



CHAPTER cli.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to a New Street in Dublin, and to Grand Jury Cess in the county and borough of Wexford, and to Waterworks in Strabane. A.D. 1887.

[8th August 1887.]

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the Schedule hereunto annexed 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.—(1.) The Urban Sanitary Authority for the City of Dublin shall not under the powers of this Act or of the Order relating to that city hereby confirmed, purchase or acquire in the city ten or more houses which after the passing of this Act 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, unless and until— Special provisions as to houses of labouring class as regards the Dublin Order.

(a.) They shall have obtained the approval of the Local Government Board for Ireland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such

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number of persons as the Board shall, after inquiry, deem necessary, having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom, and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses, or to the place of employment of such persons, and to all the circumstances of the case; and

(b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the said Local Government Board to any scheme under this section may be given either absolutely or conditionally, and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out, and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement, subject to such conditions, if any, as they may see fit.

(4.) Any conditions subject to which the Local Government Board may have approved of any scheme, or of any modifications of any scheme under this section, or subject to which they may have dispensed with the above-mentioned requirement, shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court of Justice in Ireland.

(5.) If the sanitary authority acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions, or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme, they shall be liable to a penalty of five hundred pounds in respect of every such house, which penalty shall be recoverable by the Local Government Board for Ireland by action in the High Court of Justice in Ireland, and shall be carried to and form part of the Consolidated Fund of the United Kingdom:

Provided that the Court may, if it think fit, reduce such penalty.

(6.) Subject to the provisions of this section, the sanitary authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any

scheme under this section all or any of the powers vested in them under the Public Health (Ireland) Act, 1878, in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act: A.D. 1887.

Provided that all lands on which any buildings have been erected or provided by the sanitary authority in pursuance of any scheme under this section, shall, for a period of twenty-five years from the passing of this Act, be appropriated for the purpose of dwellings, and every conveyance, demise, or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection, subject to such conditions, if any, as they may see fit.

(7.) The sanitary authority, shall, if required by the Local Government Board for Ireland, pay to the said Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section, and any expenses incurred by that Board in relation to any inquiries under this section, including the expenses of any witnesses summoned by the inspector holding the inquiry, and a sum to be fixed by that Board, not exceeding three guineas a day, for the services of such inspector.

3. For the purposes of this Act, the expression "labouring class" includes mechanics, artizans, labourers, and others working 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. Definition of
labouring
class.

4. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Dublin, &c.) Act, 1887. Short title.

A.D. 1887.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

CITY OF DUBLIN—NEW STREET.

PROVISIONAL ORDER.

WHEREAS the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin, being the Urban Sanitary Authority of the Urban Sanitary District, consisting of the City of Dublin, are about (with the sanction of the Local Government Board for Ireland) to purchase lands and premises for the purpose of making a new street in the said city, leading from Mullinahack, New Row West, to Usher's-quay :

41 & 42 Vict.
c. 52. s. 38.

And whereas the said Urban Sanitary Authority have presented a petition to the Local Government Board for Ireland praying to 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 said lands and premises :

41 & 42 Vict
c. 52. ss. 202,
203.

And whereas the said Urban Sanitary Authority have deposited in the office of the Local Government Board for Ireland, in Dublin, plans and a book of reference referring thereto (herein-after referred to as the deposited plans and book of reference), showing the said lands and premises proposed to be taken and purchased for the purposes of the said new street.

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

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

1. From and after the time of the confirmation of this Order by Parliament, the said Urban Sanitary Authority 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 respect to the several lands and premises described in the said deposited plans and book of reference, and proposed to be taken by the Sanitary Authority for the purposes of the said new street.
2. In this Order the expression "the Lands Clauses Acts" means "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."

Compulsory
powers to take
lands for the
purposes of a
new street.

Interpretation
of terms.

3. The compulsory powers of purchase given by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order by Parliament. A.D. 1887.
4. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the said Urban Sanitary Authority. Duration of powers given by Order.
Provision as to costs and expenses.
5. This Order may be cited and referred to for all purposes as "the City of Dublin (New Street) Provisional Order, 1887." Short title of Order.

