



CHAPTER lviii.

An Act to confirm two Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the purchase of Land for Waterworks in the Township of Clonmel and within the District of Mitchelstown. [3rd July 1891.] A.D. 1891.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto, 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 hereto shall be and the same are hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall have full validity and force. Orders in
schedule
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 4) Act, 1891. Short title.

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Provisional Orders Confirmation (No. 4) Act, 1891.

A.D. 1891.

Clonmel.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

CLONMEL WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Mayor, Aldermen and Burgesses of Clonmel (herein-after called the Sanitary Authority) are about to construct Waterworks for the purpose of supplying their Sanitary District with water, and have presented a Petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance 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 Sanitary Authority has deposited in the Office of the Local Government Board in Dublin Plans and a Book of Reference (herein-after called the deposited Plans and Book of Reference), showing the Works intended to be executed, and the lands, lands covered with water, water, and rights to take and convey water required for the purposes of the said Works :

And whereas all Advertisements and Notices required by the Public Health (Ireland) Act, 1878, having been previously 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 Local Government 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 reference to the Lands, Lands covered with Water, Springs, Streams, Watercourses, Water rights, Easements and rights of way, described in the deposited Plans and Book of Reference, and, for the purposes of this Order, the term land in the Lands Clauses Acts shall extend to and include the said Lands, Lands covered with Water, Springs, Streams, Watercourses, Water rights, Easements and rights of way.

(2.) The Sanitary Authority shall not under the powers of this Order, without the consent of the Local Government Board, purchase or acquire within their Sanitary District, nor in any Electoral Division, part of an Electoral Division, parish or part of a parish outside their Sanitary District, ten or more houses which, after the confirmation of this Order have

Compulsory powers to take lands, water, and easements

Protection of Dwellings of Working Classes.

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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. For the purposes of this Order 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.

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- (3.) All costs charges and expenses of the Sanitary Authority and of the Local Government Board of and incidental to the application for obtaining and confirming this Order shall be paid by the Sanitary Authority as part of its expenses incurred in execution of the Public Health (Ireland) Act, 1878. Costs of Order.
- (4.) This Order may be cited and referred to for all purposes as the Clonmel Waterworks Provisional Order, 1891. Short title of Order.

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

(L.S.)

(Signed)

GEORGE MORRIS.
F. MACCABE.

MITCHELSTOWN WATERWORKS.

Mitchelstown.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Mitchelstown Union (herein-after called the Sanitary Authority), being the rural sanitary authority of the rural sanitary district of Mitchelstown, are about to construct Waterworks for the purpose of providing a supply of Water for the Town of Mitchelstown within their Sanitary District, and have presented a Petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the provisions of the Public Health (Ireland) Act, 1878, praying that they may be empowered to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of Land otherwise than by agreement for the purposes of the said works :

And whereas the Sanitary Authority has deposited at the Office of the Local Government Board in Dublin Plans and a Book of Reference (herein-after called the deposited plans and book of reference), showing the lands and premisses required for the said purposes :

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously published, served and given, the Local Government Board has caused a local inquiry to be held as to the

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- A.D. 1891. propriety of assenting to the prayer of the said petition, and it appears to the
Local Government Board to be proper to assent thereto :
- Mitchelstown.*
Compulsory powers to take lands and premises.
- 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 Land otherwise than by Agreement, with respect to the lands, lands covered with water, water and rights to take and convey water, easements, rights of way and other premises described in the deposited plans and book of reference, and, for the purposes of this Order, the word land in the Lands Clauses Acts shall extend to and include the said lands, water, lands covered with water, rights to take and convey water, easements, rights of way and other premises.
- Costs of Order. (2.) The costs, charges, and expenses of and incidental to the application for obtaining and confirming this Order, shall be paid by the Sanitary Authority, and shall be deemed to be special expenses of the Sanitary Authority incurred in the execution of the Public Health (Ireland) Act, 1878, and shall be chargeable upon the contributory place or places upon which the expenses of the said Waterworks shall be chargeable under the provisions of the said Act.
- Short title of Order. (3.) This Order may be cited and referred to for all purposes as the Mitchelstown Waterworks Provisional Order, 1891.

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

(L.S.)

(Signed)

GEORGE MORRIS.
F. MACCABE.

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