



## CHAPTER xxxviii.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the town of Ballinasloe; and to the Ballymacormick Burial Ground; and to the towns of Clonmel and Tralee; and to Waterworks in the town of Wicklow. [9th July 1880.] A.D. 1880.

**W**HEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereunto annexed, relative to the places above mentioned, under the provisions of the Public Health (Ireland) Act, 1878:

41 & 42 Vict.  
c. 52.

And whereas it is requisite that the said Orders 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 Orders set out in the schedule hereunto annexed shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Provisional Orders in schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Ballinasloe, &c.) Act, 1880. Short title.

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Provisional Orders Confirmation (Ballinasloe, &c.) Act, 1880.*

A.D. 1880.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF BALLINASLOE.

*Provisional Order.*

17 & 18 Vict.  
c. 103.

41 & 42 Vict.  
c. 52. s. 7.

WHEREAS the town of Ballinasloe in the counties of Galway and Roscommon contains, according to the last Census, a population of 4,619, and the said town is wholly situated within the rural sanitary district consisting of the Ballinasloe Union, and there are in the said town Town Commissioners elected and acting under the provisions of the Towns Improvement (Ireland) Act, 1854; and the said Town Commissioners have presented a petition to the Local Government Board for Ireland, in pursuance of the 7th section of the Public Health (Ireland) Act, 1878, praying for a Provisional Order to separate the said town from the said rural sanitary district, and to constitute it an urban sanitary district:

And whereas the guardians of the poor of the Ballinasloe Union have passed a resolution recommending that such Order shall be made:

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, have been duly published and given, and no objection to the proposed Order has been taken by any person, and it appears to the Local Government Board for Ireland to be proper to make this Provisional Order in respect of the matters aforesaid:

Constitution of  
urban sanitary  
district.

1. From and after the confirmation of this Order by Act of Parliament, the said town of Ballinasloe shall be separated from the rural sanitary district consisting of the Ballinasloe Union, and the said town shall thenceforth be constituted an urban sanitary district, subject to all the provisions of the Public Health (Ireland) Act, 1878, affecting urban sanitary districts.

Short title of  
Order.

2. This Order may be cited and referred to for all purposes as "The Ballinasloe Provisional Order, 1880."

Given under our hands and seal of office, this sixteenth day of March one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

CHARLES CROKER-KING.

(L.S.)

[43 & 44 VICT.] *Local Government Board (Ireland) [Ch. xxxviii.]  
Provisional Orders Confirmation (Ballinasloe, &c.) Act, 1880.*

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

BALLYMACORMICK BURIAL GROUND.

*Provisional Order.*

WHEREAS the guardians of the poor of the Longford Union, being the Sanitary Authority and Burial Board of the Rural Sanitary District, consisting of the Longford Union, have vested in them as such Sanitary Authority the burial ground of Ballymacormick, in the parish of Ballymacormick, barony of Ardagh, and county of Longford, and are about to make additions to the said burial ground :

41 & 42 Vict.  
c. 52. s. 161.  
32 & 33 Vict.  
c. 42. s. 26.

And whereas plans of the proposed additions to the said burial ground (herein-after referred to as the deposited plans) have been deposited in the office of the clerk of the Longford Union and in the office of the Local Government Board for Ireland in Dublin :

And whereas the notices and advertisements required by "The Public Health (Ireland) Act, 1878," section 203, having been previously published, served, and given, the said Burial Board have presented a petition under their seal to the Local Government Board for Ireland, praying that the said burial board may be allowed to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of land, otherwise than by agreement, with reference to the lands herein-after mentioned, being the lands comprised in the said plans :

41 & 42 Vict.  
c. 52. s. 203.

