "the Undertaking" shall mean the Gasworks and Works connected therewith by this Act vested in the Company incorporated by this Act, or which they may be authorized to execute; and the Expression "Gasworks" shall include the Gasworks and Works connected therewith by this Act vested in the said Company, or which they may construct under the Authority hereof.

Limits of  
Act.

2 & 3 W. 4.  
c. 89.

VI. The Limits of this Act shall extend to and include the whole of the Borough of *Sligo* as defined by the Act of Parliament made and passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to settle and describe the Limits of Cities, Towns, and Boroughs in Ireland, in so far as respects the Election of Members to serve in Parliament.*

Proprietors  
incorpo-  
rated.

VII. The several Persons who are now Shareholders in the said Undertaking and have signed the said Deed of Settlement, and all such other Persons as shall hereafter become Shareholders therein,  
and

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and their respective Executors, Administrators, Successors, and Assigns, shall be united into a Company, and the said Company shall be incorporated by the Name of "The Gaslight Company of *Sligo*," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall and may sue and be sued, and shall have Power from Time to Time to purchase and also to take on Lease and to hold and to sell Lands for the Purposes of the Undertaking: Provided always, that it shall not be lawful for the Company to purchase or hold for the Purposes of the Undertaking at any One Time more than Five Acres of Land, in addition to the Land now held by them: Provided always, that it shall not be lawful for the said Company to erect on the said additional Five Acres or any Part thereof any Works or Work for the making or Manufacture of Gas.

VIII. The Company shall be continued and maintained for the Purpose of manufacturing Gas, and for providing Gasometers, and all Apparatus, Machinery, and Buildings necessary for that Purpose, and for lighting with Gas the several Streets, Roads, Lanes, and public Passages, and Churches, Chapels, Public Buildings, Shops, Taverns, private Houses, Warehouses, and other Buildings and Places, within the Limits of this Act, and also for selling and disposing of Coke, Tar, Ammoniacal Liquor, and every Produce, Refuse, or Residuum arising or to be obtained from the Materials used in or necessary for the Manufacture of Gas, in such Manner as the said Company may think proper.

Purposes of  
the Com-  
pany.

IX. All and every the Lands, Erections, and Buildings purchased by or for the said Company, or conveyed to them for the Purposes of the Undertaking and now belonging to them, and all and every the Gasworks, Gasometers, Retorts, and other Works, Mains and Pipes, Pillars, Posts, Apparatus, Matters, and Things, which have been by them purchased or provided, laid down, erected, or placed in any Street or Place within the Limits of this Act, or which at the Time of passing this Act shall be their Property, and all other Property whatsoever, and all Rights, Easements, and Privileges belonging to the said Company, shall be and the same are hereby vested in the Company incorporated by this Act.

Present Pro-  
perty of the  
Company  
vested in  
Company  
hereby in-  
corporated.

X. Subject to the Provisions of this Act, the said Deed of Settlement shall, as to any future or prospective Operation thereof, from and after the passing of this Act be wholly void and of non Effect: and the several Persons who shall have executed the same, and their Heirs, Executors, and Administrators, shall immediately from and after the passing of this Act be released and discharged from any future Obligation to observe, perform, abide, and fulfil or conform to the said Deed of Settlement or the Covenants or Agreements therein contained, or any or either of them: Provided always, that nothing herein contained shall release or discharge any Person from any Liability or Obligation in respect of any Breach of the Provisions of the said Deed which may have

Deed of Set-  
tlement to be  
void without  
Prejudice to  
Remedies for  
antecedent  
Breaches  
thereof.



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have been incurred prior to the Date of the passing of this Act; but such Liability or Obligation shall subsist and continue, and may be enforced accordingly under and according to the Provisions of the said Deed.

Contracts  
prior to Act  
to be bind-  
ing.

