

[6 Edw. 7.] *Local Government Board (Ireland) [Ch. xxviii.]
Provisional Orders Confirmation (No. 1) Act, 1906.*



CHAPTER xxviii.

An Act to confirm certain Provisional Orders of the A.D. 1906.
Local Government Board for Ireland relating to the
Urban District of Sligo and the Counties of Kildare
and Limerick. —
[22nd June 1906.]

WHEREAS the Local Government Board for Ireland have
made the Provisional Order set forth in Schedule A. hereto
under the Public Health (Ireland) Act 1878 and the Provisional 41 & 42 Vict.
Orders set forth in Schedule B. hereto under the Local Government c. 52.
(Ireland) Act 1898 :

And whereas it is requisite that the said Orders should be
confirmed by Parliament :

Be it therefore enacted by the King'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 Schedules A. and B. hereto are Orders in
schedules
confirmed.
hereby confirmed and all the provisions thereof shall have full
validity and force.

2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Orders Confirmation (No. 1) Act 1906.

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SCHEDULES.

SCHEDULE A.

URBAN DISTRICT OF SLIGO.

Sligo.

Provisional Order for altering a Local Act.

WHEREAS the Mayor Aldermen and Burgesses of the Borough of Sligo (in this Order referred to as "the Corporation") are the urban sanitary authority for the urban sanitary district consisting of the said borough;

32 & 33 Vict.
c. cxlvii.

And whereas the Sligo Borough Improvement Act 1869 (in this Order referred to as "the local Act") is in force in the district;

And whereas the Corporation have made an application to the Local Government Board for a Provisional Order altering the provision contained in section 153 of the Local Act with respect to the making of rates retrospectively;

And whereas it appears to the Local Government Board expedient that the said provision should be altered:

41 & 42 Vict.
c. 52.

Now therefore We the Local Government Board in pursuance of the powers given to Us by section 205 of the Public Health (Ireland) Act 1878 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the Local Act shall be altered as follows that is to say:—

1. Section 153 of the Local Act shall have effect as if in that section for the words "incurred within six months before the making of the rate" there were substituted the words "already incurred."

2. The costs and expenses of the Corporation and the Local Government Board incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the Corporation as part of their expenses incurred in the execution of the Public Health (Ireland) Acts 1878 to 1896.

3. This Order may be cited as the Sligo Order 1906.

Given under our seal of office this Eighteenth day of April One thousand nine hundred and six.

(L.S.)

(Signed) T. J. STAFFORD.

SCHEDULE B.

A.D. 1906.

COUNTY OF KILDARE.

Provisional Order to transfer the business of the Drainage Board for the Connell Drainage District to the County Council of Kildare. Kildare.

WHEREAS the Connell Drainage District was constituted by a Provisional Order of the Commissioners of Public Works in Ireland dated the twenty-ninth day of March one thousand eight hundred and sixty-six and confirmed by the Drainage and Improvement of Lands Supplemental Act (Ireland) 1866 and the said district is wholly situated within the county of Kildare; 29 & 30 Vict. c. lxi.

And whereas it appears proper to Us the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") to make an Order transferring to the county council of Kildare the business arising in their county under the Drainage and Improvement of Land (Ireland) Acts 1863 to 1892 of the Drainage Board for the said district;

And whereas the Drainage Board have consented to the making of this Order:

Now therefore We the Local Government Board in pursuance of the powers given to Us by section 20 of the Local Government (Ireland) Act 1898 and of all other powers enabling Us in that behalf do hereby order that from and after the date of the Act confirming this Order the following provisions shall have effect:— 61 & 62 Vict. c. 37.

1. There shall be transferred to the county council of Kildare the business arising in their county under the Drainage and Improvement of Land (Ireland) Acts 1863 to 1892 of the Drainage Board for the Connell Drainage District.

2. The costs and expenses of the Local Government Board incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the county council and may be raised equally over the whole county.

3. This Order may be cited as the Connell Drainage Order 1906.

Given under our seal of office this Thirty-first day of March One thousand nine hundred and six.

(L.S.)

(Signed) T. J. STAFFORD.

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COUNTY OF LIMERICK.