And whereas the Local Government Board for Ireland having directed a local inquiry as to the propriety of assenting to the prayer of the said petition, and such inquiry having been made, it appears to the Local Government Board for Ireland to be proper to assent to the prayer of the said petition :

It is ordered by the Local Government Board for Ireland as follows :—

1. From and after the time when this Order shall be confirmed by Act of Parliament, it shall be lawful for the guardians of the poor of the Longford Union, acting as the burial board of the Longford Union, and they shall be empowered to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands, otherwise than by agreement, with reference to the lands following : All that portion of the lands of Mullaghavorneen, containing one acre three roods and fourteen perches, and a portion of the lands of Cartronageeragh, containing twenty perches, which lands are situate in the parish of Ballymacormick, barony of Ardagh, and county of Longford, and are delineated in the said deposited plans.
2. The powers of compulsory purchase conferred by this Order may be exercised at any time or times within five years after the confirmation of this Order by Act of Parliament, but not afterwards.
3. The word "lands" in this Order has the same meaning as the word "lands" as used in the 202nd and 203rd sections of "The Public Health (Ireland) Act, 1878 ;" the expression "Lands Clauses Acts" means and

Compulsory  
powers to  
take lands.

Limit of  
compulsory  
powers.

Interpretation  
of terms.



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includes the several Acts of Parliament mentioned by and included in the same expression as used in "The Public Health (Ireland) Act, 1878;" and also the said Public Health (Ireland) Act, 1878.

Short title of  
Order.

4. This Order may be cited and referred to for all purposes as "The Ballymacormick Burial Ground Provisional Order, 1880."

Given under our hands and seal of office, this seventh day of May  
one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

CHARLES CROKER-KING.

GEORGE MORRIS.

(L.S.)

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

BOROUGH OF CLONMEL.

*Provisional Order (No. 1).*

WHEREAS the Mayor, Aldermen, and Burgesses of Clonmel are the Urban Sanitary Authority of the Urban Sanitary District, consisting of the borough of Clonmel:

41 & 42 Vict.  
c. 52, s. 206.

And whereas by a Provisional Order of the said Local Government Board, dated the 29th November 1878, made in pursuance of "The Public Health (Ireland) Act, 1878," s. 206, and confirmed by the Act of Parliament, 42 & 43 Vict., c. 4, the jurisdiction, power, and authority of the Grand Juries of the counties of Tipperary (South Riding) and of Waterford, with respect to roads, bridges, footpaths, and public works within the said Urban Sanitary District (except public works concerning the said counties, or either of them, at large), have been transferred from the said Grand Juries respectively to the said Urban Sanitary Authority:

41 & 42 Vict.  
c. 52, s. 203.

And whereas the said Urban Sanitary Authority have presented a petition to the said Local Government Board stating (amongst other matters) that upon such transfer the petitioners had cast upon them the responsibility of repairing and maintaining streets of the borough, and that for those purposes it was necessary that they should at all times have a sufficient and convenient quarry from which to procure limestone, and that there is such a quarry on the lands herein-after mentioned, and praying that the petitioners may, with reference to such lands, be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement:

And whereas a plan showing the lands intended to be taken (herein-after referred to as the deposited plan) has been deposited in the office of the town clerk of the said borough, and a copy thereof has been deposited in the office of the said Local Government Board in Dublin:

And whereas all notices and advertisements required by "The Public Health (Ireland) Act, 1878," s. 203, having been previously duly given, served, and published, the Local Government Board for Ireland have directed a local

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inquiry to be held as to the propriety of assenting to the prayer of the said petition ; and the said inquiry having been held, it appears to the Local Government Board for Ireland to be proper to assent to the said prayer : A.D. 1880.

