

[43 & 44 VICT.] *Local Government Board (Ireland)* [Ch. xl.]
Provisional Orders Confirmation (Banbridge, &c.) Act, 1880.



CHAPTER xl.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the towns of Banbridge, Monaghan, Thurles, and Trim, and to Waterworks in the town of Kinsale, and to the Skule Bog United District. A.D. 1880.
[9th July 1880.]

WHEREAS the Local Government Board for Ireland have, as regards the places herein mentioned, 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 (Banbridge, &c.) Act, 1880. Short title.

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SCHEDULE.

BANBRIDGE—Order.
MONAGHAN—Order.
THURLES—Order.
TRIM—Order.
KINSALE—Waterworks Order.
SKULE BOG UNITED DISTRICT—Order.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.
TOWN OF BANBRIDGE.

Provisional Order.

17 & 18 Vict.
c. 103. WHEREAS there are in the town of Banbridge, in the County Down,
Town Commissioners elected under the Towns Improvement (Ireland) Act,
1854:

41 & 42 Vict.
c. 52, sec. 7. And whereas the number of the inhabitants of the said town being less than
six thousand, the said Commissioners have presented a petition to the Local
Government Board for Ireland, in pursuance of the provisions of the 7th section
of the Public Health (Ireland) Act, 1878, praying for a Provisional Order to
separate the said town from the rural sanitary district consisting of the
Banbridge Poor Law Union, wherein the said town is situate, and to constitute
the said town an urban sanitary district:

And whereas public notice of the purport of the said proposed Order having
been duly given by advertisements in the manner provided by the said Public
Health (Ireland) Act, 1878, no objection has been made to the proposed
Order, and the Board of Guardians of the said Banbridge Union have passed
a resolution approving of the said proposed Order:

And whereas the Local Government Board for Ireland have inquired into
and considered the matter of the said petition, and it appears to the said Board
to be proper to comply with the prayer thereof:

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

Constitutes the
town of
Banbridge an
urban sanitary
district.

1. From and after the time when this Order shall be confirmed by Act of
Parliament, the said town of Banbridge shall be separated from the
rural sanitary district consisting of the Banbridge Poor Law Union,
and the said town of Banbridge shall constitute an urban sanitary district,
subject to all the provisions of the Public Health (Ireland) Act, 1878,
affecting urban sanitary districts.
2. This Order may be cited and referred to for all purposes as the Town
of Banbridge Provisional Order, 1880.

Short title
of Order.

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

(L.S.) (Signed) HENRY ROBINSON.
CHARLES CROKER-KING.

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

TOWN OF MONAGHAN.

Provisional Order.

WHEREAS there are in the town of Monaghan, in the county of Monaghan, Town Commissioners elected under the provisions of the Act of 9th George 4th, chapter 82: 9 Geo. 4. c. 82.

And whereas the number of the inhabitants of the said town being less than six thousand, the said Commissioners have presented a petition to the Local Government Board for Ireland, in pursuance of the provisions of the 7th section of the Public Health (Ireland) Act, 1878, praying for a Provisional Order to separate the said town from the rural sanitary district consisting of the Monaghan Poor Law Union, wherein the said town is situate, and to constitute the said town an urban sanitary district: 41 & 42 Vict.
c. 52. sec. 7.

And whereas the guardians of the poor of the said union have also presented a like petition to the Local Government Board for Ireland, praying for the same Order:

And whereas public notice of the purport of the proposed Order having been duly given by advertisement, in the manner provided by the said Public Health (Ireland) Act, 1878, no objection to the proposed Order has been made:

And whereas the Local Government Board for Ireland have inquired into and considered the matter of the said petitions, and it appears to the said Board to be proper to comply with the prayers thereof:

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 said town of Monaghan shall be separated from the rural sanitary district consisting of the Monaghan Poor Law Union, and thenceforth the said town of Monaghan shall constitute an urban sanitary district, subject to all the provisions of the Acts constituting the urban sanitary authority of such urban sanitary district, and to all the provisions of the Public Health (Ireland) Act, 1878, affecting urban sanitary districts. Constitutes
Monaghan an
urban sanitary
district.
2. This Order may be cited and referred to for all purposes as the Town of Monaghan Provisional Order, 1879. Short title of
Order.

Given under our hands and seal of office, this fifteenth day of July,
one thousand eight hundred and seventy-nine.

(L.S.) (Signed) HENRY ROBINSON.
CHARLES CROKER-KING.

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A.D. 1880.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF THURLES.

Provisional Order.

17 & 18 Vict.
c. 103.

WHEREAS there are in the town of Thurles, in the north riding of the county of Tipperary, Town Commissioners elected under the Towns Improvement (Ireland) Act, 1854 :

41 & 42 Vict.
c. 52. sec. 7.

