## CHAPTER i.

An Act to confirm a Provisional Order made by the Local Government Board for Ireland under the Public Health (Ireland) Act 1878 relating to the Town of Newry. A.D. 1895.

[9th April 1895.]

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto under the provisions of the Public Health (Ireland) Act 1878 : 41 & 42 Vict. c. 52.

And whereas it is requisite that the said Order 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 Order set out in the schedule hereto is hereby confirmed and all the provisions thereof shall have full validity and force. Order in schedule confirmed.

**2.** This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 1) Act 1895. Short title.

[*Price* 3*d.*]

A.D. 1895.

# SCHEDULE.

## The Local Government Board for Ireland.

## TOWN OF NEWRY.

## PROVISIONAL ORDER.

17 & 18 Vict. c. 103.
34 & 35 Vict. c. cxcviii.

WHEREAS the Towns Improvement (Ireland) Act 1854 is in force in the town of Newry and the Commissioners acting under the said Act were incorporated by the Newry Improvement and Water Act 1871 under the name of "The Town Commissioners of Newry" herein-after called "the Commissioners":

52 & 53 Vict. c. clvii.

And whereas by the Newry Improvement Act 1889 (herein-after called the Act of 1889) the Commissioners were empowered to borrow on mortgage of the funds and rates therein mentioned and all other their rates funds and revenues or any of them a sum or sums not exceeding one hundred and ten thousand pounds to be applied in payment of the costs of the Act in paying off redeeming or replacing existing debts and in the construction of works and purchase of lands by the Act authorised and generally for any purposes of the Commissioners to which capital is properly applicable Provided that the amount to be applied in the construction of works and purchase of lands by the Act authorised should not exceed thirty-seven thousand pounds:

And whereas the said existing debts consisted of twenty-nine thousand six hundred and twenty-six pounds being the balance of debt under the Newry Improvement and Water Act 1871 forty thousand pounds being the amount

41 & 42 Vict. c. cxxii.

authorised to be borrowed under the Newry Commissioners Gas Act 1878 leaving the sum of forty thousand three hundred and seventy-four pounds part of the said sum of one hundred and ten thousand pounds to be borrowed in respect of costs and for the purposes of the Act of 1889:

And whereas the Commissioners have borrowed under the powers of the Act of 1889 seventy-five thousand pounds which has been applied in accordance with the said Act in paying off and redeeming the said then existing debts and in the construction of works and purchase of lands and they still have under the provisions of the said Act power to borrow the sum of thirty-five thousand pounds balance of the said sum of one hundred and ten thousand pounds:

And whereas the Commissioners are the urban sanitary authority of the

41 & 42 Vict. c. 52.

town of Newry and desire to borrow seven thousand pounds under the Public Health (Ireland) Act 1878 and have applied to the Local Government Board for Ireland (herein-after called the Local Government Board) for their sanction to the borrowing of the said sum of seven thousand pounds:

A.D. 1895.

And whereas the Local Government Board have caused a local inquiry to be made as to the propriety of their assenting to the said application and it appears to them to be proper to give their sanction to the proposed borrowing on the condition that the borrowing power of the Commissioners under the Act of 1889 shall be diminished by a like sum and the Commissioners have applied to the Local Government Board for a provisional order in pursuance of the Public Health (Ireland) Act 1878 to alter and amend the Act of 1889 by diminishing their borrowing power accordingly : 41 & 42 Vict. c. 52.

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

Alteration of Act of 1889 by diminishing borrowing power.

1. From and after the confirmation of this Order by Parliament the unexhausted borrowing power of the Commissioners under the Act of 1889 shall be reduced by the capital sum of seven thousand pounds and for that purpose section twenty-three of the Act of 1889 is hereby amended and shall be construed as if for the words "one hundred and ten thousand pounds" in the said section the words "one hundred and three thousand pounds" were substituted and as if for the words "thirty-seven thousand pounds" in the said section the words "thirty thousand pounds" were substituted.

Protection of existing creditors.

2. This Order shall not in any way diminish impair or affect the security given for any loan effected by the Commissioners before the confirmation of this Order and every security given by the Commissioners by mortgage or otherwise for any principal sum borrowed by them under the Act of 1889 before the confirmation of this Order or for any interest thereon or for any other moneys or charges payable by them in respect thereof shall remain in full force and effect.

Costs of Order.

3. The costs and expenses of and incidental to the application for obtaining making and confirming this Order shall be paid by the Commissioners as part of their expenses as an urban sanitary authority.

Short title of Order.

4. This Order may be cited as the Newry Town Provisional Order 1895.

Given under our hands and seal of office this seventh day of February in the year of our Lord one thousand eight hundred and ninety-five.

(L.S.)

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

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