XI. All Deeds, Contracts, Bonds, and Agreements entered into or made before the passing of this Act by the said Company or on their Behalf, and now in force, shall be as binding upon the Company hereby incorporated, and be of as full Force and Effect in Law in all respects against and upon them, as if the same respectively had been entered into or made by the Company after the passing of this Act; and all Bodies Politic and Corporate, and all Persons whomsoever to whom the said Company shall or may stand indebted at the Time of the passing of this Act, shall have the Power to proceed against and to recover from, and are and is hereby authorized and empowered to proceed against and recover from, the Company hereby incorporated, in such and the same Manner and to the same Extent as they or he might or could have proceeded against or recovered from the said Company constituted by or under the said Deed of Settlement of the 29th Day of *May* 1840; and all Bodies Politic or Corporate, and all other Persons who at the Time of the passing of this Act were Parties to any such Deed, Contract, Bond, or Agreement, shall be answerable to the Company for the full Performance thereof, in like Manner as if such Deed, Contract, Bond, or Agreement respectively had been made or entered into with the Company after the passing of this Act; and all Bodies Politic and Corporate, and all Persons whomsoever, who at the Time of the passing of this Act stood indebted to the said Company or to any Persons or Person acting on their Behalf in any Sum of Money, shall pay the same to the Company hereby incorporated; and in case of Nonpayment thereof or of any Part thereof the Company may proceed for the Recovery thereof, and recover the same in such and the same Manner as they may recover any Debt incurred with them after the passing of this Act.

Actions, &c.  
not to abate.

XII. Nothing in this Act contained shall release, discharge, or suspend any Action, Suit, or other Proceeding at Law or in Equity which shall be pending against the Company or to which the Company shall be Party at the Date of the passing of this Act; but any such Action, Suit, or other Proceeding may be maintained, prosecuted, or continued by or in favour of or against the Company, as the Case may be, in the same Manner, and as effectually and advantageously as if this Act had not been passed; and the Company hereby incorporated shall, from and after the passing of this Act, be liable at Law and in Equity to all Actions, Claims, and Remedies, of what Nature and Kind soever, and to all Penalties and Forfeitures, to which the Company constituted by the said Deed of Settlement was liable or would have been liable if this Act had not passed.

Existing  
Members to

XIII. The several Persons constituting the Company at the Time of the passing of this Act shall severally and respectively continue  
and



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and remain liable to all Debts and Demands, as for Torts, Misfeasances, or otherwise, incurred by the Company before the passing of this Act; and all such Debts and Demands may be recovered from such Persons in the same Manner as they could have been recovered from them if this Act had not been passed; and if any such Debt or Demand shall be recovered against any such Person, the Amount thereof, together with the Costs and Expenses incurred by him in reference thereto, shall be repaid to him by the Company, and shall be recoverable against them by Action or Plaint in any Court of competent Jurisdiction.

remain liable  
to Debts.

XIV. The Capital of the Company shall be Nine thousand Pounds, divided into Six hundred Shares of Ten Pounds each, and Six hundred Shares of Five Pounds each.

Capital.

XV. The Profits to be divided amongst the Company shall not exceed the Rate of Six Pounds in the Hundred by the Year so long as and during the Period the Company shall charge Eight Shillings and Fourpence, or more than Eight Shillings and Fourpence, for every Thousand Cubic Feet of Gas supplied by them; and the Profits to be divided amongst the Company shall not in any Case exceed the Rate of Eight Pounds in the Hundred by the Year.

Limiting  
Profits of  
Company.

XVI. It shall be lawful for the Company to borrow on Mortgage such Sums of Money as may from Time to Time be authorized to be borrowed by Order of a General Meeting of the Company, so that there be not owing by the Company on Mortgage or Bond at any One Time any greater Sum than Two thousand Pounds.

Power to  
borrow on  
Mortgage.

XVII. It shall be lawful for the Mortgagees of the Company to enforce the Payment of the Principal and Arrears of Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver in the event of the Principal Monies not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than One thousand five hundred Pounds in the whole.

