



CHAPTER cxc.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Clones Londonderry Monaghan Pembroke Rathmines and Rathgar and Wicklow and the Rural Districts of Dungarvan and Rathdrum. A.D. 1900.

[30th July 1900.]

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under the Public Health (Ireland) Acts 1878 to 1896 :

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 as altered and 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. 3) Act 1900. Short title.

[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 Vict.]
Provisional Orders Confirmation (No. 3) Act, 1900.*

A.D. 1900.

Clones.

S C H E D U L E.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

CLONES SEWERAGE WORKS.

PROVISIONAL ORDER.

41 & 42 Vict.
c. 52.

WHEREAS the Clones urban district council (herein-after called the sanitary authority) are the urban sanitary authority of the town of Clones and are about to construct works for the sewerage and the disposal of the sewage of 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 lands 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 proposed by the sanitary authority to be taken 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 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
lands and
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 and premises described in the deposited plan and book of reference.

Provision for
houses occupied
by labouring
classes.

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" means and 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 such persons who may be residing with them.

[63 & 64 VICT.] *Local Government Board (Ireland)* [Ch. cxc.]
Provisional Orders Confirmation (No. 3) Act, 1900.

A.D. 1900.

3. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by section eight of the Public Health (Ireland) Act 1896. *Clones.*
Interpretation.
59 & 60 Vict.
c. 54.
4. All 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 part of their expenses incurred in the execution of the Public Health (Ireland) Acts 1878 to 1896. Costs of Order.
5. This Order may be cited as the Clones Sewerage Provisional Order 1900. Short title of
Order.

Given under our hands and seal of office this seventh day of May
in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) G. W. BALFOUR.
H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

COUNTY BOROUGH OF LONDONDERRY.

Londonderry.

PROVISIONAL ORDER.

WHEREAS the Mayor Aldermen and Burgesses of the county borough of Londonderry acting by the town council (herein-after called the sanitary authority) are the urban sanitary authority of the said county borough and are about to widen and improve Foyle-street in the said county borough and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) 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 houses and premises required for the purpose of such works and 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 said lands houses and premises :

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 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 with reference to the lands houses and premises herein-after mentioned :

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

[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 VICT.]
Provisional Orders Confirmation (No. 3) Act, 1900.*

A.D. 1900.

Londonderry.

Provision for
houses of the
labouring class.

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 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 but have been or will be subsequently so occupied 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.

53 & 60 Vict.
c. 54.

3. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by section eight of the Public Health (Ireland) Act 1896.

Costs of
Order.

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

Short title
of Order. §

5. This Order may be cited as the Londonderry Provisional Order 1900.

Given under our hands and seal of office this fourteenth day of May
in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Monaghan.

MONAGHAN URBAN DISTRICT COUNCIL.

MONAGHAN WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Monaghan urban district council (herein-after called the sanitary authority) are the sanitary authority of the urban sanitary district consisting of the town of Monaghan and are about to construct waterworks 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) 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 plans and a book of reference (herein-after called

[63 & 64 VICT.] *Local Government Board (Ireland)* [Ch. cxc.]
Provisional Orders Confirmation (No. 3) Act, 1900.

the deposited plans and book of reference) showing the lands and premises required for the said purposes : A.D. 1900.

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 made 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 : *Monaghan.*
 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. *Compulsory powers to take lands and other premises.*
2. 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 plans and book of reference. *Interpretation of terms.
 53 & 54 Vict.
 c. 70.
 59 & 60 Vict.
 c. 54.*
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 out of any rate applicable to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896. *Costs of Order*
4. This Order may be cited as the Monaghan Waterworks Provisional Order 1900. *Short title of Order.*

Given under our hands and seal of office this tenth day of May in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed)

G. W. BALFOUR.
 H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

PEMBROKE URBAN DISTRICT.

Pembroke.

PROVISIONAL ORDER.

WHEREAS the Pembroke urban district council (herein-after referred to as the council) are the urban sanitary authority for the urban sanitary district (herein-after referred to as the urban district) consisting of the Pembroke township as constituted under the Pembroke Township Act 1863 (herein-after referred to as the Act) : *26 & 27 Vict.
 c. lxvii.*

[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 Vict.]
Provisional Orders Confirmation (No. 3) Act, 1900.*

A.D. 1900.

Pembroke.
41 & 42 Vict.
c. 52.

