CHAPTER xxxviii.

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 Urban Sanitary District of Larne. [3rd July 1894.]

A.D. 1894.

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:—

Order in schedule confirmed.

1. The Order as amended and set out in the schedule hereto is hereby confirmed, and all the provisions thereof shall have full validity and force.

Short title.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 10) Act, 1894.

A.D. 1894.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Larne.

LARNE WATERWORKS.

PROVISIONAL ORDER.

17 & 18 Vict. c. 103.

WHEREAS the Town Commissioners of the Town of Larne, in the County of Antrim, elected in pursuance of the Towns Improvement (Ireland) Act, 1854, have been constituted an urban sanitary authority, and the said town has been constituted an urban sanitary district by the Larne Provisional Order, 1892, confirmed by the Local Government Board (Ireland) Provisional Order Confirmation (No. 1) Act, 1892, and the said urban sanitary authority (herein-after called the sanitary authority) are incorporated under the provisions of the Public Health (Ireland) Amendment Act, 1879:

55 Vict. c. xxxii. 42 & 43 Vict. c. 57.

And whereas the sanitary authority are about to construct certain new waterworks for the purpose of providing a supply of water in addition to that furnished by certain waterworks already constructed, and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) in pursuance of the Public Health (Ireland) Act, 1878, praying that they may be allowed to put in force the powers of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to certain lands and premises required for the purposes of the said additional waterworks:

41 & 42 Vict. c. 52.

And whereas the sanitary authority have deposited at the office of the Local Government Board, in Dublin, plans and a book of reference (herein-after called the deposited plans and book of reference) showing the additional waterworks intended to be executed and the lands and premises required for the purpose of the said works:

41 & 42 Vict. c. 52.

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 on the terms and subject to the conditions herein-after mentioned.

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

Compulsory powers to take land, water, water-rights, &c.

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, springs, streams, water, rights to take and convey water, easements, and other premises described in the deposited plans and book of reference. For the purposes of this Order the word "land" in the Lands Clauses Acts shall extend to and include the said lands, lands covered with water, springs, streams, water, rights to take and convey water, easements, and other premises.

Provision for a supply of water to occupiers and owners of lands, and water taken under this Order.

2. The arbitrator appointed under the Lands Clauses Acts for the purposes of this Order shall, in addition to all other powers vested in him by the said Acts, be empowered to include in his award such conditions and provisions as may appear to him to be reasonable for the purpose of securing a proper supply of water for any owner or occupier of land whose supply of water is taken or injuriously affected by the said waterworks, and also to provide by his award for the execution of any works by the sanitary authority which may appear to the said arbitrator to be required for the purposes aforesaid.

Provision as to houses, &c occupied by labouring class.

3. The sanitary authority shall not under the powers of this Order purchase or acquire in any urban sanitary district as defined by the Public Health (Ireland) Act, 1878, ten or more houses which on the fifteenth day of December last were occupied wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board for Ireland, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied. For the purpose of this section the expression "labouring class" includes mechanics, artisans, 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 family, 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.

Costs of Order.

4. The costs and expenses of and incidental to the application for, preparation, and confirmation of this Order shall be paid by the sanitary authority out of and by means of any rate applicable to the payment of their expenses as a sanitary authority.

A.D. 1894.

Larne.
Duration of compulsory powers.

5. 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.

Short title of Order.

6. This Order may be cited and referred to for all purposes as the Larne Waterworks Provisional Order, 1894.

Given under our Hands and Seal of Office, this second day of May, in the year of our Lord One thousand eight hundred and ninety-four.

(L.S.) (Signed) George Morris.
F. MacCabe.

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