

[60 & 61 VICT.] *Local Government Board (Ireland)* [Ch. lxxxi.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*



### CHAPTER lxxxi.

An Act to confirm Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act 1878 relating to the Sanitary Districts of Limavady and Carrickmacross. [15th July 1897.] A.D. 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. 2) Act 1897. Short title.

[Ch. lxxxi.] *Local Government Board (Ireland)* [60 & 61. Vict.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.

*Limavady.*

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF LIMAVADY.

PROVISIONAL ORDER.

17 & 18 Vict.  
c. 103.

41 & 42 Vict.  
c. 52.

WHEREAS there are in the town of Limavady in the county Londonderry town commissioners under the Towns Improvement (Ireland) Act 1854 and the population of the town being less than 6,000 the town commissioners have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) praying for a Provisional Order in pursuance of section seven of the Public Health (Ireland) Act 1878 to separate the town from the rural sanitary district consisting of the Limavady poor law union (wherein the town is situated) and to constitute the town an urban sanitary district:

And whereas the guardians of the poor of the Limavady Union (herein-after called the rural sanitary authority) have passed a resolution approving of and supporting the said petition:

And whereas by an Order of the Local Government Board made the 21st June 1876 it was declared that the area of charge for expenses to be incurred by the rural sanitary authority in providing a supply of water to the said town should be the townlands of Coolessan Killane Newtown Limavady (otherwise Rathbrady-beg) and Rathbrady-more and the whole of the townland of Newtown Limavady (otherwise Rathbrady-beg) lies within the boundary of the said town and each of the other townlands included in the said area of charge lies partly within and partly without the said boundary:

40 & 41 Vict.  
c. cxxiii.

And whereas by the Limavady Waterworks Provisional Order 1877 confirmed by the Local Government Board (Ireland) Provisional Orders (Ennis &c.) Confirmation Act 1877 the rural sanitary authority were 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 and premises therein mentioned for the purpose of constructing waterworks for providing a supply of water to the said town:

And whereas the rural sanitary authority borrowed from the Commissioners of Public Works in Ireland (herein-after called the Board of Works) a sum of 6,000*l.* secured by a mortgage dated the third day of March 1879 of the rates of the said area of charge and repayable by an annuity as therein

[60 & 61 Vict.] *Local Government Board (Ireland)* [Ch. lxxxii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

mentioned and a further sum of 500*l.* secured by a mortgage dated the seventeenth day of March 1884 of the said rates and repayable by equal annual instalments of the principal sum together with interest on the balance of the principal sum remaining due from time to time at the rate and in the manner provided by the said mortgage :

A.D. 1897.

*Limavady.*

And whereas the rural sanitary authority by means of the moneys so borrowed have acquired the lands and premises mentioned in the said Provisional Order and have constructed the waterworks described therein and in the schedule to this Order and have paid the sums which have from time to time become payable in respect of the said mortgages :

And whereas when the said town is constituted an urban sanitary district all powers rights and duties of providing a supply of water to the said town will be transferred from the rural sanitary authority to the urban sanitary authority constituted by this Order and it is therefore proper to transfer the said waterworks and premises from the rural sanitary authority to the urban sanitary authority and to make provision with respect to the payment of the moneys which will hereafter become due and payable in respect of the said mortgages :

And whereas all advertisements required by the Public Health (Ireland) Act 1878 having been previously published the Local Government Board have caused a local inquiry to be held and it appears to be proper to make this Order with reference to the matters aforesaid :

41 & 42 Vict.  
c. 52.

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

1. Upon the confirmation of this Order by Parliament the town of Limavady shall be separated from the rural sanitary district consisting of the Limavady poor law union and constituted an urban sanitary district subject to the provisions of the Public Health (Ireland) Acts 1878 to 1896 affecting urban sanitary districts.
2. Upon the confirmation of this Order the several lands and premises purchased and acquired by the rural sanitary authority in exercise of the powers given by the Limavady Waterworks Provisional Order 1877 together with the waterworks constructed thereon or connected therewith and all easements and other rights to take and convey water acquired by the rural sanitary authority for the purposes of the said works and described in the schedule to this Order shall be transferred from the rural sanitary authority to the urban sanitary authority hereby constituted and the said lands and premises shall thenceforth be vested in the urban sanitary authority and shall be held by the urban sanitary authority and their successors in fee-simple for the purpose of providing a supply of water for the urban sanitary district All hydrants water keys hose and plant used for the purposes of the waterworks so transferred shall upon the confirmation of this Order be transferred from the rural sanitary authority to the urban sanitary authority for the same purpose.
3. After the confirmation of this Order the urban sanitary authority shall contribute to each payment which thenceforth becomes due to the Board of Works in respect of the said mortgage of the third day of

Constitution of  
urban sanitary  
district.

Transfer of  
waterworks to  
urban sanitary  
authority.

Provision for  
contribution to  
waterworks  
loans.



[Ch. lxxxi.] *Local Government Board (Ireland)* [60 & 61 VICT.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.  
*Limavady.*

March 1879 and of the said mortgage of the seventeenth day of March 1884 in the proportion and manner following:—