Arrears may  
be enforced  
by Appoint-  
ment of a  
Receiver.

XVIII. All Money to be raised under the Provisions of this Act shall be applied only in carrying into execution the Objects and Purposes of this Act.

Application  
of Money.

XIX. The First Ordinary Meeting of the Company shall be held within Two Months next after the passing of the Act; and the subsequent Ordinary Meetings of the Company shall be held in the Months of *March* and *September*.

First and  
other Meet-  
ings.

XX. The Quorum for any General Meeting of the Company shall be Fifteen Shareholders, holding in the aggregate not less than Two thousand Pounds in the Capital of the Company.

Quorum of  
General  
Meetings.

XXI. The Number of Shareholders on whose Requisitions an Extraordinary Meeting may be required to be convened shall not be

Number of  
Shareholders  
to convene

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- Extraordinary Meetings. be less than Ten Shareholders holding in the aggregate not less than One thousand five hundred Pounds in the Capital of the Company.
- Number and Qualification of Directors. XXII. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Twenty Shares in the Undertaking during the Time he shall be a Director, and for the Period of not less than Three Months prior to his Election as a Director.
- Nomination of Directors. XXIII. The several Persons who immediately before the passing of this Act constituted the Committee of Management of the "Gas-light and Coke Company of *Sligo*," that is to say, *Richard Hand Wood*, of *Sligo*, Surgeon; *George Leech*, of *Sligo*, Merchant; *Moses Monds*, of *Sligo*, Merchant; *James Harper*, of *Sligo*, Steam Packet Agent; and *Henry Lyons*, of *Sligo*, Merchant and Alderman; shall be the First Directors of the Company hereby incorporated, and they shall continue in Office until the First Ordinary Meeting of the Company to be held in the Year One thousand eight hundred and fifty-six.
- When Directors go out of Office. XXIV. At the First Meeting of the Company to be held in the Year One thousand eight hundred and fifty-six Two of the Directors shall go out of Office, and the same Number shall in like Manner go out of Office at the First Meeting of the Company to be held in every subsequent Year, but the Directors so going out of Office shall be capable of being re-elected Directors of the said Company.
- Quorum for Meeting of Directors. XXV. A Quorum of a Meeting of Directors shall be Three.
- Directors who may be declared bankrupt, &c., to go out of Office. XXVI. If any Director of the Company shall be declared bankrupt, or shall apply to take the Benefit of any Act for the Relief of Insolvent Debtors, or shall compound by Deed with his Creditors, or shall be absent for more than Six Months at One and the same Time (unless in case of Illness) from the Meetings of the Directors, then and in every such Case he shall forthwith cease to be and become disqualified to act as a Director, but a Person who shall cease to be a Director by reason of Absence from *Sligo* shall be capable of being re-elected a Director on his Return to and becoming again resident in *Sligo*.
- Notice of Candidates of Election. XXVII. Whenever a Director going out of Office is desirous of being re-elected a Director, or a Person not being a Director is desirous of being elected a Director, he shall give Notice in Writing under his Hand of being a Candidate for the Office, and shall leave such Notice at the Office of the Company Thirty clear Days before the Day for such then next Election.
- Meeting of Directors and Quorum. XXVIII. The Directors shall meet once in every Month for the Despatch of Business, and as often and at such Times as they may from



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from Time to Time appoint, at such Place within the Borough of *Sligo* as may be by them appointed.

XXIX. The Remuneration of the Directors and Secretary, and also of the Auditors of the Company to be appointed under the Provisions of the "Companies Clauses Consolidation Act, 1845," shall from Time to Time be fixed at a General Meeting of the Company, and be paid out of the Funds of the Company: Provided always, that the Sum to be paid to any One of the Directors shall not exceed the Sum of Thirty Pounds *per Annum*, and the Sum to be paid to the Secretary shall not exceed the Sum of One hundred Pounds *per Annum*, and the Sum to be paid as Remuneration to the Auditors shall not exceed Ten Pounds *per Annum* to each Auditor.

