

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxiv.]
(Ireland) *Provisional Orders Confirmation (No. 5) Act, 1897.*



CHAPTER lxxxiv.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Limerick and Navan and the Unions of Roscommon and Midleton. A.D. 1897.

[15th July 1897.]

WHEREAS 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. 5) Act 1897. Short title.

A.D. 1897.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Limerick.

CITY OF LIMERICK.

PROVISIONAL ORDER.

*Confirming an Improvement Scheme under Part I. of the
Housing of the Working Classes Act 1890.*

53 & 54 Vict.
c. 70.

WHEREAS official representations have been made to the Mayor Aldermen and Burgesses of Limerick (herein-after called the local authority) in pursuance of the Housing of the Working Classes Act 1890 that the evils connected with the houses courts and alleys in two areas within the urban sanitary district of Limerick (called the John Street area and the Nicholas Street area) and the sanitary defects in such areas cannot be effectually remedied otherwise than by an improvement scheme for the re-arrangement and reconstruction of the streets and houses within such areas :

And whereas the local authority have taken the said representations into their consideration and being satisfied of the truth thereof and of the sufficiency of their resources have passed a resolution to the effect that the said areas are unhealthy areas and that an improvement scheme ought to be made in respect of the said areas and have made the following scheme :—

HOUSING OF THE WORKING CLASSES ACT 1890.

IMPROVEMENT SCHEME.

The Mayor Aldermen and Burgesses of the Borough of Limerick acting by the town council as the sanitary authority for the urban sanitary district of Limerick and as the local authority under the above-mentioned Act having received the annexed official representation from their medical officers of health within the said district in pursuance of the above-mentioned Act and having duly considered such representation and being satisfied of the truth thereof and of the sufficiency of their resources hereby make an improvement scheme in respect of the areas known as "the Nicholas Street Area" and "the John Street Area" as a section of the urban sanitary district for the purpose of effectually remedying the state of things set forth in the said representation :—

- (1.) The local authority propose that with a view to providing additional house accommodation for the working classes and with a view to widening

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxiv.]
(Ireland) *Provisional Orders Confirmation (No. 5) Act, 1897.*

the existing approaches to the said areas and otherwise opening out same for the purposes of ventilation or health the local authority shall acquire compulsorily by way of actual purchase the lands houses and premises described in the schedules hereto.

A.D. 1897.
Limerick.

- (2.) The local authority propose that on the lands and premises so acquired in the "Nicholas Street Area" there should be built as provided by said Act forty-six one-storey houses and six two-storey houses for the working classes and that on the lands and premises so acquired in the "John Street Area" there should be built as provided by said Act twenty-three one-storey houses and four two-storey houses for the working classes.
- (3.) The local authority do not propose to provide any dwelling accommodation for the working classes displaced by the improvement scheme save such as the confirming authority shall require.
- (4.) The local authority propose to provide for the proper sanitary arrangements.
- (5.) All lands houses and premises proposed to be taken compulsorily are distinguished on the annexed maps.
- (6.) The total cost of the scheme in regard to the acquisition of lands houses and premises is set forth in the estimates hereto annexed.
- (7.) The houses to be erected are intended to be built in accordance with the plans specifications and estimates to be prepared by the city surveyor of the local authority.
- (8.) The local authority intend to carry the scheme into execution as provided by section twelve of the above-mentioned Act.

(Signed) M. CUSACK

Mayor of Limerick.

Countersigned W. M. NOLAN

(L.S.)

Town Clerk.

Dated this 10th day of November 1896.

BOROUGH OF LIMERICK.

IMPROVEMENT SCHEME.

I estimate the cost of carrying out the improvement scheme made by the Mayor Aldermen and Burgesses acting by the Town Council as the urban sanitary authority for the Nicholas Street and John Street areas under the Housing of the Working Classes Act 1890 at 4869*l.* (four thousand eight hundred and sixty-nine pounds).

28 Glentworth Street
Limerick.

WILLIAM E CORBETT C.E. M.R.I.A.I.

City Surveyor.

M. CUSACK

Mayor.

Dated 22nd October 1896.

[Ch. lxxxiv.] *Local Government Board* [60 & 61 VICT.]
(Ireland) Provisional Orders Confirmation (No. 5) Act, 1897.

A.D. 1897.
Limerick.

And whereas the said improvement scheme was accompanied by maps and a book of reference particulars and estimates which have been deposited in the office of the Local Government Board for Ireland (herein-after called the Local Government Board) in Dublin which said maps and book of reference are herein-after called the deposited maps and book of reference :

And whereas all advertisements and notices required by the said Act having been previously published served and given the local authority presented a petition to the Local Government Board praying that an Order may be made confirming such scheme :

And whereas on consideration of the said petition and on proof of the publication of the proper advertisements and the service of the proper notices the Local Government Board have caused a local inquiry to be held in pursuance of the provisions of the said Act and have received the report made upon such inquiry :

53 & 54 Vict.
c. 70.