- (1.) The urban sanitary authority shall contribute to each sum which becomes payable a sum bearing the same proportion to the whole sum payable as the valuation under the Irish Valuation Acts of the rateable hereditaments and premises included in the urban sanitary district bears to the total amount of the valuation of the townlands of Coolessan Killane Newtown Limavady (otherwise Rathbrady-beg) and Rathbrady-more and the rural sanitary authority shall contribute and pay the balance of each sum which becomes due and payable.
- (2.) The amount of each contribution of the urban sanitary authority shall be raised and levied by means and as part of the rates (other than private or district assessments) leviable under the Towns Improvement (Ireland) Act 1854 as amended by the Public Health (Ireland) Acts 1878 to 1896 upon and in respect of rateable premises within the urban sanitary district and shall be paid to or lodged with the treasurer of the rural sanitary district one week at least before the payment to which it is a contribution shall become payable to the Board of Works.
- (3.) The rural sanitary authority shall raise and levy the amount of each contribution payable by them by means of the poor rate leviable on the parts of the townlands of Coolessan Killane and Rathbrady-more lying outside the urban sanitary district and each contribution shall be raised and levied in the manner provided by section two hundred and thirty-two of the Public Health (Ireland) Act 1878 as special expenses charged upon and payable out of the rates of the said parts of the said townlands.
- (4.) The rural sanitary authority shall pay to the Board of Works each sum becoming payable and contributed in the manner aforesaid at the time and in the manner provided by the said mortgages of the third day of March 1879 and of the seventeenth day of March 1884. Provided always that this Order shall not in any way as between the Board of Works and the rural sanitary authority impair diminish or affect the security provided for the payment of the balances remaining due in respect of the said mortgages according to the terms thereof and the rural sanitary authority shall notwithstanding any default of the urban sanitary authority to pay or lodge the amount of any contribution continue liable to pay to the Board of Works the whole of each sum which shall become payable according to the terms of each of the said mortgages respectively.

If any such default of the urban sanitary authority occurs in any such case it shall be lawful for the rural sanitary authority

17 & 18 Vict.  
c. 103.

41 & 42 Vict.  
c. 52.

[60 & 61 VICT.] *Local Government Board (Ireland)* [Ch. lxxxii.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

to raise and levy the amount thereof in the manner provided by section two hundred and thirty-two of the Public Health (Ireland) Act 1878 as special expenses by means of a rate upon the rateable hereditaments and premises within the urban sanitary district. A.D. 1897.  
*Limavady.*  
 41 & 42 Vict.  
 c. 52.

4. The costs and expenses of the town commissioners and of the Local Government Board of and incidental to the application for preparation and making of this Order and obtaining confirmation thereof shall be paid by the urban sanitary authority out of and by means of the rates other than private or district assessments leviable under the Towns Improvement (Ireland) Act 1854 as amended by the Public Health (Ireland) Acts 1878 to 1896. Costs of Order.  
 17 & 18 Vict.  
 c. 103.
5. This Order may be cited and referred to for all purposes as the Limavady Town Provisional Order 1897. Short title of Order.

## SCHEDULE.

DESCRIPTION of the WATERWORKS and PREMISES transferred by this Order from the Rural Sanitary Authority to the Urban Sanitary Authority.

Spring and collecting reservoir in the townland of Largantea in the parish of Aghanloo and county Londonderry containing 1a. 2r. 23p.

The line of earthenware pipes connecting the collecting reservoir with the distributing reservoir.

The distributing reservoir in the townland of Dirlagh parish of Aghanloo and county Londonderry containing 3a. 2r. 3½p. together with the lines of cast iron pipes running from the distributing reservoir to the town of Limavady and through the streets of the town and the lamp and pillar fountains used for distributing water therein.

The lands easements water rights and other premises purchased and acquired by the rural sanitary authority for the purposes of the said waterworks and the caretaker's house and premises built for the caretaker of the said works and all hydrants hose water keys and other plant used for the purposes of the said works and the distribution of the water.

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

(L.S.)

(Signed)

GEORGE MORRIS.  
 F. MACCABE.

[Ch. lxxxi.] *Local Government Board (Ireland) [60 & 61 Vict.]  
Provisional Orders Confirmation (No. 2) Act, 1897.*

A.D. 1897.

*Carrick-  
macross.*

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

CARRICKMACROSS UNION.—CARRICKMACROSS  
WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Carrickmacross Union (herein-after called the sanitary authority) are the sanitary authority of the rural sanitary district consisting of the said union except the parts thereof included in any urban sanitary district and are about to construct waterworks for the town of Carrickmacross in the said rural 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) Acts 1878 to 1896 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 have deposited at the office of the Local Government Board in Dublin a plan and book of reference (herein-after called the deposited plan and book of reference) showing the lands and premises required for the said purposes :

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 be proper to make this Order in respect thereof:—

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

Compulsory  
powers to  
take lands  
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 described in the deposited plan and book of reference.

Duration of  
Order.

2. The compulsory powers of 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.

Interpretation  
of terms.

53 & 54 Vict.  
c. 70.  
59 & 60 Vict.  
c. 54.

3. For the purposes of this Order the expression the Lands Clauses Acts means and includes the provisions of the Lands Clauses Acts as amended by the provisions contained in the Second Schedule of the Housing of the Working Classes Act 1890 and section eight of the Public Health (Ireland) Act 1896 and the term land in the said Acts shall for the purposes of this Order extend to and include the lands lands covered with water rights to take and convey water easements and other premises described in the deposited plan and book of reference.

Costs of Order.

4. The costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the



[60 & 61 VICT.] *Local Government Board (Ireland)* [Ch. lxxxi.]  
*Provisional Orders Confirmation (No. 2) Act, 1897.*

sanitary authority as special expenses under the Public Health (Ireland) Acts 1879 to 1896. A.D. 1897.

5. This Order may be cited and referred to for all purposes as the Carrickmacross Waterworks Provisional Order 1897.

*Carrick-  
macross.*  
Short title of  
Order.

Given under our hands and seal of office this Twelfth day of  
April in the year of our Lord One thousand eight hundred and  
ninety-seven.

(L.S.)

(Signed)

GEORGE MORRIS.  
F. MACCABE.  
H. A. ROBINSON.

---

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., C.B., 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  
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and  
90, WEST NILE STREET, GLASGOW; or  
HODGES, FIGGIS & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.