CHAPTER cxvi.

An Act for confirming certain Provisional Orders of the Local Government Board for Ireland relating to Waterworks in the Town of Dungarvan, and to the Burial Grounds of Barnahely and Templerobin in the County of Cork, and to the Town of Tralee, and to Waterworks in the Town of Tralee. [4th July 1878.]

A.D. 1878.

WHEREAS the Local Government Board for Ireland, acting under the provisions of the Local Government (Ireland) Act, 1871, as amended by the Local Government Board (Ireland) Act, 1872, and of the Public Health (Ireland) Act, 1874, have made in relation to the town of Dungarvan, and to the burial grounds of Barnahely and Templerobin, in the Poor Law Union of Cork, in the county of Cork, and to the town of Tralee, and to waterworks in the town of Tralee, the Provisional Orders set out in the schedule to this Act annexed:

34 & 35 Vict. c. 109. 35 & 36 Vict. c. 69. 37 & 38 Vict. c. 93.

And whereas the consent of the said town of Tralee, and of the district proposed to be incorporated therewith, has been duly obtained to the Order affecting the said town and district:

And whereas a Provisional Order made under the authority of the said Acts is not of any validity or force whatever until confirmed by Parliament, and it is expedient that the said Provisional Orders should be so confirmed:

Be it 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 said Orders set out in the schedule to this Act annexed shall be and the same are hereby confirmed, and all the provisions

Orders in schedule confirmed.

A.D. 1878.

of the same respectively 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 Orders (Dungarvan, &c.) Confirmation Act, 1878.

SCHEDULE.

The Local Government Board for Ireland.

DUNGARVAN WATERWORKS.

Provisional Order.

26 & 27 Vict. c. xlv.
17 & 18 Vict. c. 103.
37 & 38 Vict. c. 93.

WHEREAS the Town Commissioners of Dungarvan, incorporated by the Dungarvan Harbour, Markets, and Improvement Act, 1863, and acting under the provisions of that Act, and of the Towns Improvement (Ireland) Act, 1854, are the sanitary authority of the urban sanitary district, consisting of the town of Dungarvan, constituted by the Public Health (Ireland) Act, 1874:

And whereas the said Town Commissioners are about to construct waterworks for the purpose of providing a supply of water for the said town of Dungarvan and the village of Abbeyside, which is within their jurisdiction, and have deposited for public inspection, at the office of the town clerk of the borough of Dungarvan, plans and a book of reference thereto (herein-after referred to as the deposited plans and book of reference), showing the lands, water, water rights, easements, and other rights intended to be taken for the purposes of the said waterworks, and have deposited copies of the said plans and book of reference at the office of the Local Government Board for Ireland, at Dublin, and have presented a petition to the Local Government Board for Ireland, in pursuance of the Local Government (Ireland) Act, 1871, the Local Government Board (Ireland) Act, 1872, and the Public Health (Ireland) Act, 1874, seeking to be empowered to put in force the provisions of the Lands Clauses Acts in respect to the purchase and taking of land otherwise than by agreement, with reference to the said lands, water rights, easements, and other rights:

34 & 35 Vict. c. 109. s. 4.
35 & 36 Vict. c. 69.
37 & 38 Vict. c. 93. ss. 27, 28.

And whereas all advertisements and notices required by the said Acts having been previously duly published and given, the Local Government Board for Ireland has caused an inquiry to be held in the said district as to the genuineness of the said petition, and the propriety of assenting to the prayer thereof,

and it appears to the Local Government Board for Ireland that the Provisional Order should be made in respect to the matters aforesaid: A.D. 1878.

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

1. From and after the time when this Order shall be confirmed by Act of Parliament, the Town Commissioners of Dungarvan shall be and hereby are 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, in reference to the lands, water, water rights, easements, and other rights shown and described in the said deposited plans and book of reference, with the following exception only, viz.:—This Order shall not extend nor apply to a certain line of pipes or conduit marked on the said deposited plans, and therein and in the said book of reference marked as No. 5, and described thus on the said deposited plan: "Note "conduit No. 5 shows how a further supply could be made available at "any time if required:" Compulsory powers to take lands, &c.

2. The powers hereby granted for the compulsory purchase of lands and other premises shall not be exercised after three years from the confirmation of this Order by Parliament: Limit of time for exercise of compulsory powers.