It is ordered by the Local Government Board for Ireland as follows :—

1. From and after the time when this Order shall be confirmed by Act of Parliament, the Mayor, Aldermen, and Burgesses of Clonmel shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands, otherwise than by agreement, with reference to the lands following : All that portion of the lands of Garryshane, known as Jackson's Hill, containing one acre of land or thereabouts, and situate in the parish of Inishlounaght, barony of Iffa and Offa East, and county of Tipperary, described in the said deposited plan. Compulsory powers of purchasing lands.
2. The powers of compulsory purchase conferred by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order by Act of Parliament. Time within which powers hereby conferred must be exercised.
3. In this Order "Lands Clauses Acts" means and includes "The Lands Clauses Consolidation Act, 1845," as the same is amended by "The Lands Clauses Consolidation Acts Amendment Act, 1860;" "The Railways Act (Ireland), 1851;" "The Railways Act (Ireland), 1860;" "The Railways Act (Ireland), 1864;" and "The Railways Traverse Act." Meaning of "Lands Clauses Acts."  
8 & 9 Vict. c. 18;  
23 & 24 Vict. c. 106;  
14 & 15 Vict. c. 70;  
23 & 24 Vict. c. 97;  
27 & 28 Vict. c. 71;  
31 & 32 Vict. c. 70.
4. This Order may be cited and referred to for all purposes as "The Clonmel Provisional Order, 1880, No. 1." Short title of Order.

Given under our hands and seal of office, this tenth day of May one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.  
 CHARLES CROKER-KING.  
 GEORGE MORRIS.

(L.S.)

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

BOROUGH OF CLONMEL.

*Provisional Order (No. 2).*

WHEREAS the Mayor, Aldermen, and Burgesses of Clonmel are the Urban Sanitary Authority of the Urban Sanitary District, consisting of the borough of Clonmel:

And whereas by a Provisional Order of the said Local Government Board, dated the 29th November 1878, made in pursuance of "The Public Health (Ireland) Act, 1878," and confirmed by Act of Parliament, 42 & 43 Vict., c. 4, the jurisdiction, power, and authority of the Grand Juries of the counties of Tipperary (South Riding) and of Waterford, with respect to roads, bridges, footpaths, and public works within the said Urban Sanitary District (except public works concerning the said counties, or either of them, at large), have 41 & 42 Vict. c. 52. s. 206.



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A.D. 1880. been transferred from the said Grand Juries respectively to the said Urban Sanitary Authority :

And whereas the said Urban Sanitary Authority have undertaken the proper cleansing of streets within the said district :

41 & 42 Vict.  
c. 52. s. 52.  
41 & 42 Vict.  
c. 52. s. 203.

And whereas the said Urban Sanitary Authority have presented a petition to the said Local Government Board, praying that the petitioners may, with reference to the lands herein-after mentioned, be allowed to put in force the provisions of the Lands Clauses Acts, with respect to the purchase and taking of lands, otherwise than by agreement, in order to provide a place for depositing temporarily, and collecting rubbish, dust, street scrapings, and other matters collected by them in cleansing the said streets :

41 & 42 Vict.  
c. 52. s. 55.

And whereas a plan showing the lands intended to be taken (herein-after referred to as the deposited plan) had been deposited at the office of the town clerk of the said borough, and a copy thereof has been deposited in the office of the Local Government Board in Dublin :

And whereas all notices and advertisements required by "The Public Health (Ireland) Act, 1878," section 203, having been previously given, served, and published, the said Local Government Board have directed a local inquiry to be held as to the propriety of assenting to the prayer of the said petition ; and the said inquiry having been held, it appears to the said Local Government Board to be proper to assent to the said prayer :

It is ordered by the Local Government Board for Ireland as follows :—

Compulsory  
powers of pur-  
chasing land.

1. From and after the time when this Order shall be confirmed by Act of Parliament, the Mayor, Aldermen, and Burgesses of Clonmel shall be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands, otherwise than by agreement, with reference to the lands following : All that about one half statute acre of the lands of Burgagery East, situate in the parish of Saint Mary's, barony of Iffa and Offa East, in the county of Tipperary, described in the said deposited plan.

Time within  
which the  
powers hereby  
conferred must  
be exercised.

2. The powers of compulsory purchase conferred by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order by Act of Parliament.

Meaning of  
"Lands Clauses  
Acts." 8 & 9 Vict.  
c. 18; 23 & 24  
Vict. c. 106;  
14 & 15 Vict. c. 70;  
23 & 24 Vict. c. 97;  
27 & 28 Vict. c. 71;  
31 & 32 Vict. c. 70.