And whereas the council have made an application to the Local Government Board for Ireland (herein-after referred to as the Local Government Board) for a provisional order under section two hundred and five of the Public Health (Ireland) Act 1878 to alter and amend the Act :

And whereas the Local Government Board have caused a local inquiry to be held as to the propriety of assenting to the said application 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 :—

Commence-
ment of Order.

1. This Order shall come into operation from and after the date of the Act of Parliament confirming the same.

Alteration of
the Act.

2. Section seven of the Act shall be altered by the omission therefrom of the words “ Irishtown and Ringsend until it meets the Cambridge Road and “ thence along the southern side of the Cambridge Road ” and by the substitution therefor of the words “ until it meets the outfall sewer of the “ Rathmines and Pembroke Main Drainage Board and thence along “ the outer or sea side of the embankment carrying the said outfall “ sewer to the south side of the Great South Wall Road and thence “ along the outer or south side of the wall bounding the south side of “ the said Great South Wall Road ” and the added area comprised within the boundaries of the Pembroke township as extended by this Order shall for all purposes be included in the urban district and within the limits of the Act.

Application of
enactments
relating to
water.

3.—(1.) The provisions of the Act which relate to the supply of water by the corporation of Dublin and payment for the same and the Dublin Corporation Act 1897 and the Acts enumerated in Part I. of the first Schedule to that Act shall apply to the urban district as extended by this Order in like manner as they applied to the urban district before the making of this Order and the certificate of the Registrar General shall be conclusive evidence of the population of the added area according to any census taken before or after the making of this Order.

(2.) This Order shall not affect the rights of the corporation of Dublin in respect of the proposed main outfall sewer of the said corporation as described in the notices heretofore published and served relating to the same.

Protection of
Port of Dublin.

4. The extension of the boundaries of the Pembroke township by this Order shall not prejudicially affect the provisions contained in sections twenty-eight and thirty-six of the Rathmines and Pembroke Main Drainage and Improvement Act 1877 for the protection of the Port of Dublin and of the Great South Wall and of the other works of the Dublin Port and Docks Board and the annual sum of two pounds and eight shillings shall be added to and be payable with the sum payable under sub-section (5) of the said section thirty-six as amended by section six of the Rathmines and Rathgar (Milltown Extension) Act 1880.

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Provisional Orders Confirmation (No. 3) Act, 1900.

A.D. 1900.

Pembroke.

5. The terms used in this Order shall unless there is something in the subject or context repugnant to such construction have the same meanings as in the Act. Interpretation of terms in Order.
6. The Act shall be read and construed as if the provisions of this Order were incorporated with the Act. Incorporation of Order with Act.
7. The costs and expenses of the council and of the Local Government Board of and incidental to the application for preparing and making of this Order and the confirmation thereof by Parliament shall be paid by the council as part of their expenses incurred in the execution of the Public Health (Ireland) Acts 1878 to 1896. Costs of Order.
8. This Order may be cited as the Pembroke (Extension of Boundaries) Provisional Order 1900. Short title of Order.

Given under our hands and seal of office this fourteenth day of May
in the year of our Lord one thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

RATHMINES AND PEMBROKE JOINT HOSPITAL
DISTRICT.

*Rathmines
and
Pembroke.*

PROVISIONAL ORDER.

WHEREAS the Rathmines and Rathgar Urban District Council and the Pembroke Urban District Council are the sanitary authorities for their respective districts.

And whereas an application has been made to the Local Government Board for Ireland (herein-after called the Local Government Board) by the said Councils in pursuance of section twelve of the Public Health (Ireland) Act 1878 (herein-after referred to as "the Act") to form a united district and to constitute a joint board for the purposes of providing maintaining and managing a hospital or hospitals for the reception of cases of infectious diseases for the use of the inhabitants of the districts of the said sanitary authorities : 41 & 42 Vict. c. 52.

And whereas after due inquiry it appears to the Local Government Board that it would be for the advantage of such sanitary districts that they should be formed into a united district for the purposes and in the manner herein-after provided and all advertisements required by the Act have been duly published :

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

1. This Order shall come into operation from and after the 30th day of September 1900 (herein-after referred to as "the appointed day"). Commence-ment of Order.
2. The Rathmines and Rathgar urban district and the Pembroke urban district (which districts are herein-after referred to as "the constituent Constitution of United District.