Limerick. *Provisional Order to transfer the business of the Commissioners of the Great Munster Fair to the County Council of the County of Limerick.*

15 Vict. c. xi. WHEREAS the Commissioners of the Great Munster Fair (in this Order referred to as "the Commissioners") are a body corporate for the purpose of carrying into execution the Great Munster Fair Act 1852 (in this Order referred to as "the Act of 1852");

61 & 62 Vict. c. 37. And whereas the Commissioners have consented that We the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") should make an Order under section 20 of the Local Government (Ireland) Act 1898 (in this Order referred to as "the Act of 1898") for transferring to the county council of the county of Limerick (in this Order referred to as "the County Council") the business of the Commissioners arising in their county under the Act of 1852;

And whereas the business of the Commissioners under the Act of 1852 arises solely within the said county;

And whereas the exceptions and modifications made by this Order and the provisions contained therein for carrying into effect the said transfer appear to Us the Local Government Board to be necessary or expedient:

Now therefore We the Local Government Board in pursuance of the powers given to Us by section 20 of the Act of 1898 and of all other powers enabling Us in that behalf do hereby order that from and after the first of January nineteen hundred and seven the following provisions shall have effect:—

1. There shall be transferred to the County Council the business arising in their county of the Commissioners under the Act of 1852.

2. All property rights and liabilities of the Commissioners in connexion with the business hereby transferred shall pass to and vest in the County Council and Article 16 of the schedule to the Local Government (Application of Enactments) Order 1898 shall apply with the necessary modifications in like manner as if the business hereby transferred were powers and duties transferred by the Act of 1898 from another authority to the County Council and the County Council shall have full power to manage alter and enlarge and with the consent of the Local Government Board to alienate any land or buildings vested in them by virtue of this Order and subsection (4) of Article 15 of the said schedule shall apply in the case of a sale of any such land.

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3. The purposes for which the County Council may borrow in accordance with the provisions of Article 22 of the schedule to the Local Government (Application of Enactments) Order 1898 shall include the purposes of the Act of 1852 but subsection (2) of the said article shall not apply in the case of any loan borrowed for those purposes and the total outstanding amount of any loans borrowed for those purposes whether before or after the date of the commencement of this Order shall not exceed ten thousand pounds and subsection (7) of the said article shall extend to all loans outstanding at that date and all such loans shall be paid off within such period as may be fixed by the Local Government Board.

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4. The Local Government Board may if they think fit at any time on the application of the County Council by order to be published in such manner as the Board may direct vary the stallages rents and tolls specified in Schedule B. to the Act of 1852 annexed.

5. The enactments and orders providing for the audit of the accounts of County Councils shall apply in the case of the accounts relating to the business hereby transferred but those accounts shall be kept separate from all other accounts of the County Council and shall be made up in each year to the thirty-first of March and shall be separately audited by an auditor appointed by the Local Government Board for that purpose. The balance whether to debit or credit appearing on such audit shall be certified by the auditor and the amount thereof shall thereupon be transferred from or to the county fund as the case may require.

6. Notwithstanding anything in section 2 of the Act of 1852 sections forty-three to forty-nine of the Markets and Fairs Clauses Act 1847 shall not apply to byelaws made by the County Council for the purposes of the Great Munster Fair and sections two hundred and nineteen to two hundred and twenty-three of the Public Health (Ireland) Act 1878 shall apply in lieu thereof in the case of those byelaws in like manner as if they were made by a sanitary authority under the said Act of 1878.

10 & 11 Vict.
c. 14.

41 & 42 Vict.
c. 52.

7. The existing Secretary to the Commissioners shall be deemed to be an existing officer transferred to the County Council under section one hundred and fifteen of the Act of 1898.

8. The following enactments of the Act of 1852 shall be repealed namely Section 2 from the beginning of the section to "ratepayers and" section 3 sections 5 to 14 sections 17 to 26 sections 28 and 29 and sections 33 and 34.

9. Article 32 of the schedule to the Local Government (Application of Enactments) Order 1898 shall apply with the necessary modifications in any case where the Local Government Board act under the authority of this Order in like manner as if they were acting under the authority of the Local Government (Ireland) Act 1898.

61 & 62 Vict.
c. 37.

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10. The costs and expenses of the County Council and the Local Government Board incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the County Council and may be raised equally over the whole county.

11. This Order may be cited as the Great Munster Fair Order 1906.

Given under our seal of office this Eleventh day of April One thousand nine hundred and six.

(L.S.)

(Signed) H. A. ROBINSON.

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