Remuneration of Directors, &c.

XXX. All General and Extraordinary Meetings of the Company and of the Directors shall be held within the Borough of *Sligo*.

All Meetings to be in *Sligo*.

XXXI. The present Auditors of the Company shall continue to be Auditors of the Company hereby incorporated until the First Ordinary Meeting of the Company in the Year One thousand eight hundred and fifty-six, and shall be capable of being reappointed Auditors by the Directors of the Company, and every Auditor shall have at least Ten Shares in the Company.

Auditors.

XXXII. Subject to the Provisions of this Act, it shall be lawful for the Company to agree with the Owners of any Lands which they may think requisite or proper for the Purposes of the said Undertaking for the absolute Purchase for a Consideration in Money of any such Lands and of all subsisting Leases therein, and of all Rentcharges, Annuities, Mortgages, or Incumbrances affecting any such Lands, and all Rights to which such Lands may be subject, and all other Estates or Interests in such Land, of what kind soever, but so that the Quantity of Land purchased by the said Company shall not exceed in the whole Five Acres of Land in addition to the Land now held by them or for their Use.

Power to purchase additional Land.

XXXIII. Subject to the Provisions in this and the said incorporated Acts contained, it shall be lawful for the Company to maintain, alter, and enlarge their existing Works, and from Time to Time to lay down, maintain, alter, or discontinue Main and Branch Pipes, and to construct and maintain such additional Gasworks, Gasometers, Retorts, Drains, Sewers, Machinery, and other Works and Apparatus, and such Houses, Buildings, and Approaches, upon the Lands belonging to them or which they may acquire under the Powers of this Act, and to make and supply Gas, or to contract for the making and Supply of Gas, in such Manner as they shall think proper, and also to enter into all such Contracts and to do all such other Acts as they shall think necessary for supplying Gas within the Limits of this Act.

Power to construct Gasworks and supply Gas.

XXXIV. Subject



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Company  
empowered  
to lay Pipes  
for lighting  
Buildings.

XXXIV. Subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Company to lay any Pipe, Branch, or other necessary Apparatus from any Main or Branch Pipes, into, through, or against any Building for the Purpose of lighting the same, and to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Consumers  
of Gas may  
be required  
to burn by  
Meter.

XXXV. Every private Consumer of Gas of the Company shall, upon Request in Writing by the Company, consume Gas by Meter, to be found and provided by the Company if the Consumer shall not think fit to provide the same at his own Expense.

Limiting  
Price of Gas.

XXXVI. The maximum Price at which Gas shall be sold by the Company shall not exceed Ten Shillings and Sixpence *per* Thousand Cubic Feet.

Recovery of  
Rent for Gas  
and Fittings.

XXXVII. The Company may recover the Rent of any Gas, or the Price or Rent of any Pipe, Burner, Meter, Lamp, or Fitting supplied, sold, delivered, or let to Hire by the Company, by Action, Complaint, or other Proceeding in any Court of competent Jurisdiction; and the Register of the Meter shall be *prima facie* Evidence of the Quantity of Gas consumed by any Customer of the Company, and in respect of which any Rent is charged and sought to be recovered by the Company.

Costs of  
Distress.

XXXVIII. Any Justice who issues any Warrant of Distress under this Act may order that the Costs of the Proceedings for the Recovery of the Money owing to the Company shall be paid by the Person liable to pay such Money, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Expenses of  
Act

XXXIX. The Costs and Expenses incurred in obtaining this Act, and all Expenses incurred preparatory or relating thereto, shall be paid by the Directors out of the Funds or Property of the Company.

Act to be  
Public.

XL. This Act shall be a Public Act, and shall be judicially taken notice of as a Public Act.

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