CHAPTER cxxx.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Drumcondra, Clonliffe, and Glasnevin Township, and to Waterworks in the Town of Cavan. [31st July 1885.] A.D. 1885.

WHEREAS the Local Government Board for Ireland have, as regards the above-named places, 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 Provisional Orders in Schedule confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Drumcondra and Cavan) Act, 1885. Short title.

A.D. 1885.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

DRUMCONDRA, CLONLIFFE, AND GLASNEVIN TOWNSHIP.

Provisional Order.

WHEREAS, the Drumcondra, Clonliffe, and Glasnevin township, herein-after called "the township," was constituted a separate township by the Drumcondra, Clonliffe, and Glasnevin Township Act, 1878, herein-after called the Act of 1878; and whereas the Drumcondra, Clonliffe, and Glasnevin Township Commissioners, herein-after called "the Commissioners," are constituted a body corporate by the Act of 1878, and are the sanitary authority of the urban sanitary district consisting of the township; and whereas the Commissioners have made an application to the Local Government Board for Ireland, herein-after called "the Local Government Board," in pursuance of the Public Health (Ireland) Act, 1878, section 205, for a Provisional Order to alter and amend the Act of 1878:

41 & 42 Vict. c. 157. s. 6.

41 & 42 Vict. c. 52. s. 205.

And whereas all notices and advertisements required by the Public Health (Ireland) Act, 1878, having been previously given and published, the Local Government Board have caused a local inquiry to be made into the subject-matter of the said application, and it appears to the Local Government Board to be proper to make this Provisional Order in relation thereto:

It is ordered by the Local Government Board as follows:

Partial exemption of dwelling-houses valued at or under 12*l.* from township rates.

1. From and after the time of the confirmation of this Order by Parliament, the following provisions shall take effect and apply with respect to rating and levying of rates under and in pursuance of the Act of 1878, on and in respect of dwelling-houses, and dwelling-houses and premises valued therewith, valued at or under 12*l.*

It shall be lawful for the Commissioners before making any rate in pursuance of the Act of 1878, by a resolution to be adopted at a monthly meeting of the Commissioners, of which due notice shall have been given in pursuance of the 43rd section of the Commissioners Clauses Act, 1847, to determine that the rate to be levied on and in respect of such dwelling-houses, or dwelling-houses and premises valued therewith of the annual rateable value of 12*l.*, or of any less annual value, shall be subject to a deduction, to be then determined by the Commissioners, not exceeding twenty-five per cent. of the amount assessable on such dwelling-houses or dwelling-houses and premises, provided such reduced rate shall be paid within two calendar months after such rate shall have become due: Provided also, that, in case such reduced rate shall not have been paid within such period of two calendar months the whole amount of such rate shall be leviable and payable in respect of such dwelling-houses, or dwelling-houses and premises, and provided further that such deduction shall be on the same uniform scale for and in respect of all such houses or houses and premises, of the annual rateable value of 12*l.*, or of any less annual rateable value.

Exemption of unoccupied premises from rates.

2. From and after the time of the confirmation of this Order by Parliament, the following provisions shall apply to all rates and assessments to be made and levied by the Commissioners, in pursuance of the Act of 1878. The Commissioners shall, in making any such rate, specify on the face thereof the period for the service of which such rate is estimated to provide, and when any building liable to assessment is unoccupied at the time of making any such rate, the Commissioners shall describe such building in such rate as unoccupied, and if such building shall continue to be unoccupied during the whole of the period for which the rate was estimated as aforesaid, the rate made on such building shall not be recoverable. Provided also, that if after the making of such rate, and before the expiration of the period for which the rate was so estimated as aforesaid, any person or persons shall occupy such building for any portion of such period, the Commissioners shall be entitled to recover from the occupier or owner, if he be liable to pay the same, a portion only of such rate proportioned to the time during which such building shall be occupied.

Exemption of certain institutions from water rate.

