

[50 VICT.]      *Local Government Board (Ireland)*      [Ch. xiii.]  
*Provisional Orders Confirmation (Galway and Londonderry)*  
*Act, 1886.*



CHAPTER xiii.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Galway and Londonderry. A.D. 1886.  
[25th September 1886.]

**W**HEREAS the Local Government Board for Ireland have, as regards the above-named places, 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. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Galway and Londonderry) Act, 1886. Short title.

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**SCHEDULE.**

*Galway.*

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

**TOWN OF GALWAY.**

*Provisional Order.*

16 & 17 Vict.  
c. cc. s. 8.

Sec. 25.

WHEREAS by "The Galway Town Improvement Act, 1853" (herein-after called the Act of 1853), "The Galway Town Improvement Commissioners" (herein-after called the Commissioners), are incorporated, and the Commissioners are empowered (subject to the provisions of the Act of 1853, and of the Acts incorporated therewith) to cause the town of Galway, within the limits of the Act of 1853, to be paved, drained, cleansed, lighted, watched, regulated, and otherwise improved:

10 & 11 Vict.  
c. 34. s. 47.

And whereas by "The Towns Improvement Clauses Act, 1847," which is incorporated with the Act of 1853, the management of all streets, roads, and thoroughfares within the said limits, and the pavements and other materials, as well in the footways as in the carriage ways of such streets, roads, and thoroughfares, and all buildings, materials, implements, and other things provided for the purposes of such streets, roads, and thoroughfares, belong to the Commissioners:

38 Vict. c. ii.

And whereas by the Galway Town Provisional Order, 1874, confirmed by Parliament by "The Local Government Board (Ireland) Provisional Orders (Kingstown and Galway) Confirmation Act, 1875" (herein-after called the Act of 1875), the Commissioners are empowered to levy a rate called the "Paving and Improvement Rate," for the purpose of paving, repairing, cleansing, watering, and removing nuisances from all streets, roads, and public passages within the said limits:

41 & 42 Vict.  
c. 52.

42 & 43 Vict.  
c. 57. s. 5.

And whereas the Acts of 1853 and of 1875 are Sanitary Acts within the meaning of that term in "The Public Health (Ireland) Act, 1878," as explained by "The Public Health (Ireland) Amendment Act, 1879":

And whereas one of the thoroughfares and public passages within the said limits of the town of Galway consisted of a wooden bridge across the River Corrib, connecting the fish market with the Claddagh; and the said bridge having become ruinous and unsafe all traffic over it has been stopped except for foot passengers, and much public inconvenience has been caused by the closing of the said bridge:

And whereas the Commissioners have made an application to the Local Government Board for Ireland (herein-after called the Local Government Board) for a Provisional Order to enable them to build a new bridge in place of the said wooden bridge, and to borrow a sufficient sum for the purpose of building such new bridge on the security of a mortgage or of mortgages of the Paving and Improvement Rate:

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And whereas the Local Government Board has caused a local inquiry to be made into the matter of the said application, and it appears to the said Board to be proper to make this Provisional Order in pursuance of "The Public Health (Ireland) Act, 1878," section 205, and section 214, sub-section 5.

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Galway.

It is ordered by the Local Government Board that from and after the time of the confirmation of this Order by Parliament, the Act of 1853 and the Act of 1875 shall be altered and amended as follows :—

1. It shall be lawful for the Commissioners to remove the said wooden bridge, and to construct in place thereof a substantial and sufficient bridge of stone or iron, or of iron and stone, to serve as a thoroughfare for foot passengers, horses, carts, and carriages between the fish market and the Claddagh, and they shall, from time to time after the construction of the said bridge, maintain the same, and the footways and carriage ways thereon, in good order and repair. Power given to the Commissioners to build a new bridge.
2. The Commissioners may, for the purposes of removing the said wooden bridge and constructing the said new bridge of stone or iron, or of stone and iron, borrow and re-borrow at interest, on the security of a mortgage or of mortgages of the Paving and Improvement Rate, any sum or sums of money not exceeding in the whole the principal sum of two thousand pounds, and each sum of money so borrowed shall be borrowed for some time not exceeding sixty years, and shall be paid off by means of a sinking fund in the manner provided by section 238, sub-section 4, of "The Public Health (Ireland) Act, 1878," and sub-sections 5 and 6 of the said section, and sections 240 to 243, both inclusive, and section 246 of the said Act shall extend and apply to moneys borrowed and to mortgages executed by the Commissioners in pursuance of this Order. Borrowing power.
3. The provisions of sections 200 and 201 of "The Public Health (Ireland) Act, 1878," shall apply to all contracts entered into by the Commissioners for the purposes of removing the said wooden bridge and of constructing the said new bridge of stone and iron, and otherwise carrying out the works authorised by this Order. Contracts by Commissioners.
4. After the said new bridge shall have been completed and open for traffic, the Commissioners shall, from time to time, cause the said bridge and the footways and carriage ways thereon to be paved, repaired, and cleansed by means of the said Paving and Repairing Rate. Maintenance and repair of bridge.
5. This Order may be cited and referred to for all purposes as "The Galway Town Provisional Order, 1886." Short title of Order.

Given under our hands and seal of office, this twenty-third day of March, in the year of our Lord one thousand eight hundred and eighty-six.

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



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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Londonderry.*

LONDONDERRY WATERWORKS (WATERSIDE DISTRICT).

*Provisional Order.*

WHEREAS, by "The Londonderry Waterworks Provisional Order, 1882," confirmed by Parliament by the Act 45 & 46 Victoria, chapter lxxi., the mayor, aldermen, and burgesses of the borough of Londonderry (herein-after called the sanitary authority), were 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 and premises mentioned in the said Order for the purpose of constructing waterworks for supplying the said borough with water for drinking and domestic purposes :

And whereas the sanitary authority has taken the said lands and premises and has constructed the said waterworks, but it has been found that the supply of water procured by means of the said works is inadequate for the purpose of providing a sufficient supply for a part of the said borough called the Waterside district :

And whereas the sanitary authority is about to construct additional works for the purpose of procuring a further supply of water, and has presented a petition to the Local Government Board for Ireland in pursuance of "The Public Health (Ireland) Act, 1878," 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 certain lands and premises required for the purposes of the said additional waterworks :

And whereas the sanitary authority has deposited in the office of the Local Government Board for Ireland in Dublin, plans and a book of reference referring thereto (herein-after called the deposited plans and book of reference) showing the additional works intended to be executed, and the lands, easements, lands covered with water, water, and rights to take and convey water, required for the purposes of the said additional works :

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 has 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 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 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 reference to all the lands, easements, lands covered with water, water, and rights to take and convey water, described in the said deposited plans and book of reference.
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 Act Amendment Act, 1860," "The Railways Act

41 & 42 Vict.  
c. 52. ss. 61,  
202, and 203.

Compulsory  
powers to take  
lands, ease-  
ments, and  
water.

Interpretation  
of terms.

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(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 water, lands covered with water, and rights to take and convey water.

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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. Duration of Order.
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 sanitary authority. Provision as to costs and expenses.
5. This Order may be cited for all purposes as "The Londonderry Waterworks (Waterside District) Provisional Order 1886." Short title of Order.

Given under our hands and seal of office, this twenty-second day of April, in the year of our Lord one thousand eight hundred and eighty-six.

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

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