[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 VICT.]*
Provisional Orders Confirmation (No. 3) Act, 1900.

A.D. 1900.
 —
Rathmines
and
Pembroke.

Constitution
 of governing
 body.

districts") shall be formed into a united district to be called "The Rathmines and Pembroke Joint Hospital District" in pursuance of section twelve of the Act for the purpose of the provision maintenance and management for the use of the inhabitants of the constituent districts of a hospital or hospitals for the reception of cases of infectious diseases.

3. The Joint Board which shall be the governing body of the said united district shall consist of two ex-officio and ten elective members and shall be called "The Rathmines and Pembroke Joint Hospital Board" (herein-after referred to as "the joint board").

The chairman for the time being of each of the councils of the constituent districts (which councils are herein-after referred to as "the constituent authorities") shall be an ex-officio member.

Five elective members shall be elected annually by each of the constituent authorities. Each elective member shall at the time of his election be a member of the authority electing him.

Disqualifica-
 tions

4. Such of the provisions of article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.

Incorporation
 of joint board.

5. The joint board constituted as aforesaid shall be a body corporate by the aforesaid name of "The Rathmines and Pembroke Joint Hospital Board" and shall have perpetual succession and a common seal with power to acquire and hold land for the purposes herein-after mentioned.

First election
 of elective
 members.

6. The first election of elective members of the joint board shall take place at a meeting of each of the constituent authorities to be held within two months after the appointed day or within such further time as the Local Government Board may allow. The day on which such meeting shall take place shall be fixed by a resolution of the constituent authority passed at a previous meeting of the said authority. Such resolution may be passed without any previous notice but sufficient time must elapse between the passing of such resolution and the time thereby fixed for the election to enable the clerk of the authority to give notice of the election in the manner following. Seven days previous notice in writing of the time fixed for the election shall be given to each member of the constituent authority by the clerk to such authority.

Notification of
 members
 elected.

7. The clerk of each of the constituent authorities shall notify in writing to the Local Government Board within seven days after such first election has taken place the name address and occupation of each of the persons elected by such authority as a member of the joint board.

Annual
 election.

8. After the first election of members of the joint board an annual election of elective members of the said board by the constituent authorities shall take place at the meeting of each of the said authorities which takes place next after the first day of April in each year after such first election.

Continuance in
 office of elec-
 tive members.

9. Each elective member of the joint board shall continue in office as an elective member until he dies or resigns or becomes disqualified or

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vacates his seat for absence or until he becomes an ex-officio member of the joint board or until the next annual election of members of the joint board by the constituent authority by which he has been elected.

A.D. 1900.

—
*Rathmines
 and
 Pembroke.*

10. Casual vacancies among the elective members of the joint board shall be filled as follows The constituent authority by which the member causing the vacancy has been elected shall at a meeting to be held within one month after such vacancy has taken place or within such other period as the Local Government Board may direct (of which meeting seven days' notice in writing shall be given by the clerk to such authority to each member of such authority) elect a member of their body to fill such vacancy and the clerk to such authority shall forthwith notify in writing to the clerk to the joint board the name address and occupation of the person elected to fill such vacancy. Filling casual vacancies.
- 11.—(1.) The time and place of holding the first meeting of the joint board shall be fixed by the Local Government Board. Meetings of joint board.
 (2.) An annual meeting of the joint board shall take place in every year on the first Saturday following the day on which the elections of elective members have been completed.
 (3.) After the said first meeting and after the annual meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.
12. At the said first meeting and at the annual meeting the members of the joint board shall appoint one of their members chairman and another member vice-chairman of the joint board and such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy. Chairman and vice-chairman.
13. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of their number to preside at such meeting until the chairman or vice-chairman takes the chair. Conduct of business at meetings.
14. Every question at any meeting of the joint board shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there shall be an equality of votes at the election of chairman or vice-chairman or chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or chairman of the meeting as the case may be. Decision of questions at meetings.

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*Rathmines
and
Pembroke.*

Vote of
chairman.

Quorum.

Appointment
of officers.

Admissions of
patients into
hospital.

Application of
enactments.

Saving of
powers of
constituent
authorities.

Certain borrow-
ing powers not
to be affected.

Notification of
sec. 156 of the
Act.

Expenses of
joint board.

15. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.
16. At all meetings of the joint board three members shall constitute a quorum.
17. The joint board shall at their first meeting or at any adjournment thereof and thereafter as occasion may require appoint a clerk and may appoint one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite. They may pay their clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such clerk medical officer and other officer and servant shall be removable by the joint board at their pleasure.
18. Persons shall be admitted into a hospital provided by the joint board in any of the following modes and not otherwise except with the consent of the constituent authorities viz. :—
 - (a) By an order of the joint board or of either of the constituent authorities ;
 - (b) By an order of a medical superintendent officer of health or medical officer of health of either of the constituent authorities ;
 - (c) By an order of any medical officer appointed by the joint board ;
 - (d) By an order of a justice made under the provisions of section one hundred and forty-one of the Act with the consent required by that section.
19. For the purposes of this Order sections 139 140 155 156 200 201 (except sub-section (3) 202 203 and 204 of the Act and section 8 of the Public Health (Ireland) Act 1896 shall apply and the joint board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of a sanitary authority under the said enactments or otherwise under the enactments of the Public Health (Ireland) Acts 1878 to 1896 in relation to the provision maintenance and management of a hospital or hospitals so far as the said enactments are applicable.
20. Until a hospital provided by the joint board is ready for the reception of patients nothing in this Order shall take away abridge or prejudicially affect any power vested in either of the constituent authorities with regard to the provision of a hospital or hospitals for the use of the inhabitants of their district.
21. Any sums borrowed under section 247 of the Act by the joint board for the purposes of their constitution shall not affect or reduce the amount which either of the constituent authorities may borrow under the Act.
22. A copy of section 156 of the Act shall be hung up in a conspicuous place at the principal entrance of the hospital or hospitals.
- 23.—(1.) All expenses incurred by the joint board shall be defrayed out of a common fund to which shall be paid the sums received from the

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constituent authorities in respect of the cost of maintenance of patients as herein-after provided and the sums recovered by the joint board from or repaid to the joint board by or for patients.

A.D. 1900.

—
*Rathmines
 and
 Pembroke.*

(2.) The common fund so far as the same is not provided by such payments thereto as aforesaid shall be contributed by the constituent districts in the manner provided by section 235 of the Act and the contribution of each district shall be raised and defrayed by the constituent authority out of any rate applicable to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896.

24.—(1.) The cost of maintenance of patients shall be ascertained and paid as follows :—

Cost of
 maintenance
 of patients.

(a) Within three weeks after the Thirty-first day of March and the Thirtieth day of September in each year or such other days as the Local Government Board may from time to time direct the joint board shall ascertain the average daily cost per patient of the maintenance of patients who have been in the hospital during the previous half-year.

(b) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment (except so far as the same shall be included in the salaries of the medical officer or officers and permanent nurse or nurses) and in and about the clothing conveyance to and from the hospital burials and funerals of patients and shall also include during any week in which a patient or patients may have been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings or furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2.) The clerk to the joint board shall within four weeks after the Thirty-first day of March and Thirtieth day of September in each year or such other days as the Local Government Board may from time to time direct transmit to the clerk of each constituent authority an account showing in respect of the patients received into the hospital from the district of such authority after deducting any sums recovered by the joint board from or repaid to the joint board by or for such patients :

(a) The name of each patient ;

(b) The number of days during such half-year each patient has remained in the hospital ; and

(c) The amount (calculated according to the daily average ascertained as aforesaid) due from such authority.

(3.) The amount shown by such account to be due shall be paid by the constituent authority from whose district such patients have been received into the hospital and shall be included in the precepts which the joint board issue to the constituent authorities respectively under section 236 of the Act stating the sums to be contributed by the constituent authorities towards the common fund of the district and in

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*Rathmines
and
Pembroke.*

Inspection of
accounts.

Audit.

34 & 35 Vict.
c. 109.
35 & 36 Vict.
c. 69.
61 & 62 Vict.
c. 37.

Auditor's
report to be
sent to
constituent
authorities.

Cost of this
Order.

Power to
adapt Order in
case of future
alterations.

Settlement of
differences.

case of default shall be recovered in like manner as the sums to be contributed towards such common fund.

