

[43 & 44 VICT.] *Local Government Board (Ireland) [Ch. clxxi.]  
Provisional Orders Confirmation (Artizans and Labourers  
Dwellings and Public Health) Act, 1880.*



CHAPTER clxxi.

An Act to confirm a certain Provisional Order of the Local Government Board for Ireland made under the Artizans and Labourers Dwellings Improvement Act, 1875, relating to the city of Dublin; and a certain Provisional Order of the said Board made under the Public Health (Ireland) Act, 1878, relating to Waterworks in the city of Armagh. A.D. 1880.  
[26th August 1880.]

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the Schedule hereunto annexed, relative to the places above mentioned, under the provisions of the Artizans and Labourers Dwellings Improvement Acts, 1875 and 1879, and of the Public Health (Ireland) Act, 1878: 38 & 39 Vict.  
c. 36.  
42 & 43 Vict.  
c. 63.  
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 Pro-  
visional  
Orders in  
Schedule  
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (Artizans and Labourers Dwellings and Public Health) Act, 1880. Short title.

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SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

PROVISIONAL ORDER.

*Artizans and Labourers Dwellings Improvement Acts, 1875 and 1879.*

CITY OF DUBLIN.

PROVISIONAL ORDER for confirming an Improvement Scheme under the  
Artizans and Labourers Dwellings Improvement Acts, 1875 and 1879.

To the Lord Mayor, Aldermen, and Burgesses of the city of Dublin, in the  
county of Dublin, being the Urban Sanitary Authority for that city; and to  
all to whom it may concern :

WHEREAS the Artizans and Labourers Dwellings Improvement Act,  
1875, provides for the making of schemes for the improvement of any areas in  
urban sanitary districts in Ireland containing, according to the last published  
census for the time being, a population of 25,000 and upwards, which, in the  
opinion of the local authorities for such districts, are unhealthy areas within  
the meaning of that Act; and it provides that a local authority, on being  
satisfied by official representation, made in accordance with the provisions of  
that Act, of the unhealthiness of any such areas, shall pass a resolution to the  
effect that such area is an unhealthy area, and that an improvement scheme  
ought to be made in respect thereof, and shall, after passing such a resolution,  
forthwith proceed to make a scheme accordingly; and the said Act further  
provides that, in respect of each urban sanitary district, the Urban Sanitary  
Authority thereof shall be the local authority for the purposes of that Act :

And whereas the city of Dublin, in the county of Dublin, is an urban  
sanitary district containing, according to the last published census, a population  
of 25,000 and upwards, and the Lord Mayor, Aldermen, and Burgesses, acting  
by the Council, are the Urban Sanitary Authority of such district :

And whereas an official representation has been made to the said Urban  
Sanitary Authority, in accordance with the provisions of the said Act, setting  
forth that the houses, streets, lanes, rows, courts, and places within a certain  
area in the scheme herein-after mentioned, called "The Plunket Street Area,"  
are unfit for human habitation, and that diseases of a low type prevail therein,  
and have so prevailed for many years, and that such prevalence may reasonably  
be attributed to the bad condition and narrowness of the streets and houses  
within such area, to the want of proper air, and of conveniences, and that the

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sanitary defects in such area cannot be remedied otherwise than by an improvement scheme for the re-arrangement of the streets and courts of the entire area, and within the same :

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And whereas the said Urban Sanitary Authority, having taken such representation into their consideration, and being satisfied of the truth thereof, and of the sufficiency of their resources for effecting the objects thereby contemplated, have passed a resolution that the area therein specified is an unhealthy area, and that an improvement scheme ought to be made in respect thereof :

And whereas the said Urban Sanitary Authority, after the passing of the said resolution, made an improvement scheme in pursuance of the said Act, accompanied by estimates, maps, plans, and particulars :

And whereas the estimate of expense accompanying the said scheme is as follows :—

	£	s.	d.
Expenses in obtaining Provisional Order -	300	0	0
Preliminary expenses, including valuation of interests, and cost of arbitration -	1,000	0	0
Purchase of site -	11,200	0	0
Cost of construction of roads, sewers, &c. -	1,600	0	0
Clearing site -	300	0	0
Contingencies -	500	0	0
	<u>£14,900</u>	<u>0</u>	<u>0</u>
Estimated value of building ground of area when cleared -	5,770	0	0
Net cost -	<u>£9,130</u>	<u>0</u>	<u>0</u>

And whereas a Schedule was appended to the said scheme, which showed the names of the owners or reputed owners and the lessees or reputed lessees who have dissented in respect of taking their lands :

And whereas the said Urban Sanitary Authority, having complied with the provisions contained in section 6 of the above-recited Act with respect to the publication of advertisements and the service of notices, presented a petition to the Local Government Board for Ireland, who are in that Act referred to as the confirming authority, praying that an order might be made authorising such scheme, or any part thereof, to be carried into execution, and declaring the limits of the area to which the same relates, which petition was accompanied by a copy of the said scheme, and a statement of the owners or reputed owners and lessees or reputed lessees who had dissented in respect of the taking of their lands, and was supported by such evidence as the Local Government Board for Ireland required :