Given under our Hands and Seal of Office, this sixth day of May, in the year of our Lord One thousand eight hundred and eighty-seven.

(Signed) HENRY ROBINSON.
CHARLES CROKER-KING.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF WEXFORD.

PROVISIONAL ORDER.

WHEREAS by a Provisional Order (herein-after called the Provisional Order of 1872), made on the 15th November, 1872, by the Local Government Board for Ireland (herein-after called the Local Government Board), it was (amongst other things) ordered that from and after the passing of any Act of Parliament confirming the Order, all jurisdiction, power, and authority with respect to roads, bridges, footpaths, and public works, within the town and borough of Wexford, then vested under any Act or Acts of Parliament in the grand jury of the county of Wexford, should be transferred from the said grand jury to the mayor, aldermen, and burgesses of the said town and borough of Wexford acting by the Town Council (herein-after called the Corporation); and that from and after such transfer no grand jury of the said county should make any presentment with regard to any road, bridge, footpath, or other public work within the said town and borough of Wexford, except any public work which might concern the county at large and be chargeable thereto, and that from and after such transfer the Corporation should, within thirty days after the amount thereof should be duly notified to them in writing in each half-year by the treasurer of the said county, lodge in the Bank of Ireland, in the name and to the credit of the treasurer for the time being of the said county, the due proportion (to be ascertained in the manner provided by the said Order) chargeable to the said town and borough of Wexford of the charges on the said county at large, not being any charge in respect of which the said grand jury was therein-before prohibited from making any presentment, and that the amount of the proportion chargeable to the borough of the charges on the said county of Wexford at large should be certified in detail under the hand of the secretary of the grand jury of the county, such certificate to be delivered to the town clerk at the time when

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A.D. 1887. the warrants for collecting should be delivered to the collectors of county
— cess, and six weeks at least before the commencement of each assizes for the
county :

36 Vict. c. 61. And whereas the said Provisional Order was confirmed by Parliament by
the Local Government Board (Ireland) Provisional Order (Wexford)
Confirmation Act, 1873, (herein-after called the Act of 1873) :

And whereas the Corporation has presented to the Local Government Board
a petition stating, amongst other matters, that by the 6th and 7th William the
Fourth, chapter 116, in case of any road upon which Royal mails are or shall
be carried, one half of the expenses of widening, gravelling, macadamising,
paving, repairing, or otherwise improving and making such roads, or any foot-
paths on the sides of such roads, or for making, widening, or deepening drains
on the sides of such roads, and carrying off the water therefrom, shall be levied
off the county at large, and the other half off any barony or baronies in which
such roads and footpaths, or any part thereof, may be situate, and submitting
that under the said provisions the Corporation are entitled to have presented to
them by the grand jury, to be levied off the county of Wexford at large, one
half of the expenses aforesaid incurred or to be incurred in respect of such roads
situated within the said town and borough; and thereby applied to the Local
Government Board to make a Provisional Order, directing (amongst other
matters) that from and after the date thereof one half of the said expenses
should be levied off and chargeable upon the county of Wexford at large,
excluding therefrom the said town and borough of Wexford :

And whereas all notices and advertisements required by the Public Health
(Ireland) Act, 1878, having been previously duly published and given, the Local
Government Board have caused a local inquiry to be made into the matter of
the said application, and have received the report on the said inquiry and the
evidence given thereon, and all objections made to said application :

And whereas the grand jury of the county of Wexford at the summer assizes
of the year 1886, passed a presentment whereby the said grand jury consented
that the Provisional Order of 1872, and the Act confirming the same, should be
altered so as to provide that the said grand jury shall contribute the sum of 40%
annually (to be levied off the county of Wexford at large, including the borough
of Wexford) towards the maintenance of the mail car roads in the said town
and borough of Wexford :

And whereas the Local Government Board has given public notice of the
purport of this Order in the manner provided by the said Act, and no objection
has been made thereto :

And whereas it appears to the Local Government Board that this Order
should be made in pursuance of the powers given by section 214, sub-
section (5) of the Public Health (Ireland) Act, 1878, to amend and alter the Act
of 1873 :

It is ordered by the Local Government Board that the Act of 1873 shall be
altered and amended as follows :—

1. From and after the time when this Order shall be confirmed by Act of
Parliament the grand jury of the county of Wexford shall contribute, in the
manner herein-after mentioned, the sum of 40% annually to the maintenance of

The grand
jury of the
county Wex-
ford to con-

roads within the said borough of Wexford whereon Royal mails are carried, and shall raise and levy the said sum by a presentment, or presentments, on the said county of Wexford at large, including the said borough of Wexford.