25. The accounts of the joint board shall at all reasonable times be open to inspection and transcription by any member of either of the constituent authorities or by any officer of either of the constituent authorities authorised by them for that purpose without payment.
26. The accounts of the joint board shall be made up in such form and to such days in every year as may be appointed from time to time by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose. The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by the Local Government Board (Ireland) Act 1872 and the Local Government (Ireland) Act 1898 and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit. The proportion of the salary of the auditor to be paid by the joint board shall be determined by the Local Government Board with the approval of the Treasury and shall be paid accordingly to such bank or to such person as the Treasury may direct.
27. A copy of the auditor's report and of the abstract of the accounts of the joint board when duly audited shall be sent by the joint board to each of the constituent authorities.
28. All costs charges and expenses of the constituent authorities and of the Local Government Board of and incidental to the application for preparation of obtaining and confirming this Order shall be paid and contributed by the constituent authorities in proportion to the rateable value of the property in the district of each authority and shall be a first charge on the rates leviable in the united district.
29. If at any time any new district is formed including the whole or any part of either of the constituent districts or the boundaries of either of the constituent districts are otherwise altered or the whole of both or either of the constituent districts is created or included in a municipal borough or any repeal or alteration is made in the law affecting the united district or the joint board or either of the constituent districts or authorities in matters touching their relation to the united district or the joint board then and in every such case the Local Government Board may by order to be published as they may direct make such provision as to them seems fit for adapting the provisions of this Order to the alteration so made and to the incidents and consequences thereof and every such order shall have effect as if the terms thereof were inserted in this Order.
30. If at any time any difference arises between the joint board on the one hand and any constituent authority or authorities on the other hand or between the constituent authorities respecting any matter arising

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out of the provisions of this Order the same shall be referred to and be decided by the Local Government Board whose decision shall be final.

A.D. 1900.

*Rathmines
and*

Pembroke.

Short title of
Order.

31. This Order may be cited as the Rathmines and Pembroke Joint Hospital Order 1900.

Given under our hands and seal of office this Fourteenth day of May in the year of Our Lord One thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

DUNGARVAN RURAL DISTRICT COUNCIL.

Dungarvan.

BALLYNACOURTY WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Dungarvan rural district council (herein-after called the sanitary authority) are the sanitary authority of the rural sanitary district consisting of the said rural district and are about to construct waterworks to provide a supply of water for the village and townland of Ballynacourty and certain other townlands situate in the electoral division of Clonea 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 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) 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:—

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

Compulsory
powers to
take lands
and other
premises.

**[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 Vict.]*
*Provisional Orders Confirmation (No. 3) Act, 1900.***

A.D. 1900.

Dungarvan.

Interpretation
of terms.
59 & 60 Vict.
c. 54.

rights to take and convey water easements and other premises described in the deposited plans and book of reference.

2. In this Order the expression "the Lands Clauses Acts" means the Lands Clauses Acts as amended by 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 plans and book of reference.

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 and payable by the sanitary authority as special expenses under the Public Health (Ireland) Acts 1878 to 1896.

Short title of
Order.

4. This Order may be cited as the Ballynacourty Waterworks Provisional Order 1900.

Given under our hands and seal of office this Seventh day of May in
the year of our Lord One thousand nine hundred.

(L.S.)

(Signed)

G. W. BALFOUR.
H. A. ROBINSON.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Rathdrum
and
Wicklow.*

RATHDRUM AND WICKLOW JOINT BURIAL BOARD.

PROVISIONAL ORDER.

WHEREAS the Rathdrum rural district council (herein-after called the rural authority) and the Wicklow urban district council (herein-after called the urban authority) are the sanitary authorities for their respective districts :

And whereas an application has been made to the Local Government Board for Ireland (herein-after called the Local Government Board) by the rural authority acting as the rural sanitary authority in pursuance of section 12 of the Public Health (Ireland) Act 1878 (herein-after called the Act) to form a united district and to constitute a joint burial board for the purpose of providing a new burial ground such united district to consist of the rural sanitary district (herein-after called the rural district) of which the rural authority are the rural sanitary authority and of the urban sanitary district (herein-after called the urban district) of which the urban authority are the urban sanitary authority :

And whereas after due inquiry it appears to the Local Government Board that it would be for the advantage of the said sanitary districts that they should be formed into a united district for the purposes and in the manner herein-after provided and all advertisements required by the Act have been duly published :

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

1. From and after the confirmation of this Order by Parliament the rural district and the urban district shall be formed into a united district

[63 & 64 VICT.] *Local Government Board (Ireland)* [Ch. cxc.]
Provisional Orders Confirmation (No. 3) Act, 1900.

A.D. 1900.

