# CHAPTER lxix.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the towns of Ballymena, Belmullet, and Enniskerry. [27th June 1881.] A.D. 1881.

WHEREAS the Local Government Board for Ireland have, as regards the towns herein mentioned, made the Provisional Orders 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 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 set out in the Schedule hereunto annexed shall be and the same are hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. The Orders in Schedule confirmed.

**2.** This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Ballymena, &c.) Act, 1881. Short title.

A.D. 1881.

# SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

## BALLYMENA WATERWORKS.

*Provisional Order.*

WHEREAS the Town Commissioners of Ballymena, in the county of Antrim, 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 and rights 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 in the Office of the Local Government Board for Ireland, in Dublin, plans, and a book of reference referring thereto (herein-after referred to as the deposited plans and book of reference), showing the works intended to be executed, and the lands, easements, lands covered with water, water and rights to take and 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 whereas it appears to the Local Government Board that the said Board have no power to assent to said prayer so far as it refers to the acquisition of such an interest in certain lands described in the said plans and books of reference as will prohibit the use of the said lands otherwise than as grazing or meadow lands:

And further that the power to take water, or rights to take and convey water, can be exercised by the said sanitary authority solely for the purpose of supplying the district with water for drinking and domestic purposes:

41 & 42 Vict. c. 52. sec. 202.

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 lands otherwise than by agreement, with reference to the lands and easements described in the said deposited plans and book of reference, except the right or interest therein described as "such an interest as will prohibit the use of the lands referred to otherwise than as grazing

or meadow lands." And from and after the time aforesaid it shall be lawful for the said Commissioners, acting as such authority, to put in force the said provisions of the said Acts (but only for the purposes of supplying the said district with water for drinking and domestic purposes) with reference to the water and rights to take and convey water, described in the said deposited plans and book of reference.

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, water, water rights, and rights to take and convey water.

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 Ballymena Waterworks Provisional Order, 1881.

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

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

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The Local Government Board for Ireland.

## BELMULLET WATERWORKS.

*Provisional Order.*

Whereas the Guardians of the Poor of the Belmullet Union, being the sanitary authority of the rural sanitary district consisting of the said union, and including the town of Belmullet, in the county of Mayo, are about to construct waterworks for the purpose of supplying the said town with water for public and private purposes, and 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 purpose of the said works:

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

And whereas the said sanitary authority have deposited in the office of the Local Government Board for Ireland, in Dublin, plans, and a schedule referring thereto, herein-after referred to as the deposited plans and schedule, showing the works intended to be executed as aforesaid, and the lands, easements, lands covered with water, and rights to take and convey water required for the purposes of the said works:

A.D. 1881.

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 said Board to be proper to order as follows in reference 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 Guardians of the Poor of the Belmullet Union, acting as the sanitary authority of the rural sanitary district consisting of the said union, shall be empowered to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands and easements described in the said deposited plans and schedule. And from and after the time aforesaid it shall be lawful for the said guardians, acting as such authority, to put in force the said provisions of the said Acts (but only for the purpose of procuring water for drinking and domestic purposes), with reference to the water and rights to take and convey water described in the said deposited plans and schedule.

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 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" and "lands" in the said Act shall, for the purposes of this Order, extend to and include messuages, buildings, lands, easements, and hereditaments of any tenure, and also water, lands covered with water, and rights to take and convey water.

Duration of Order.

3. The powers of compulsory purchase conferred by this Order shall not be exercised after the expiration of three years from 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 Belmullet Waterworks Provisional Order, 1881.

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

(Signed) HENRY ROBINSON.
CHARLES CROKER-KING.
GEORGE MORRIS.

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

## ENNISKERRY WATERWORKS.

*Provisional Order.*

WHEREAS the Guardians of the Poor of the Rathdown Union, being the sanitary authority of the rural sanitary district consisting of part of the

said union, and including the town of Enniskerry, in the county of Wicklow, are about to construct waterworks for the purpose of supplying the said town with water, and 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: A.D. 1881. 41 & 42 Vict. c. 52, ss. 202 and 203.

And whereas the said sanitary authority have deposited in the office of the Local Government Board for Ireland, in Dublin, plans, and a book of reference referring 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, and premises 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 said 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 Guardians of the Poor of the Rathdown Union, acting as a rural sanitary authority, shall be empowered to put in force the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement with reference to the lands, easements, and premises described in the said deposited plans and book of reference.

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 Act, 1860, the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, and the Railways Traverse Act. And the terms land and lands in the said Acts shall, for the purposes of this Order, extend to and include messuages, buildings, lands, easements, and hereditaments of any tenure.

Duration of Order.

3. The powers of compulsory purchase conferred 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 Enniskerry Waterworks Provisional Order, 1881.

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

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

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Printers to the Queen's most Excellent Majesty. 1881.