3. In this Order "Lands Clauses Acts" means and includes "The Lands Clauses Consolidation Act, 1845," as the same is amended by "The Lands Clauses Consolidation Acts Amendment Act, 1860;" "The Railways Act (Ireland), 1851;" "The Railways Act (Ireland), 1860;" "The Railways Act (Ireland), 1864;" and "The Railways Traverse Act."

Short title of  
Order.

4. This Order may be cited and referred to for all purposes as "The Clonmel Provisional Order, 1880, No. 2."

Given under our hands and seal of office, this tenth day of May one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

CHARLES CROKER-KING.

GEORGE MORRIS.

(L.S.)

[43 & 44 VICT.] *Local Government Board (Ireland) [Ch.xxxviii.]*  
*Provisional Orders Confirmation (Ballinasloe, &c.) Act, 1880.*

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

TOWN OF TRALEE.

*Provisional Order.*

WHEREAS the Town Commissioners of the town of Tralee, in the county Kerry, being the Urban Sanitary Authority of the Urban Sanitary District, consisting of the said town of Tralee, have made an application under their Seal to the Local Government Board for Ireland, for a Provisional Order in pursuance of the 206th section of "The Public Health (Ireland) Act, 1878," to transfer from the Grand Jury of the county Kerry to the said Urban Sanitary Authority the jurisdiction, power, and authority with respect to roads, bridges, footpaths, and public works within such district, vested in such Grand Jury under any Act or Acts, and to make such further provisions in relation to such transfer as are mentioned in the said section :

And whereas all advertisements and notices required by the said Act having been previously duly published and given, the Local Government Board for Ireland have caused a local inquiry to be held in the said town into the matter of the said proposed Order :

It is ordered by the Local Government Board for Ireland as follows :—

1. From and after the time when this Order shall be confirmed by Parliament, all jurisdiction, power, and authority with respect to roads, bridges, footpaths, and public works (except public works chargeable to the county at large) within the said Sanitary District, vested in the Grand Jury of the county of Kerry under any Act or Acts, shall be transferred from the said Grand Jury to the said Urban Sanitary Authority ; and it shall not be lawful for the said Grand Jury, after such transfer, to make any presentment with regard to any road, bridge, footpaths, or other public work within the said district, except public works chargeable to the said county at large, nor shall land or premises within the said district be liable to Grand Jury Cess in respect of any baronial presentment for roads, bridges, footpaths, or public works.
2. This Order shall not affect in any way the levying and enforcement of the payment of arrears, if any, of Grand Jury Cess due at the time of the confirmation of this Order, nor shall this Order affect any contract for the execution of any public work within the said district in force and unperformed at the time of the confirmation of this Order : all such contracts shall be executed and carried out in all respects, and all moneys payable in respect of such contracts shall be raised, levied, and paid, in the same manner as if this Order had not been made.
3. From and after such transfer, the secretary of the Grand Jury of the county Kerry shall, within a reasonable time after each Assizes, furnish to the clerk of the Town Commissioners of the town of Tralee, a certificate signed by the said secretary, stating the amount of Grand Jury Cess payable by the said town in respect to county at large presentments, which amount shall be a sum bearing the same proportion

Transfer of powers upon roads, &c. from Grand Jury to Urban Sanitary Authority.

Provision for levying arrears of Grand Jury Cess and for existing contracts.

Provision for payment of balance of Grand Jury Cess.



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to the total amount of the presentments affecting the county at large made at such Assizes as the valuation of premises within the said town for the purposes of Grand Jury Cess bears to the total amount of the valuation of the said county. The said Urban Sanitary Authority shall, within thirty days after the delivery of such certificate, lodge the amount so certified in the bank of the Banking Company appointed to act as treasurer of the said county in pursuance of the provisions of the 30th and 31st Victoria, chapter 46, on the receipt of the officer of the said bank authorised to give receipts in pursuance of the said Act; and such receipt shall be a sufficient discharge to the said Town Commissioners for the payment of the amount of such receipt. If the said Urban Sanitary Authority shall at any time fail to lodge, within the time herein-before mentioned, the amount so certified by the secretary of the Grand Jury, the liability of owners and occupiers of premises within the said town to pay Grand Jury Cess shall be revived to the extent necessary for levying the amount of the certificate, and such owners and occupiers shall be liable to pay Grand Jury Cess in respect to the presentments included in the certificate, and such payments may be enforced in the same manner in every respect as if this Order had not been made.