And whereas, on consideration of the petition and on proof of the publication of the proper advertisements and the service of the proper notices, the Local Government Board for Ireland thought fit to proceed with the case, and directed a local inquiry to be held in accordance with the provisions of section 6 of the said Act :

And whereas upon a local inquiry being directed, an inspector of the said

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And whereas before commencing such inquiry, the inspector made public by advertisement his intention to make such inquiry, and stated the time and place at which he would be prepared to hear all persons desirous of being heard upon the subject thereof, in accordance with the provisions of section 17 of the above recited Act:

And whereas report has been made upon such inquiry, and has been received by the Local Government Board for Ireland:

And whereas the said scheme is as follows:—

*Scheme made by the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin, acting by the Town Council, being the Local Authority for the Urban Sanitary District of Dublin, for the improvement of an unhealthy area called "The Plunket Street Area," within the said city.*

1. The Scheme may be cited the Dublin (Plunket Street Area) Improvement Scheme, 1879.

2. In this Scheme "the Corporation" means the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin; "the town clerk" and the "surveyor" mean respectively the town clerk and the surveyor of the city of Dublin; and "the plan" means the map or plan which accompanies this Scheme.

3. The unhealthy area included in this Scheme is the area delineated and indicated on the plan. A duplicate of the plan is deposited at the office of the town clerk. Copies of the plan or of any part or parts thereof, certified by the surveyor, shall be received in all courts of justice and elsewhere as evidence of the contents hereof respectively.

4. This Scheme comprises and will include in its operation the following streets and parts of streets, lanes, row, court, cottages, and places, viz.:—The entire of Plunket Street and the lands, houses, and buildings on either side thereof; the entire of Blackhall Row, and the lands, houses, and buildings on either side thereof; Binn's Court, and the lands, houses, and buildings therein; the lands, houses, and buildings called Burke's Cottages, at the rear of Plunket Street; the lands, houses, and buildings Nos. 9 to 24 inclusive, Hanover Lane, and the old disused schoolhouse, old disused dissenting chapel, and Widows' Almshouse in said Hanover Lane; the lands, houses, and buildings Nos. 48, 50, and 51, Back Lane; the lands, houses, and buildings Nos. 14, 15, and 20, Patrick Street; the lands, houses, and buildings Nos. 32 and 32½, Francis Street; and the land, house, and building No. 20, Nicholas Street, as delineated on the plan, and all situate in the parishes of St. Nicholas Without and St. Nicholas Within, in the city of Dublin.

5. The Corporation may take compulsorily, enter on, and deal with, for the purposes of this Scheme, all or any of the lands delineated on the plan.

6. The Corporation may widen existing approaches to and communications through the said unhealthy area, and they may lay out, form, sewer, pave, and

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complete such new streets, and may make all such alterations of level, diversions, or stoppings up as are shown on the plan, or as they may hereafter determine to be necessary and proper for opening out the said unhealthy area for the purposes of this scheme and of ventilation or health.

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7. The Corporation may from time to time appropriate any parts of the said area for the erection thereon of suitable dwellings for such of the working-class as shall be removed from the said area, and they shall provide either by such appropriation parts of the said area, and by securing the erection of suitable dwellings thereon, or in some other manner, for the accommodation of at least as many persons of the working class as will be from time to time displaced within the unhealthy area.

8. All dwelling-houses to be erected in accordance with this scheme shall be well and substantially built, and shall be so situated and constructed as to secure efficient ventilation, and shall be furnished with a proper and sufficient water supply, and with proper drainage and other sanitary appliances and apparatus to the satisfaction of the Corporation. And the Corporation shall enforce the execution and maintenance of all proper sanitary arrangements within the area shown on the plan.

9. The Corporation shall as soon as practicable after the passing of the Act confirming the Provisional Order authorising this scheme, or a modification thereof, proceed to carry the same into execution, but they may from time to time purchase and deal with part of the lands and premises within the area delineated without being required to purchase and deal with the whole of the lands and premises within the said area.