Now we the Local Government Board in pursuance of the powers given to us by and subject to the provisions of the Housing of the Working Classes Act 1890 do hereby order as follows :—

Confirmation
of improvement
scheme subject
to modifica-
tion.

1. We confirm the said scheme subject to the following modification We order that as regards the area called the Nicholas Street area the following lands and premises shall be excluded from the scheme—the premises in Exchange Lane described as a yard and sheds numbered seven in the deposited maps and book of reference and the adjoining premises at the corner of Exchange Lane and Pump Lane described as stables and numbered eight in the said maps and book of reference.

Declaration of
limits of areas
comprised in
scheme.

2. We declare that the limits of the areas comprised in the scheme confirmed by this Order are those described in the deposited maps and book of reference excluding therefrom the said premises numbered seven and eight in the Nicholas Street area.

Authorization
to carry out
scheme.

3. We authorise the said scheme so modified to be carried into execution and we order that upon the confirmation of this Order by Parliament the local authority shall be empowered to put in force for the purposes of the said scheme the powers of the Lands Clauses Acts as amended by the Second Schedule of the Housing of the Working Classes Act 1890 with reference to the lands and premises comprised in the deposited maps and book of reference except the said premises numbered therein seven and eight respectively.

53 & 54 Vict.
c. 70.

Provisions
respecting
houses
occupied by
the labouring
class.

4. The local authority shall not in the execution of the said scheme purchase or acquire ten or more houses which on the fifteenth day of December last were or have been since that day or will hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(1.) They 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

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxiv.]
(Ireland) *Provisional Orders Confirmation (No. 5) Act, 1897.*

December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having 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 and to the place of employment of such persons and to all the circumstances of the case and until they have given security to the satisfaction of the Local Government Board for the carrying out of such scheme.

A.D. 1897.
Limerick.

- (2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may approve either absolutely or conditionally of any modification in the scheme.
- (3.) Every such scheme 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 and 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 deem fit.
- (4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme or of any modification thereof or subject to which the Local Government Board 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 High Court.
- (5.) If the local authority acquire or appropriate any house for the purpose of this Order in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house in contravention of the requirements thereof 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 the said penalty.
- (6.) Subject to the provisions of the scheme the local authority the Local Government Board and their inspectors shall have and may exercise for any purpose in connection with any scheme under this Order all or any of the powers vested in them by the Public Health (Ireland) Acts 1878 to 1896 in the same manner in every respect as if the preparation and carrying out of such scheme were one of the general purposes of the said Acts:

[Ch. lxxxiv.] *Local Government Board* [60 & 61 VICT.]
(Ireland) *Provisional Orders Confirmation (No. 5) Act, 1897.*

A.D. 1897.

Limerick.

Provided that all lands on which any buildings have been erected or provided by the local authority in pursuance of any scheme under this Order shall for a period of twenty-five years from the date of the scheme 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 provision :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may deem fit.

(7.) The local authority shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any order in pursuance of this provision and any expenses incurred by the Local Government Board in relation to any inquiries under this provision including the expenses of any witness summoned by the inspector holding the inquiry and a sum to be fixed by the Local Government Board not exceeding three guineas a day for the services of such inspector.

(8.) 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 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.

Given under our hands and seal of office this Fifth day of May in the year of our Lord one thousand eight hundred and ninety-seven.

(L.S.)

(Signed)

GEORGE MORRIS.

F. MACCABE.

H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

NAVAN WATERWORKS.

PROVISIONAL ORDER.

WHEREAS by the Navan Provisional Order 1880 confirmed by the Local Government Board (Ireland) Provisional Orders Confirmation (Clonakilty &c.) Act 1881 the town of Navan was constituted an urban sanitary district and the town commissioners under the Towns Improvement (Ireland) Act 1854

44 Vict. c. iii.
17 & 18 Vict.
c. 103.

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxiv.]
(Ireland) Provisional Orders Confirmation (No. 5) Act, 1897.

(herein-after called the sanitary authority) are about to construct waterworks for the purpose of supplying the said town 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) Acts 1878 to 1896 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 land otherwise than by agreement with reference to certain lands and premises required for the said works :

A.D. 1897.

Navan.

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 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 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 make this Order in respect thereof :

41 & 42 Vict.
c. 52.

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

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 plans and book of reference except the lands and premises numbered 19 and 20 therein.
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 partially 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 fifteenth day of December last but have been or will be subsequently so occupied.

Compulsory powers to take lands and other premises.

Provisions respecting houses of the labouring class.

For the purpose of this clause 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.

3. 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.
4. The costs and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for making and confirmation of this Order shall be paid by the sanitary authority by

Duration of compulsory powers.