2. The grand jury of the county of Wexford shall be authorised to, and shall at each assizes after the confirmation of this Provisional Order by Act of Parliament, present to be raised off the county at large, including the said borough of Wexford, and paid to the Corporation a sum of 20*l.*, which shall be applied by the Corporation to the maintenance of roads within the said borough on which Royal mails are and shall from time to time be carried.

3. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Corporation, and it shall be lawful for them to apply for the purpose of such payment part of the proceeds of any rate or rates leviable by them within the said borough of Wexford.

3. This Order may be referred to for all purposes as the "Wexford (Town) Provisional Order, 1887."

Sealed with our Seal, this Second day of May, in the Year of our Lord
One thousand eight hundred and eighty-seven.

(Signed) HENRY ROBINSON.
CHARLES CROKER-KING.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

STRABANE WATER WORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Strabane Union, being the Rural Sanitary Authority of the District consisting of the said Union and including the Town of Strabane, in the County of Tyrone, are about to construct certain additional waterworks for the purpose of providing an additional supply of water to the said town, for drinking and domestic purposes, and have presented a petition to the Local Government Board for Ireland, in pursuance of the provisions of the Public Health (Ireland) Act, 1878, praying that they 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 certain lands and premises required for the purpose of the said works :

And whereas the said petitioners have deposited at the office of the Local Government Board for Ireland, in Dublin, plans and a book of reference (hereinafter called the deposited plans and book of reference), showing the said lands and premises :

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously duly published, given, and sent, the

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tribute 40*l.* per annum to the maintenance of mail car roads within the borough of Wexford.

The grand jury to present 20*l.* at each assizes.

Costs of this Order.

Short title of Order.

41 & 42 Vict.
c. 52. ss. 61,
202 and 103.

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A.D. 1887. Local Government Board for Ireland have caused a local inquiry to be held as to the propriety of assenting to the prayer of the said petition, and it appears to the said Board to be proper to assent thereto, so far as such prayer relates to some only of the lands and premises mentioned in the said deposited plans and book of reference, and the said lands and premises in relation to which it appears to be proper to assent to the said prayer are set out in the Schedule to this Order :

Compulsory powers to take lands, &c.

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

1. From and after the time of the confirmation of this Order by Parliament, the Guardians of the Poor of the Strabane Union, acting as the Rural Sanitary Authority of the District consisting of the said Union, 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 parts of the lands and premises mentioned in the said deposited plans and book of reference, which are set out in the Schedule to this Order.
2. In this Order the expression “the Lands Clauses Acts,” means “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” ; and the words “land” and “lands” in the said Acts shall for the purposes of this Order extend to and include messuages, buildings, lands, easements, and hereditaments of any tenure, and also lands covered with water, water, and rights to take and convey water.
3. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order by Parliament.
4. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto shall be deemed to be special expenses of the said Rural Sanitary Authority chargeable upon the Strabane Electoral Division and the Townland of Milltown situate in Camus Electoral Division of the said Union, and shall be raised and paid accordingly by the Guardians of the Poor of the Strabane Poor Law Union acting, as aforesaid, as the Sanitary Authority of the Rural Sanitary District consisting of the said Union.
5. This Order may be cited and referred to for all purposes as the “Strabane Water Works Provisional Order, 1887.”

Interpretation of terms.

Duration of Order.

Provision as to costs and expenses.

Short title of Order.