3. In this Order the term "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, the Railways Traverse Act, and the Public Health (Ireland) Act, 1874: Definition of Lands Clauses Acts.

4. This order may be cited and referred to for all purposes as the Dungarvan Waterworks Provisional Order, 1878. Short title.

Given under our hands and seal of office, this fourteenth day of January 1878.

(Signed) A. Power.
R. M. Bellew.
Charles Croker-King.

The Local Government Board for Ireland.

THE BARNAHELY, COUNTY CORK, BURIAL GROUND.

Provisional Order.

WHEREAS the Guardians of the Poor of the Cork Union (being the Burial Board for the Cork Union under the provisions of the Burial Grounds (Ireland) Act, 1856) have presented a petition to the "Local Government Board for Ireland," in pursuance of the provisions of the Local Government (Ireland) Act, 1871, the Local Government Board (Ireland) Act, 1872, and the Public Health (Ireland) Act, 1874, showing that an additional quantity of land is required for the purpose of making an addition to the existing burial ground at Barnahely, in the county of Cork, and to be used as a burial ground in connexion therewith, and praying that the said Burial Board should, for the purpose of acquiring the said additional land, be em- 19 & 20 Vict. c. 98. s. 3. 34 & 35 Vict. c. 109. s. 4. 35 & 36 Vict. c. 69. 37 & 38 Vict. c. 93. s. 16.

A.D. 1878.

powered to put in force the powers of the "Lands Clauses Acts," as defined by the Local Government (Ireland) Act, 1871, with respect to the purchase and taking lands otherwise than by agreement:

And whereas the said Burial Board has deposited at the Cork Union Workhouse a plan (herein-after referred to as the deposited plan) of the said site, which consists of a plot of ground containing half an acre, statute measure, adjoining said burial ground of Barnahely, and situate in the parish of Barnahely, in the Poor Law Union and county of Cork, and notice having been served and advertisements published in pursuance of the said Acts, an inquiry has been had in the district as to the genuineness of the said petition, and the propriety of assenting to the prayer thereof, and it appearing to the Local Government Board for Ireland that this Provisional Order should be made in respect to the matters aforesaid:

It is ordered as follows:

Short title of Order.

1. This Order may be cited and referred to for all purposes as the Barnahely, County Cork, Burial Ground Provisional Order, 1878:

Incorporation of Acts.

2. The provisions of the Lands Clauses Consolidation Act, 1845, the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, and the Railways Traverse Act, with respect to the purchase and taking of land otherwise than by agreement (herein-after referred to as the powers of the "Lands Clauses Acts," with respect to the purchase and taking of land otherwise than by agreement), so far as the said provisions are not inconsistent with this Order, and the several matters and enactments contained in the said provisions and in each of them, shall be deemed to apply to the execution of the powers conferred by this Order, in like manner in all respects as if the said provisions were repeated herein, so far as the said provisions are applicable to the matters herein contained and dealt with:

Compulsory power to purchase lands.

3. At and after the time when this Order shall take effect, it shall be lawful for the Guardians of the Poor of the Cork Union, as the Burial Board of the said Union, to put in force the said powers of the "Lands Clauses Acts," with respect to the purchase and taking of land otherwise than by agreement, for the purpose of purchasing and taking the said land comprised in the said deposited plan, and to take the said land and use the same for the purpose of a burial ground in connexion with the existing burial ground of Barnahely aforesaid:

Expense of Order.

4. It shall be lawful for the said Guardians of the Poor of the Cork Union to defray the expenses of applying for and obtaining this Order out of any moneys which shall come to their hands as such Burial Board:

Commencement of Order.

5. This Order shall take effect from the time when it shall be confirmed by Act of Parliament.

Given under our hands and seal of office, this twenty-sixth day of March 1878.

(Signed) A. POWER.
CHARLES CROKER KING

THE LOCAL GOVERNMENT BOARD FOR IRELAND. A.D. 1878.

THE TEMPLEROBIN, COUNTY CORK, BURIAL GROUND.

Provisional Order.