—
*Rathdrum
 and
 Wicklow.*

(herein-after called the united district) in pursuance of section 12 of the Act for the purposes of providing a new burial ground and of acquiring land for such new burial ground.

2. The governing body of the united district shall be a joint board (herein-after called the joint board) constituted as follows :—

Constitution of governing body of united district.

The joint board shall consist of two ex-officio and thirteen elective members ;

The ex-officio members shall be the chairman for the time being of the rural authority and the chairman for the time being of the urban authority ;

Seven elective members shall be elected annually by the rural authority and six elective members shall be elected annually by the urban authority Each elective member shall at the time of his election be a member of the authority electing him.

3. The first election of elective members by the rural or urban authority as the case may be shall take place at a meeting of the authority to be held within two months after the confirmation of this Order The day on which such meeting shall take place shall be fixed by a resolution of the authority passed at a previous meeting of such authority Such resolution may be passed without any previous notice but sufficient time must elapse between the passing of the resolution fixing the time of election and the time so fixed to enable the clerk of the authority to give notice of the election in the manner following Seven days' notice at least shall be given by the clerk of the authority to each member of the authority of the time at which such first election will take place.

First election of the members of the joint board.

4. After the first election an annual election of elective members of the joint board by the rural and urban authorities respectively shall take place at the meeting of each of the said authorities which shall take place next after the fifteenth day of June in each year after such first election.

Annual election of members.

5. Each elective member of the joint board shall continue in office as such until he dies or resigns or becomes disqualified or vacates his seat for absence or becomes an ex-officio member of the joint board or until the next annual election of the elective members of the joint board by the body by which he has been elected.

Continuance in office of elective members.

6. Casual vacancies among the elective members of the joint board shall be filled as follows The rural authority or the urban authority as the case may be by which the member causing the vacancy was elected shall at a meeting to be held within one month after such vacancy has taken place (of which meeting seven days' notice shall be given by the clerk of such authority to each member of such authority) elect a member of their body to fill such vacancy.

Filling casual vacancies in joint board.

7. Subject to the express provisions in that behalf contained in this Order the business at elections of members of the joint board by the rural and urban authorities respectively shall be conducted and all questions shall be put and decided in the same manner as other business is conducted and other questions are put and decided at meetings of such authorities respectively.

Proceedings at elections of members of joint board.

[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 VICT.]*
Provisional Orders Confirmation (No. 3) Act, 1900.

A.D. 1900.

*Rathdrum
and
Wicklow.*

Disqualifica-
tions.

Incorporation
of joint burial
board.

Purposes for
which joint
board is
constituted.

Expenses of
joint board.

Certain borrow-
ing powers not
to be affected.

Payment of
contributions
to joint board.

Meetings of
joint board.

8. Such of the provisions of Article 12 of the schedule to the Local Government (Application of Enactments) Order 1898 as relate to members of district councils shall with the necessary modifications apply to members of the joint board.
9. The joint board constituted as aforesaid shall be a body corporate by the name of "The Rathdrum and Wicklow Joint Burial Board" and shall have perpetual succession and a common seal with power to acquire and hold lands for the purposes herein-after mentioned.
10. The united district shall be formed and the joint board shall be constituted for the following purposes In order that the joint board shall for the purpose of providing and maintaining a new burial ground possess the powers and perform the duties (in respect of the united district) of a burial board and for that purpose from and after the completion of the first election of members of the joint board in pursuance of this Order such joint board shall in respect to the united district possess all the powers and perform all the duties conferred and imposed on a burial board by the Public Health (Ireland) Acts 1878 to 1896.
11. The expenses to be incurred by the joint board in the execution of this Order shall be defrayed out of a common fund to be contributed by the rural district and the urban district in the manner provided by section 235 of the Act The contribution of the urban authority shall be defrayed out of any rate applicable by such authority to defraying the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1896 The contribution of the rural authority shall be included by such authority in their annual estimate and in their demand to be forwarded to the county council in accordance with section 51 of the Local Government (Ireland) Act 1898.
12. Any sums borrowed under section 247 of the Act by the joint board for the purposes of their constitution shall not affect or reduce the amount which the rural authority and the urban authority may borrow under the Act.
13. The joint board shall issue precepts to the rural and urban authorities respectively stating the sums required for the time being to be contributed by the said authorities and requiring the said authorities respectively within a time to be mentioned in such precepts to pay the amounts of their respective contributions to the joint board and thereupon the rural and urban authorities respectively shall take the proceedings necessary to obtain or raise and levy the amount of their respective contributions and pay the same to the joint board in accordance with the terms of such precepts.
- 14.—(1.) A meeting of the joint board shall take place in every year on the first Saturday following the day on which the election of elective members of the joint board has been completed.
(2.) After the said meeting the joint board shall meet at least once in every month on some day to be fixed at the last preceding meeting of the said board and if no such day is fixed then on the first Saturday in every month.

