CHAPTER lxi.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland concerning Mallow and Midleton. [16th July 1885.]

A.D. 1885.

WHEREAS the Local Government Board for Ireland have, as regards the above-named unions, 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 (Mallow and Midleton) Act, 1885. Short title.

A.D. 1885.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

MALLOW BURIAL GROUND.

Mallow.

Provisional Order.

WHEREAS the guardians of the poor of the Mallow Union are the rural sanitary authority of the rural sanitary district consisting of the said union, and are the Burial Board of the said district:

And whereas the clerk of the said Burial Board has, on the requisition in writing of ten or more persons assessed for the relief of the poor in the said district, convened a special meeting of the said Burial Board for determining whether a new burial ground shall be provided under the Public Health (Ireland) Act, 1878, for the town of Mallow, situated within the said sanitary district, and a majority of such meeting has resolved that a new burial ground shall be provided accordingly:

41 & 42 Vict. c. 52. s. 172.

And whereas by an order under seal of the Local Government Board for Ireland, made in pursuance of the Public Health (Ireland) Act, 1878, section 234, it was determined and declared that all expenses to be incurred by the Burial Board for the purposes of providing such new burial ground shall be charged on and paid out of the poor rates of the Mallow dispensary district of the said union:

41 & 42 Vict. c. 52. s. 234.

And whereas the said Burial Board has presented a petition to the Local Government Board for Ireland, in pursuance of the said Act, praying that the said Burial Board may be allowed 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 premises herein-after mentioned, which are required for the purposes of the said new burial ground:

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

And whereas the said Burial Board has deposited in the office of the Local Government Board for Ireland in Dublin, a plan and a book of reference referring thereto (herein-after referred to as the deposited plan and book of reference) showing the lands and premises required to be taken for the purposes of the said new burial ground:

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 has 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.

1. From and after the time of the confirmation of this Order by Parliament, the guardians of the poor of the Mallow Union, acting as the Burial

Board of the said district, 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 premises described in the said deposited plan 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.

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 Mallow Burial Ground Provisional Order, 1885.

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

(Signed) Henry Robinson.
Charles Croker-King.

The Local Government Board for Ireland.

MIDLETON WATERWORKS.

Midleton.

Provisional Order

Whereas the guardians of the poor of the Midleton Union, in the county Cork, being the sanitary authority of the rural sanitary district consisting of the said union, and including the town and suburbs of Midleton, are about to construct waterworks for the purpose of supplying the said town and suburbs with water for drinking and domestic 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 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 in respect of certain lands and premises required for the purposes of the said works:

41 & 42 Vict. c. 52.

And whereas the said guardians have deposited at the office of the Local Government Board for Ireland in Dublin plans and a book of reference (hereinafter called the deposited plans and book of reference) showing the works intended to be executed as aforesaid, and the lands 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 published, served, and given, the said Board has 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 and water rights.

1. From and after the time of the confirmation of this Order by Parliament, the guardians of the poor of the Midleton Union, acting as the sanitary

A.D. 1885.

Midleton.

authority of the said sanitary district, 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, premises, easements, water, water rights, and rights to take and convey water, described in the said deposited plans and book of reference, and required for the purposes of the said waterworks.

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 term "land" and "lands" in the said Acts shall, for the purposes of this Order, extend to and include messuages, lands, buildings, easements, water, water rights, 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 time of the confirmation of this Order by Parliament.

Provision as to costs and expenses.

4. 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 guardians of the poor of the Midleton 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 Midleton Waterworks Provisional Order, 1885.

Given under our hands and seal of office, this fourth day of May, 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.