WHEREAS the Guardians of the Poor of the Cork Union (being the Burial Board for the Cork Union under the provisions of the Burial Grounds (Ireland) Act, 1856) have presented a petition to the "Local Government Board for Ireland," in pursuance of the provisions of the Local Government (Ireland) Act, 1871, the Local Government Board (Ireland) Act, 1872, and the Public Health (Ireland) Act, 1874, showing that an additional quantity of land is required for the purpose of making an addition to the existing burial ground at Templerobin, in the county of Cork, and to be used as a burial ground in connexion therewith, and praying that the said Burial Board should, for the purpose of acquiring the said additional land, be empowered to put in force the powers of the "Lands Clauses Acts," as defined by the Local Government (Ireland) Act, 1871, with respect to the purchase and taking lands otherwise than by agreement :

19 & 20 Vict. c. 98. s. 3.
34 & 35 Vict. c. 109. s. 4.
35 & 36 Vict. c. 69.
37 & 38 Vict. c. 93. s. 16.

And whereas the said Burial Board has deposited at the Cork Union Workhouse a plan (herein-after referred to as the deposited plan) of the said site, which consists of a plot of ground containing one acre, statute measure, adjoining said burial ground of Templerobin, and situate in the parish of Templerobin, in the Poor Law Union and county of Cork, and notice having been served and advertisements published in pursuance of the said Acts, an inquiry has been had in the district as to the genuineness of the said petition, and the propriety of assenting to the prayer thereof, and it appearing to the Local Government Board for Ireland that the Provisional Order should be made in respect to the matters aforesaid :

It is ordered as follows :

1. This Order may be cited and referred to for all purposes as the Templerobin, County Cork, Burial Ground Provisional Order, 1878 : — Short title of Order.

2. The provisions of the Lands Clauses Consolidation Act, 1845, the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, and the Railways Traverse Act, with respect to the purchase and taking of land otherwise than by agreement (herein-after referred to as the powers of the "Lands Clauses Acts," with respect to the purchase and taking of land otherwise than by agreement), so far as the said provisions are not inconsistent with this Order, and the several matters and enactments contained in the said provisions and in each of them shall be deemed to apply to the execution of the powers conferred by this Order, in like manner in all respects as if the said provisions were repeated herein, so far as the said provisions are applicable to the matters herein contained and dealt with : — Incorporation of Acts.

3. At and after the time when this Order shall take effect, it shall be lawful for the Guardians of the Poor of the Cork Union, as the Burial Board of the said Union, to put in force the said powers of the "Lands Clauses — Compulsory powers to purchase lands.

A.D. 1878.

Acts," with respect to the purchase and taking of land otherwise than by agreement, for the purpose of purchasing and taking the said land comprised in the said deposited plan, and to take the said land and use the same for the purpose of a burial ground in connexion with the existing burial ground of Templerobin aforesaid:

Expense of Order.

4. It shall be lawful for the said Guardians of the Poor of the Cork Union to defray the expenses of applying for and obtaining this Order out of any moneys which shall come to their hands as such Burial Board;

5. This Order shall take effect from the time when it shall be confirmed by Act of Parliament.

Given under our hands and seal of office, this twenty-sixth day of March 1878.

(Signed) A. Power.
Charles Croker-King.

The Local Government Board for Ireland.

TOWN OF TRALEE.

Provisional Order.

WHEREAS the statute of 9th George IV., chapter 82, intituled "An Act "to make provision for the lighting, cleansing, and watching of cities, towns "corporate, and market towns in Ireland, in certain cases," is in force in the town of Tralee, in the county of Kerry, and the Commissioners of the town of Tralee, appointed under the provisions of the said Act, are the Governing Body of the said town within the meaning of the Local Government (Ireland) Act, 1871:

And whereas the population of the said Town, according to the last parliamentary census, exceeds 6,000, and the said Commissioners are the urban sanitary authority of the urban sanitary district, consisting of the said town, within the meaning of the provisions of the Public Health (Ireland) Act, 1874:

37 & 38 Vict. c. 93. s. 3.

And whereas the boundaries of the said town of Tralee coincide with the boundaries of the parliamentary borough of Tralee:

And whereas the said Commissioners being about to make provision for supplying the said town and neighbourhood with water, it has appeared desirable to them that a certain district adjoining the said town should be incorporated therewith. And the said Commissioners have presented a petition to the Local Government Board for Ireland praying for such incorporation in pursuance of the provisions of the Local Government (Ireland) Act, 1871:

34 & 35 Vict. c. 109. s. 5.

