CHAPTER xxxix.

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 Urban Sanitary District of Clones. [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 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. 11) Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Clones.

CLONES WATERWORKS.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Clones (herein-after called the sanitary authority) are the urban sanitary authority of the district consisting of the said town, and are about to construct waterworks for the purpose of supplying the said town and district with water for drinking and domestic purposes:

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 purposes of 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, lands covered with water, rights to take and convey water, streams, springs, easements, and other premises required for the purposes of these 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 to take lands, water, &c.

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, lands covered with water, rights to take and convey water, streams, springs, easements, 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, lands

covered with water, rights to take and convey water, streams, springs, easements, and other premises.

Duration of compulsory powers.

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

Restriction of power to take houses of labouring class.

3. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which, on the fifteenth day of December last, were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers, or, except with the consent of the Local Government Board, ten or more houses which were not so occupied on the said fifteenth day of December, but have been or shall be subsequently so occupied.

For the purpose of this section the expression "labouring class" means and includes mechanics, artisans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants whose income does not exceed an average of thirty shillings a week, and the families of any such persons who may be residing with them.

Costs of Order.

4. All costs, charges, and expenses of and incidental to the application for, preparing, obtaining, and confirming this Order shall be paid by the sanitary authority out of any rate applicable to the payment of their expenses as a sanitary authority.

Short title of Order.

5. This Order may be cited and referred to for all purposes as the Clones Waterworks Provisional Order, 1894.

Given under our hands and seal of office, this twelfth 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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