[63 & 64 VICT.] *Local Government Board (Ireland)* [Ch. cxc.]
Provisional Orders Confirmation (No. 3) Act, 1900.

A.D. 1900.

*Rathdrum
and
Wicklow.*

Chairman and
vice-chairman
of joint board.

15. At a meeting of the joint board which takes place in every year next after the completion of the election of members of the board they shall appoint one of their members chairman and another member vice-chairman of the joint board. Such chairman and vice-chairman shall hold office until the next annual appointment of a chairman and vice-chairman unless he has previously died resigned or ceased to be a member of the joint board. In the event of the death or resignation of such chairman or vice-chairman or of his ceasing to be a member of the joint board the joint board at the next meeting after such vacancy has taken place shall appoint another member of the joint board to fill the vacancy.

16. At all meetings of the joint board the chairman or in his absence the vice-chairman shall preside and if at the commencement of any meeting the chairman and vice-chairman are both absent the members of the board present shall elect one of themselves to preside at such meeting until the chairman or vice-chairman takes the chair.

Conduct of
business at
meetings of
joint board.

17. Every question at any meeting of the joint board consisting of more than three members shall be determined by a majority of the votes of the members present and in any case in which there is an equality of votes on any question that question shall be deemed to be lost provided that where there shall be an equality of votes at the election of chairman or vice-chairman or the chairman of a meeting it shall be determined by lot which of the persons receiving an equal number of votes shall be chairman or vice-chairman or the chairman of the meeting as the case may be.

Questions to be
decided by a
majority of
votes.

18. The chairman presiding at any meeting of the joint board shall be entitled to give one vote on each question submitted to the joint board but he shall not under any circumstances be entitled to any additional or casting vote.

Vote of
chairman.

19. No act at any meeting of the joint board shall be valid unless three members at least are present and if no greater number of members be present unless all of them concur therein.

Quorum of
joint board.

20. The accounts of the joint board shall be made up in such form and to such days in every year as may be appointed from time to time by the Local Government Board and shall be audited by such auditor of the Local Government Board as they may appoint for the purpose. The auditor so appointed shall with respect to the accounts of the joint board have the like powers and be subject to the like obligations in every respect as in case of an audit under the Local Government (Ireland) Act 1871 as amended by the Local Government Board (Ireland) Act 1872 and the Local Government (Ireland) Act 1898 and any person aggrieved by the decision of the auditor shall have the like rights and remedies as in the case of such last-mentioned audit. If upon any audit of the accounts of the joint board it is ascertained that the board have a surplus of receipts over expenditure such surplus shall be dealt with in such manner as the Local Government Board may direct. The proportion of the salary of the auditor to be paid by the joint board shall be determined

Audit of
accounts of
joint board.

34 & 35 Vict.
c. 109.
35 & 36 Vict.
c. 69.
61 & 62 Vict.
c. 37.

[Ch. cxc.] *Local Government Board (Ireland) [63 & 64 VICT.]
Provisional Orders Confirmation (No. 3) Act, 1900.*

A.D. 1900.

*Rathdrum
and
Wicklow.*

Costs and
expenses of
Order.

Short title of
Order.

by the Local Government Board with the approval of the Treasury and shall be paid accordingly to such bank or to such person as the Treasury may direct.

21. All the costs charges and expenses of the rural authority the urban authority and the Local Government Board of and incidental to the application for the preparation of obtaining and confirming this Order shall be paid and contributed by the said authorities respectively in proportion to the rateable values of the property in the rural district and shall be a first charge on the rates leviable in the united district.
22. This Order may be cited as the Rathdrum and Wicklow Joint Burial Board Provisional Order 1900.

Given under our hands and seal of office this Fourteenth day of May
in the year of our Lord One thousand nine hundred.

(L.S.)

(Signed) H. A. ROBINSON.

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