And whereas on receipt of the said petition an inquiry in the said town was directed by the Local Government Board for Ireland as to the genuineness of the said petition, and in respect of the several matters mentioned therein:

And whereas such inquiry has been held after giving fourteen days notice of the time, place, and subject of such inquiry, and it appears to the Local Government Board for Ireland that this Order should be made in respect of the matters aforesaid:

A.D. 1878.

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

Incorporation of adjoining district.

1. From and after the time when this Order shall be confirmed by Act of Parliament, the district adjoining the said town of Tralee, consisting of the lands and premises particularly defined and described in the schedule and map annexed hereto, shall be and remain incorporated with the said town of Tralee, and shall constitute a part of the said town for the purposes of the said Act of the 9th George IV., chapter 82, the Local Government (Ireland) Act, 1871, and the Public Health (Ireland) Act, 1874, and the said district shall be and remain a portion of the Urban Sanitary District, consisting of the said town of Tralee, within the meaning of the Public Health (Ireland) Act, 1874:

2. This Order may be referred to for all purposes as the Tralee Incorporation Order, 1878.

Given under our hands and seal of office, this twenty-seventh day of February 1878.

(Signed) A. Power.
Charles Croker-King.

Schedule showing the district adjoining the town of Tralee incorporated with the said Town by this Order.

The district adjoining the town of Tralee, comprising the townland of Balloonagh, together with the village of Blennerville and land adjoining thereto, and the road leading from said village alongside of the Tralee Ship Canal to the town of Tralee, as shown on the map hereto annexed.

The Local Government Board for Ireland.

TRALEE WATERWORKS.

Provisional Order.

WHEREAS the Town Commissioners of Tralee, being the Urban Sanitary Authority of the town and borough of Tralee, and being about to construct waterworks for the purpose of supplying the said town and certain adjoining places with water, have deposited for public inspection at the office of the Town Clerk of the said town of Tralee, and have deposited at the office of the Local Government Board for Ireland in Dublin, plans and a book of reference thereto, showing and describing certain lands, premises, easements, water rights, and other rights required to be taken for the purposes of the said works, and have presented a petition to the Local Government Board for Ireland, in pursuance of the Local Government (Ireland) Act, 1871, the Local Government Board (Ireland) Act, 1872, and the Public Health (Ireland) Act, 1874, seeking to 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, in respect to the said lands, premises, easements, water rights, and other rights.

34 & 35 Vict. c. 109. s. 4. 35 & 36 Vict. c. 69. 37 & 38 Vict. c. 93. ss. 27 & 28.

And whereas all advertisements and notices required by the said Acts having been previously published, served, and given, the Local Government Board for

A.D. 1878.

Ireland have caused an inquiry to be held in the said district as to the genuineness of the said petition and the propriety of assenting to the prayer thereof, and it appears to the Local Government Board for Ireland proper to make this Provisional Order in respect to the matter aforesaid:

It is ordered as follows:

Compulsory powers to take lands.

1. From and after the time when this Order shall be confirmed by Act of Parliament, the Town Commissioners of Tralee as such Sanitary Authority shall be and hereby are empowered to put in force the provisions of the Lands Clauses Acts, in respect to the purchase and taking of lands otherwise than by agreement, in respect to the lands, premises, easements, water rights, and other rights shown and described in the said deposited plans and book of reference thereto, and required for the purposes of the said waterworks:

Limit of time allowed for the exercise of compulsory powers.

2. The compulsory powers of purchasing and taking lands and other premises conferred by this Order shall not be exercised after the expiration of five years from the time of the confirmation of this Order by Act of Parliament:

Definition of Lands Clauses Acts.

3. 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 Acts Amendment Act, 1860, the Railways Act (Ireland), 1851, the Railways Act (Ireland), 1860, the Railways Act (Ireland), 1864, the Railways Traverse Act, and the Public Health (Ireland) Act, 1874:

Short title of Order.

4. This Act may be cited for all purposes as the Tralee Waterworks Provisional Order, 1878.

Given under our hands and seal of office, this third day of April 1878.

(Signed) A. POWER.
R. M. BELLEW.
CHARLES CROKER-KING.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1878.