Power of Sanitary Authority to traverse presentments.

4. In the case of any presentment to which, if filed, the Sanitary Authority shall be bound to contribute under the provisions herein-before contained, the Sanitary Authority may traverse such presentment, and such traverse shall be dealt with and tried in all respects in the same manner as other traverses of presentments.

Proviso for rate to provide for the expenses incident to the transfer of authority.

5. In order to enable the said Town Commissioners to defray the expenses consequent upon and incident to the transfer of authority herein-before provided for and ordered, it shall be lawful for the said Town Commissioners, and they are hereby empowered, to assess, levy, and raise from time to time after this Order shall have been confirmed by Act of Parliament, in addition to the town rates which the said Commissioners are now empowered to raise and levy, a rate sufficient for the purpose of defraying such expenses, not exceeding 2s. in the pound of rateable value, which rate shall be leviable along with such town rates, and shall be (for the purposes of being assessed, raised, and levied) an addition to such general town rate, and such increased rate shall be assessed, raised, payable, and levied in the like manner in all respects as such town rate is now assessed, payable, and levied.

Short title of Order.

6. This Order may be cited and referred to for all purposes as "The Town of Tralee Provisional Order, 1880."

Given under our hands and seal of office, this twenty-ninth day of April one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

CHARLES CROKER-KING.

(L.S.)



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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

TOWN OF WICKLOW.

*Provisional Order.*

WHEREAS the Town Commissioners of Wicklow, being the Urban Sanitary Authority of the Urban Sanitary District, consisting of the town of Wicklow, and being about to construct waterworks for the purpose of supplying the said district with water, have presented petitions to the Local Government Board for Ireland, praying that the said Sanitary Authority may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and premises herein-after mentioned which are required for the purposes of the said waterworks :

And whereas plans of the said lands and premises (herein-after referred to as the deposited plans) have been deposited in the office of the town clerk in the town of Wicklow, and in the office of the Local Government Board for Ireland in Dublin :

And whereas all notices and advertisements required by the Public Health (Ireland) Act, 1878, having previously been duly published, served, and given, the Local Government Board for Ireland have caused a local inquiry to be held as to the propriety of assenting to the prayers of the said petitions, and it appears to be proper to assent thereto :

It is ordered by the Local Government Board for Ireland as follows :—

1. From and after the confirmation of this Order by Act of Parliament it shall be lawful for the said Sanitary Authority to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement in reference to the lands and premises following : A portion of the townland of Ashtown, containing about four acres and two roods, in the possession of William Carr, and situate in the barony of Newcastle and county of Wicklow ; also a portion of the townland of Hawkstown, containing about six acres two roods, in the occupation of Peter Burne, and situate in the barony of Arklow and county of Wicklow ; which said lands are delineated in the said deposited plans.
2. The powers of compulsory purchase conferred by this Order may be exercised at any time within three years from the time of the confirmation of this Order by Act of Parliament, but not afterwards.
3. The word "lands" in this Order has the same meaning as the word "lands" as used in the 202nd and 203rd sections of "The Public Health (Ireland) Act, 1878." The expression "Lands Clauses Acts" in this Order includes the several Acts of Parliament included in the same expression as used in the Public Health (Ireland) Act, 1878, and also the said Public Health (Ireland) Act, 1878.

Compulsory power to purchase lands conferred.

Limit of time within which the powers hereby conferred must be executed.

Interpretation clause.

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Short title of  
Order.

4. This Order may be cited and referred to for all purposes as "The Wicklow  
Town Provisional Order, 1880."

Given under our hands and seal of office, this nineteenth day of May  
one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

(L.S.)

CHARLES CROKER-KING.

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Printers to the Queen's most Excellent Majesty. 1880.