Costs of Order.

[Ch. lxxxiv.] *Local Government Board* [60 & 61 VICT.]
(Ireland) *Provisional Orders Confirmation (No. 5) Act, 1897.*

A.D. 1897.

Navan.

17 & 18 Vict.
c. 103.

Interpretation
of terms.

53 & 54 Vict.
c. 70.

Short title of
Order.

means of the rate leviable by them under section sixty of the Towns Improvement (Ireland) Act 1854 and the Public Health (Ireland) Acts 1878 to 1896.

5. In this Order the expression "the Lands Clauses Acts" means and includes the Lands Clauses Acts as amended by the Second Schedule to the Housing of the Working Classes Act 1890 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 plans and book of reference.
6. This Order may be cited and referred to for all purposes as the Navan Waterworks Provisional Order 1897.

Given under our hands and seal of office this Fifth day of May in the year of our Lord one thousand eight hundred and ninety-seven.

(L.S.)

(Signed)

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

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Roscommon.

ROSCOMMON WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the guardians of the poor of the Roscommon Union (herein-after called the sanitary authority) being the sanitary authority of the rural sanitary district consisting of the Roscommon Union are about to construct waterworks for the purpose of providing a supply of water for the town of Roscommon and the workhouse of the Roscommon Union adjacent thereto 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 allowed 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:

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 works intended to be executed and the lands lands covered with water rights to take and convey water and easements and other premises required for the purposes of the said works:

And whereas all advertisements and notices required by the Public Health (Ireland) Acts 1878 to 1896 having been previously published served and given

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxiv.]
(Ireland) Provisional Orders Confirmation (No. 5) Act, 1897.

the Local Government Board have 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 :

A.D. 1897.
 —
Roscommon.

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

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. Compulsory powers to take lands and other premises.
2. The powers of compulsory purchase given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order. Duration of Order.
3. All costs charges and expenses of the Local Government Board and of the sanitary authority of and incidental to the application for making and confirmation of this Order shall be paid by the sanitary authority as special expenses under the Public Health (Ireland) Acts 1878 to 1896. Costs of Order.
4. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by the Second Schedule of the Housing of the Working Classes Act 1890 and the term "land" in the said Acts shall extend to and include 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. Interpretation of terms, 53 & 54 Vict. c. 70.
5. This Order may be cited as the Roscommon Waterworks Provisional Order 1897. Short title of Order.

Given under our hands and seal of office this Fifth day of May in the year of our Lord one thousand eight hundred and ninety-seven.

(L.S.)

(Signed)

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

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

CARRIGTWOHILL WATERWORKS.

Carrigtwohill.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Middleton Union (herein-after called the sanitary authority) being the rural sanitary authority of the rural sanitary district consisting of the Middleton Union are about to construct waterworks for the purpose of providing a supply of water for the village of Carrigtwohill within the said district and have presented a petition to the Local

[Ch. lxxxiv.] *Local Government Board* [60 & 61 VICT.]
(Ireland) *Provisional Orders Confirmation (No. 5) Act, 1897.*

A.D. 1897.
Carrigtwohill.

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 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 said purposes :

And whereas all advertisements and notices required by the Public Health (Ireland) Acts 1878 to 1896 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 make this Order with respect thereto :

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 plans and book of reference.

Provision with respect to the Great Southern and Western Railway.

2. In carrying out the works through the property of the Great Southern and Western Railway Company (herein-after called the Company) in the townland of Carrigtwohill the sanitary authority shall in lieu of laying the pipe through the railway culvert as shown upon the deposited plans cause the same to be laid across the railway at right angles to the main line at a point sixty feet or thereabouts east of the eastern end of the passenger platform of Carrigtwohill railway station and at a depth of not less than two feet under the level of top of rails the work to be executed under the superintendence and to the reasonable satisfaction of the engineer in chief of the Company for the time being Provided that the Company may at their option execute the said work within the boundary of their property and in such case the costs and expenses thereof shall be borne by the sanitary authority and shall upon demand be repaid to the Company by the sanitary authority.

Costs of Order.

3. The costs 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 under the provisions of the Public Health (Ireland) Acts 1878 to 1896.

Duration of compulsory powers.

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

[60 & 61 VICT.] *Local Government Board* [Ch. lxxxiv.]
(Ireland) Provisional Orders Confirmation (No. 5) Act, 1897.

5. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by the Second Schedule of the Housing of the Working Classes Act 1890 and the term "land" in the said Acts shall for the purposes of this Order include 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. A.D. 1897
Carrigtwohill.
Interpretation of terms.
53 & 54 Vict. c. 70.
6. This Order may be cited as the Carrigtwohill Waterworks Provisional Order 1897. Short title of Order.

Given under our hands and seal of office this Fifth day of May
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 FIGOTT, 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
BODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.