CHAPTER xl.

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 Rural Sanitary District of Coleraine. [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:—

1. The Order as altered and 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. 12) Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Portstewart.

PORTSTEWART WATERWORKS AND SEWERAGE WORKS.

PROVISIONAL ORDER.

WHEREAS the Guardians of the Poor of the Coleraine Union (herein-after called the sanitary authority), being the rural sanitary authority of the district consisting of the said Union wherein the town of Portstewart is situated, are about to construct waterworks for the purpose of providing a supply of water for the said town for drinking and domestic purposes and to execute certain sewerage works for the said town:

And whereas the sanitary authority 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 said works:

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 works intended to be executed, and the lands, easements, lands covered with water and rights to take and convey water required for the purposes 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:

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

Compulsory powers of taking 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, water, lands covered with water, rights to take and convey water, easements, rights of way, and other premises described in the deposited plans and book of reference, and for the purposes of this order the word "land" in the Lands Clauses Acts shall extend to and include the said lands, water, lands covered with water, and rights to take and convey water, easements, rights of way, and other premises.

A.D. 1894.

Portstewart.
Cost of Order.
41 & 42 Vict. c. 52.

2. The costs, charges, and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order shall be deemed to be special expenses of the sanitary authority incurred in the execution of the Public Health (Ireland) Act, 1878, and shall be chargeable on the contributory places whereon the expense of the said works will be chargeable.

Duration of compulsory powers.

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.

Saving of rights of Board of Trade.

4. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under the Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the consent of the Board of Trade having been first obtained.

Short title of Order.

5. This Order may be cited and referred to for all purposes as the Portstewart Waterworks and Sewerage Works 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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