3. From and after the time of the confirmation of this Order by Parliament, the provisions contained in section fifty-nine of the Act of 1878, shall be extended and applied to the Saint Vincent's Convent, Richmond Road, Fairview, and to the convent of the Holy Faith, Glasnevin, and the said section shall be amended by the insertion of the names of the said convents, in addition to the names of the other institutions therein mentioned.

Regulation of width of streets and height of buildings.

4. From and after the time of the confirmation of this Order by Parliament, it shall be lawful for the Commissioners, by means of byelaws to be framed and made in the manner provided for framing and making byelaws by the Public Health (Ireland) Act, 1878, in relation to the byelaws to be made in pursuance of the said Act, and with such approval of the Local Government Board as is required by the said Act, to make regulations respecting new streets in the said township, prescribing the distance from the centre line of such streets at which the buildings to be erected therein shall be placed, and to ensure that the fronts of such buildings shall be in a uniform line, and further, regulating the height of buildings to be erected in such streets, so as to preserve a reasonable amount of uniformity in the height of such buildings. The provisions contained in the two hundred and twentieth section of the Public Health (Ireland) Act, 1878, relative to penalties for offences against byelaws made under that Act shall apply to byelaws made under the authority of this Order. Proceedings for the recovery of penalties for the violation of any such byelaw may be taken in the same manner as proceedings for the recovery of penalties under the Public Health (Ireland) Act, 1878.

Saving.

5. The powers conferred upon the Commissioners by this Order shall be in addition to any other powers vested in them by the Act of 1878 or otherwise.

Costs of Order.

6. All the costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the Commissioners.

A.D. 1885.

Short title of Order.

7. This Order may be cited and referred to for all purposes as the Drumcondra, &c., Provisional Order, 1885.

Sealed with our seal, this twenty-second day of April, in the year of our Lord one thousand eight hundred and eighty-five.

(Signed) Charles Croker-King.
George Morris.

The Local Government Board for Ireland.

CAVAN WATERWORKS.

Provisional Order.

Whereas the town of Cavan is part of the rural sanitary district consisting of the Cavan Poor Law Union, and the guardians of the poor of the said union, being the rural sanitary authority of the said district, are about to construct waterworks for supplying the said town of Cavan with water for drinking and domestic purposes, and have presented a petition to the Local Government Board for Ireland, in pursuance of the provisions of the Public Health (Ireland) Act, 1878, praying that they may 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, for the purposes of the said works:

41 & 42 Vict. c. 52, secs. 6, 61, 202, and 203.

And whereas the said petitioners have deposited, at the office of the Local Government Board for Ireland in Dublin, plans, sections, and a book of reference, herein-after referred to as the deposited plans, sections, 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 aforesaid:

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously published, served, and given, the said Board have caused a local inquiry to be held 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 Cavan Poor Law Union, acting as the sanitary authority of the rural sanitary district consisting of the said union, 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, easements, land covered with water, water, and rights to take and convey water, described and shown in the said deposited plans, sections, and book of reference.

Interpretation of terms.

2. In this Order the expression "The Lands Clauses Acts" means the Lands Clauses Consolidation Act, 1845, as the same is amended by the Lands Clauses Consolidation Acts 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 words "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, and also lands covered with water, water, and rights to take or convey water.

Duration of compulsory powers of purchase conferred by this Order.

3. The powers of compulsory 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.

Provision as to costs and expenses.

4. All costs, charges, and expenses of and incidental to the applying for, preparing, obtaining, and confirming this Order, and otherwise in relation thereto, shall be paid by the guardians of the poor of the Cavan Poor Law Union acting, as aforesaid, as the sanitary authority of the rural sanitary district, consisting of the said union.

Short title of Order.

5. This Order may be cited and referred to for all purposes as the Cavan Waterworks Provisional Order, 1885.

Given under our hands and seal of Office, this eleventh day of April, in the year of our Lord one thousand eight hundred and eighty-five.

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

LONDON: Printed by Eyre and Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1885.