CHAPTER cxl.

An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to Waterworks in the town of Queenstown. [24th July 1882.]

A.D. 1882.

WHEREAS the Local Government Board for Ireland have, as regards the town of Queenstown, made the Provisional Order set forth in the Schedule hereunto annexed, 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:

The Provisional Order in Schedule confirmed.

1. The Order set out in the Schedule hereunto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force.

Short title.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (Queenstown Waterworks) Act, 1882.

A.D. 1882.

Queenstown.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

QUEENSTOWN WATERWORKS.

Provisional Order.

WHEREAS the Town Commissioners of Queenstown, in the county of Cork, elected in pursuance of the provisions of the Towns Improvement (Ireland) Act, 1854, being the Urban Sanitary Authority of the Urban Sanitary District consisting of the said town, and being about to construct waterworks for the purposes of the said district, have presented a petition to the Local Government Board for Ireland, in pursuance of the Public Health (Ireland) Act, 1878, praying that they, as such 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 and premises required for the purposes of the said works:

17 & 18 Vict. c. 103.

41 & 42 Vict. c. 52. ss. 61, 202, and 203.

And whereas the said Sanitary Authority have deposited at the office of the Local Government Board for Ireland, in Dublin, plans, and a book of reference thereto (herein-after referred to as the deposited plans and book of reference), showing the works intended to be executed as aforesaid, and the lands, easements, lands covered with water, and rights to take or convey water required for the purposes of the said works:

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 for Ireland 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 Board to be proper to assent thereto:

It is ordered by the Local Government Board for Ireland as follows:

Compulsory powers to take lands, easements, and water.

1. From and after the time of the confirmation of this Order by Parliament, the said 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 respect to the lands, easements, lands covered with water, and rights to take and convey water described in the said deposited plans and book of reference thereto:

Interpretation of terms.

2. In this Order the expression "Lands Clauses Acts" means the Lands Clauses Consolidation Act, 1845, as the same is amended by the Lands Clauses Consolidation Amendment Act, 1860, the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, and the Railways Traverse Act; and the term "land" in the said Acts shall, for the purposes of this Order, extend to and include lands, easements, lands covered with water, and rights to take and convey water:

Queenstown.

Duration of Order.

3. The compulsory powers of purchase given by this Order shall not be exercised after the expiration of three years from the time of the confirmation of this Order by Parliament:

Short title of Order.

4. This Order may be cited and referred to for all purposes as the Queenstown Waterworks Provisional Order, 1882.

Saving rights of Queenstown Waterworks Company.

5. Provided always, that the powers by this Order granted to the Commissioners shall not be exercised until the Commissioners have, under the provisions of the Queenstown Waterworks Act, 1882, given notice to the Queenstown Waterworks Company of their intention to purchase the undertaking of the Company, and until the purchase money agreed on and awarded to the Company under the said Act has been paid to the Company by the Commissioners.

Saving rights of Her Majesty's Principal Secretary of State for the War Department.

6. And whereas it is necessary that the lands, hereditaments, and works belonging to Her Majesty or vested in Her Majesty's Principal Secretary of State for the War Department for the public service should be preserved intact and free from all intrusion or obstruction: Be it therefore enacted, that nothing in this Order contained shall authorise the said Sanitary Authority to enter upon, use, or interfere with any land, soil, or water, or any right in respect thereof vested in or exercised by the said Principal Secretary for the time being, or to take away, lessen, prejudice, or alter any of the rights, privileges, or powers vested in or exercised by the said Principal Secretary for the time being, without his previous consent signified in writing under his hand, and which consent the said Principal Secretary for the time being is hereby authorised to give, subject to such special or other conditions as he shall see fit to impose on the said Sanitary Authority.

Given under our hands and seal of office, this sixteenth day of May one thousand eight hundred and eighty-two.

(Signed) Henry Robinson.
Charles Croker-King.
George Morris.

LONDON: Printed by George E. B. Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1882.