



## CHAPTER lvii.

An Act to confirm Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act 1878 relating to the Urban Sanitary District of Kilkenny and the Rural Sanitary District of Scariff. A.D. 1897.  
[3rd June 1897.]

**W**HEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under 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 are hereby confirmed 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. 1) Act 1897. Short title.

A.D. 1897.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Kilkenny.*

KILKENNY WATERWORKS.

PROVISIONAL ORDER.

41 & 42 Vict.  
c. 52.

WHEREAS the Mayor Aldermen and Burgesses of the borough of Kilkenny acting by the town council (herein-after called the sanitary authority) are the urban sanitary authority of the district consisting of the said borough and are about to construct waterworks for the purpose of providing a supply of water for the said district 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 purposes of the said works :

And whereas the sanitary authority have 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 premises required for the purpose aforesaid :

41 & 42 Vict.  
c. 52.

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 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 Local Government Board to be proper to assent thereto :

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

Compulsory  
powers to take  
land and  
other premises.

1. From and after 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 rights to take and convey water easements and other premises shown in the deposited plans and book of reference including the site of a dam or embankment across the River Muckalee shown in the deposited plans to be constructed for the purposes of an impounding reservoir for the said works and the right to impound and use the water of the said river for the purposes of the said supply and for the purposes of this Order the word land in the Lands Clauses Acts shall extend to and include the lands lands covered with water rights to take and convey water easements and other premises hereinbefore mentioned.

[60 VICT.]      *Local Government Board (Ireland)*      [Ch. lvii.]  
*Provisional Orders Confirmation (No. 1) Act, 1897.*

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| <p>2. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December last but have been or will be subsequently so occupied For the purpose 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 families 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.</p> <p>3. The costs charges and expenses of and incidental to the application for obtaining and confirming this Order shall be paid by the sanitary authority out of and by means of their borough fund or borough rate.</p> <p>4. The compulsory powers of purchasing and taking lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.</p> <p>5. This Order may be cited and referred to for all purposes as the Kilkenny Waterworks Provisional Order 1895.</p> | <p>A.D. 1897.<br/> <i>Kilkenny.</i><br/> Provision for the protection of persons of the labouring class.</p> <p>Costs of Order.</p> <p>Duration of compulsory powers.</p> <p>Short title of Order.</p> |
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Given under our hands and seal of office this Tenth day of May in the year of our Lord one thousand eight hundred and ninety-five.

(L.S.)

(Signed)      F. MACCABE.  
H. A. ROBINSON.

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

SCARIFF UNION—SCARIFF WATERWORKS.

*Scariff.*

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Scariff Union (herein-after called the sanitary authority) being the sanitary authority of the rural sanitary district consisting of the Scariff Poor Law Union including the town of Scariff are about to construct waterworks to provide a supply of water for the said town 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 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 reference to certain lands and premises required for the purposes of the said works:

41 & 42 Vict.  
c. 52.

[Ch. Ivii.] *Local Government Board (Ireland)* [60 VICT.]  
*Provisional Orders Confirmation (No. 1) Act, 1897.*

A.D. 1897.

*Scariff.*

41 & 42 Vict.  
c. 52.

And whereas the sanitary authority have 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 premises required for 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 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 be proper to assent thereto :

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

Compulsory  
powers to  
take land and  
other premises.

1. From and after 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 reference to the lands lands covered with water rights to take and convey water easements and other premises 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 rights to take and convey water easements and other premises.

Duration of  
compulsory  
powers.

2. The compulsory powers of purchasing and taking lands and other premises given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order.

Costs of Order.

3. The costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the sanitary authority as special expenses.

Short title of  
Order.

4. This Order may be cited and referred to for all purposes as the Scariff Waterworks Provisional Order 1896.

Given under our hands and seal of office this Ninth day of May in the year of our Lord One thousand eight hundred and ninety-six.

(L.S.)

(Signed)

GEORGE MORRIS.  
F. MACCABE.

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