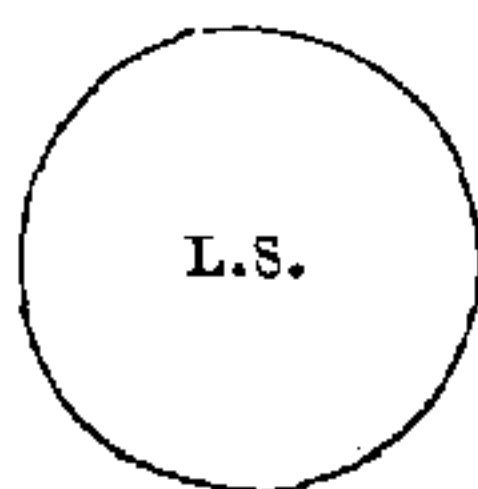
10. The expenses of the execution of this scheme or any modification thereof (so far as they are not defrayed out of receipts of the Corporation, pursuant to the Artizans and Labourers Dwellings Improvement Acts, 1875 and 1879), and the costs, charges, and expenses preliminary to and of and incidental to the preparation of this scheme, and the application for the Provisional Order confirming the same, and the obtaining the confirmation by Parliament of such Order, shall be paid by the Corporation out of the local rates, or out of moneys borrowed in pursuance of the said Acts.

Now, therefore, we, the Local Government Board for Ireland, in pursuance of the powers given by the statutes in that behalf, do hereby confirm the said scheme made by the Urban Sanitary Authority of the city of Dublin.

And we do hereby declare the limits of the area to which the said scheme relates to be the limits of the area described in paragraphs 3 and 4 of the said scheme.

And we do hereby authorise the said scheme to be carried into execution as soon as this Order shall have been confirmed by Act of Parliament.

Given under our hands and seal of office, this nineteenth day of June  
1880.



(Signed) HENRY ROBINSON.  
CHARLES CROKER-KING.  
GEORGE MORRIS.

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

*Armagh Waterworks.*

PROVISIONAL ORDER.

41 & 42 Vict.  
c. 52. ss. 61,  
202.  
Sect. 203.

WHEREAS the Town Commissioners of Armagh, elected and acting in pursuance of the provisions of the Act of the session of Parliament held in the ninth year of the reign of His late Majesty King George IV., chapter 82, are the sanitary authority of the urban sanitary district consisting of the said town, and are about to construct waterworks for the purpose of supplying the said district 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 (amongst other matters) that, as such sanitary authority, they may be allowed to put in force the powers and provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement, with respect to the lands and premises therein mentioned which are required for the purposes of the said works:

And whereas the said sanitary authority have deposited at the office of the Local Government Board for Ireland, in Dublin, a Plan and Book of Reference thereto (herein-after referred to as the deposited Plan and Book of Reference), showing the works intended to be executed as aforesaid, and the lands, easements, lands covered with water, and rights to take and convey water required for the said works:

And whereas all advertisements and notices required by the "Public Health (Ireland) Act, 1878," having been previously duly published, served, and given, the said 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 be proper to assent thereto, so far as said prayer relates to such purchase as aforesaid:

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

1. From and after the time of the confirmation of this Order by Parliament, the urban sanitary authority of the urban sanitary district consisting of the town of Armagh 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, right to take and convey water, and easements described in the said deposited Plans and Book of Reference.
2. In this Order the expression "Lands Clauses Acts" means and includes the "Lands Clauses Consolidation Act, 1845," as the same is amended by the "Lands Clauses Consolidation Acts Amendment Act, 1860;"

Compulsory  
powers to  
take lands,  
easements,  
and water.

Interpretation  
of "Lands  
Clauses Acts,"  
8 & 9 Vict. c.18,  
23 & 24 Vict.  
c. 106.

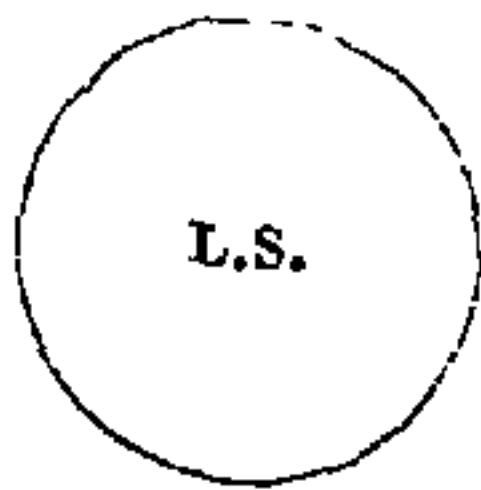
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the "Railways Act (Ireland), 1851;" the "Railways Act (Ireland), 1860;" and the "Railways Traverse Act." And the words "land" and "lands" in the said Acts shall, for the purposes of this Order, extend to and include messuages, buildings, lands, easements, and hereditaments of any tenure, and also land covered with water, and water, and right to take and convey water.

A.D. 1880.  
 14 & 15 Vict.  
 c. 70.  
 23 & 24 Vict.  
 c. 97.  
 27 & 28 Vict.  
 c. 71.  
 "Land."

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. Duration of powers.
4. This Order may be cited and referred to for all purposes as the "Armagh Waterworks Provisional Order, 1880." Short title of Order.

Given under our hands and seal of office, this twenty-ninth day of June, one thousand eight hundred and eighty.



(Signed) CHARLES CROKER-KING.  
 GEORGE MORRIS.