



CHAPTER lxxxvii.

An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to additional Waterworks and Improvement of Streets in the Town of Bangor. A.D. 1890.
[4th July 1890.]

WHEREAS the Local Government Board for Ireland (in this Act referred to as the Local Government Board) have made the Provisional Order 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 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 set out in the schedule hereunto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. Order in
schedule
confirmed.

2. The sanitary authority mentioned in the Order set out in the schedule hereunto annexed shall not under the powers of this Act, or of the said Order, without the consent of the Local Government Board, purchase or acquire 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.

(a.) They shall have obtained the approval of the Local Government Board 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 number of persons as the Board shall, after inquiry, deem necessary, having

[Ch. lxxxvii.] *Local Government Board* [53 & 54 VICT.]
(Ireland) *Provisional Order Confirmation (Bangor) Act, 1890.*

A.D. 1890.

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 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 Queen's Bench Division of the High Court.

(5.) If the said 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 by action in the High Court, 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 said 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

[53 & 54 VICT.] *Local Government Board* [Ch. lxxxvii.]
(Ireland) *Provisional Order Confirmation (Bangor) Act, 1890.*

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. 1890.
41 & 42 Vict.
c. 52.

Provided that all lands on which any buildings have been erected or provided by the said 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 sub-section, subject to such conditions, if any, as they may see fit.

(7.) The said sanitary authority shall, if required by the Local Government Board, 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.

(8.) For the purposes of this section, the expression "labouring class" includes mechanics, artisans, 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 of such persons who may be residing with them.

3. This Act may be cited as the Local Government Board Short title.
(Ireland) *Provisional Order Confirmation (Bangor) Act, 1890.*

A.D. 1890.

*Bangor
Waterworks
and
Improve-
ment of
Streets.*

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND. BANGOR ADDITIONAL WATERWORKS AND IMPROVEMENT OF STREETS.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the Town of Bangor, in the County of Down (hereinafter called the Sanitary Authority), are the Urban Sanitary Authority of the Urban Sanitary District consisting of the said Town, and are about to construct Waterworks for the purpose of supplying the said Sanitary District with water for drinking and domestic purposes in addition to the Waterworks already constructed for the said Sanitary District, and are also about to execute certain works for the purpose of widening, opening, enlarging, and otherwise improving existing streets in the said Town, and have presented a Petition to the Local Government Board for Ireland (hereinafter called the Local Government Board), in pursuance of the provisions of the Public Health (Ireland) Act, 1878, praying that the 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 certain lands, water-rights, and premises required for the purposes of the said Waterworks and the said widening, opening, enlarging, and improving streets:

And whereas the Sanitary Authority has deposited at the office of the Local Government Board, in Dublin, plans and a book of reference (hereinafter called the deposited plans and book of reference) showing the works intended to be executed, and the lands, easements, lands covered with water, and rights to take and convey water required for the purposes aforesaid:

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 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 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 respect to the lands, buildings, easements, lands covered with water, and rights to take and convey water, described in the deposited plans and book of reference.

41 & 42 Vict.
c. 52, secs. 38,
61, 202, & 203.

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

[53 & 54 VICT.] *Local Government Board* [Ch. lxxxvii.]
(Ireland) Provisional Order Confirmation (Bangor) Act, 1890.

A.D. 1890.

*Bangor
Waterworks
and
Improvement of
Streets.*

*Interpretation
of terms.
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.*

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 lands, buildings, easements, lands covered with water, and rights to take and convey water.

3. The compulscry powers of purchasing and taking lands 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 costs, charges, and expenses of and incidental to the application for, preparation, obtaining, and confirmation of this Order, and otherwise in relation thereto, shall be paid by the Sanitary Authority.

*Costs and
expenses of
Order.*

5. This Order may be cited and referred to for all purposes as the Bangor Waterworks and Improvement of Streets Provisional Order, 1890.

*Short title of
Order.*

Given under our Hands and Seal of Office, this Twenty-fifth day of April, in the Year of Our Lord One Thousand Eight Hundred and Ninety.

(L.S.)

(Signed)

HENRY ROBINSON
GEORGE MORRIS.
F. MACCABE.

Printed by EYRE and SPOTTISWOODE,
FOR

T. DIGBY PICOTT, Esq., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
ADAM AND CHARLES BLACK, 6, NORTH BRIDGE, EDINBURGH; or
HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.