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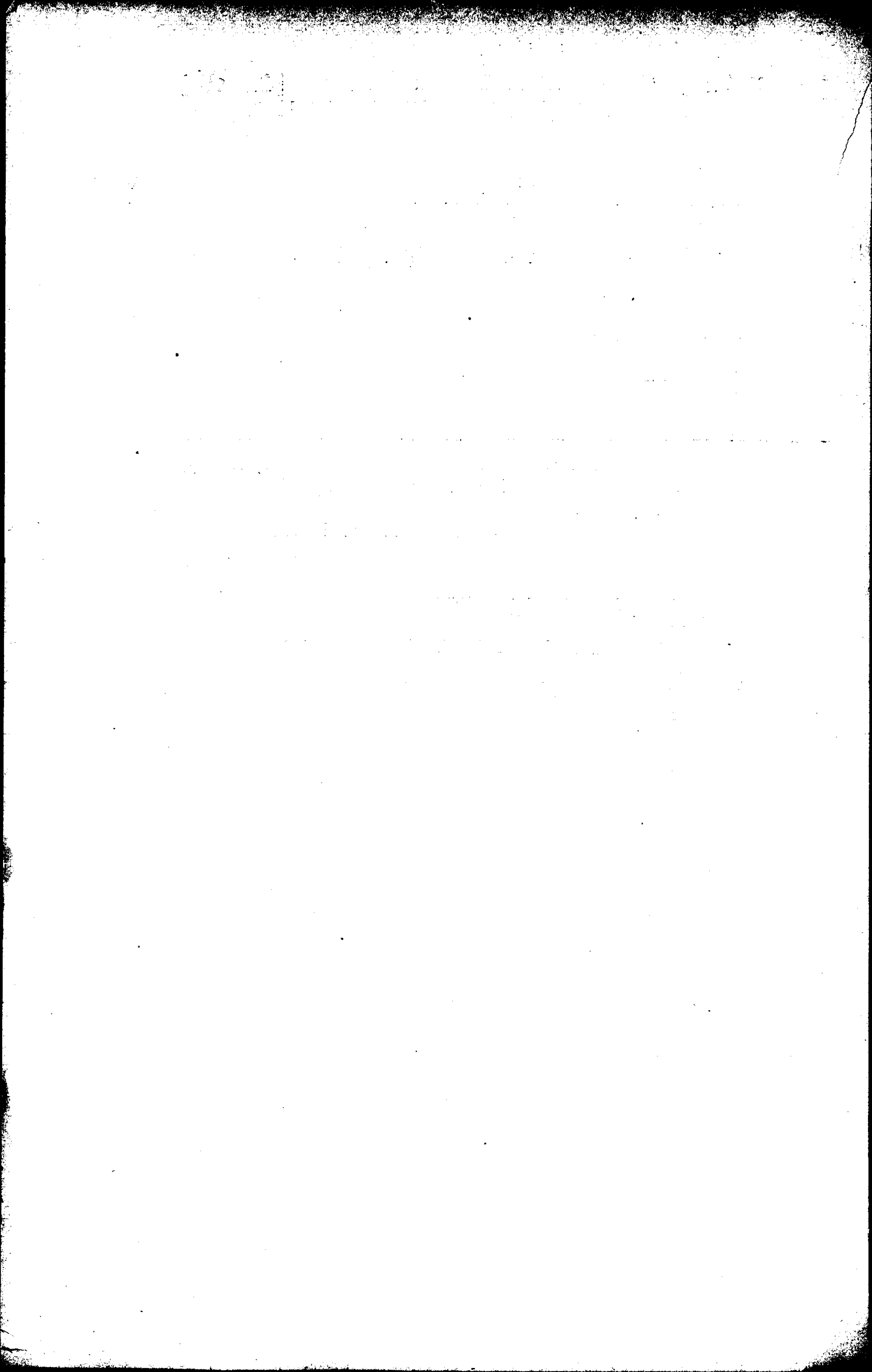
Parish.	Townland.	No. on deposited Plan and in Book of Reference.
Camus	Evish	1
		2

Given under our Hands and Seal of Office, this Sixth day of May, in the Year of our Lord One thousand eight hundred and eighty-seven.

(Signed) HENRY ROBINSON.
 CHARLES CROKER-KING.

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