And whereas the number of the inhabitants of the said town being less than six thousand, the said Commissioners have presented a petition to the Local Government Board for Ireland, in pursuance of the provisions of the 7th section of the Public Health (Ireland) Act, 1878, praying for a Provisional Order to separate the said town from the rural sanitary district consisting of the Thurles Poor Law Union, wherein the said town is situate, and to constitute the said town an urban sanitary district :

And whereas public notice of the purport of the proposed Order having been duly given by advertisement in the manner proposed by the said Public Health (Ireland) Act, 1878, no objection to the proposed Order has been made, and the guardians of the poor of the Thurles Union have approved of the said proposed Order :

And whereas the Local Government Board for Ireland have inquired into and considered the matter of the said petition, and it appears to the said Board to be proper to comply with the prayer thereof :

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

Constitutes
Thurles an
urban sanitary
district.

1. From and after the time when this Order shall be confirmed by Act of Parliament, the said town of Thurles shall be separated from the rural sanitary district consisting of the Thurles Poor Law Union, and thenceforth the said town of Thurles shall constitute an urban sanitary district, subject to all the provisions of the Acts constituting the urban sanitary authority of such urban sanitary district, and to all the provisions of the Public Health (Ireland) Act, 1878, affecting urban sanitary districts.

Short title of
Order.

2. This Order may be cited and referred to for all purposes as the Town of Thurles Provisional Order, 1879.

Given under our hands and seal of office, this twenty-third day of May, one thousand eight hundred and seventy-nine.

(Signed) HENRY ROBINSON.

(L.S.)

CHARLES CROKER-KING.

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

TOWN OF TRIM.

Provisional Order.

WHEREAS there are in the town of Trim, in the county of Meath, Town Commissioners elected under the Towns Improvement (Ireland) Act, 1854:

17 & 18 Vict.
c. 103.

And whereas the number of the inhabitants of the said town being less than six thousand, the said Commissioners have presented a petition to the Local Government Board for Ireland, in pursuance of the provisions of the 7th section of the Public Health (Ireland) Act, 1878, praying for a Provisional Order to separate the said town from the rural sanitary district consisting of the Trim Poor Law Union, wherein the said town is situate, and to constitute the said town an urban sanitary district:

41 & 42 Vict.
c. 52. sec. 7.

And whereas public notice of the purport of the proposed Order having been duly given by advertisement in the manner provided by the said Public Health (Ireland) Act, 1878, no objection to the proposed Order has been made, and the Guardians of the Poor of the Trim Union have approved of the said proposed Order:

And whereas the Local Government Board for Ireland have inquired into and considered the matter of the said petition, and it appears to the said Board to be proper to comply with the prayer thereof:

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 said town of Trim shall be separated from the rural sanitary district consisting of the Trim Poor Law Union, and thenceforth the said town of Trim shall constitute an urban sanitary district, subject to all the provisions of the Acts constituting the urban sanitary authority of such urban sanitary district, and to all the provisions of the Public Health (Ireland) Act, 1878, affecting urban sanitary districts.

Constitutes
Trim an urban
sanitary
district.

2. This Order may be cited and referred to for all purposes as the Town of Trim Provisional Order, 1879.

Short title
of Order.

Given under our hand and seal of office, this fourteenth day of July,
one thousand eight hundred and seventy-nine.

(Signed) HENRY ROBINSON.

(L.S.)

CHARLES CROKER-KING.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

KINSALE WATERWORKS.

Provisional Order.

WHEREAS the Town Commissioners, under the Towns Improvement (Ireland) Act, 1854, of Kinsale, being the sanitary authority of the urban sanitary district, consisting of the said town, and being about to construct waterworks for the purpose of supplying the said district with water for drinking and

17 & 18 Vict.
c. 103.

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41 & 42 Vict.
c. 52., secs. 61
and 202.
Sec. 203.

domestic purposes, have presented a petition to the Local Government Board for Ireland, in pursuance of the provisions 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, for the purposes of the said works, and have deposited, at the office of the Local Government Board for Ireland in Dublin, a plan and schedule referring thereto (herein-after referred to as the deposited plan and schedule), showing the works intended to be executed, and the lands, easements, lands covered with water, water, and rights to take and convey water required for the purposes aforesaid:

And whereas all advertisements and notices required by the Public Health (Ireland) Act, 1878, having been previously 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 the said Board to be proper to assent thereto:

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

Compulsory
power to take
lands, ease-
ments, and
water.

1. From and after the time of the confirmation of this Order by Parliament, the urban sanitary authority of the sanitary district consisting or the town of Kinsale 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, easements, land covered with water, water, and rights to take and convey water, described and shown in the said deposited plan and schedule.

Interpretation
clause, 8 & 9
Vict. c. 18.;
23 & 24 Vict.
c. 106; 14 & 15
Vict. c. 70;
23 & 24 Vict.
c. 97; 27 & 28
Vict. c. 77;
31 & 32 Vict.
c. 70.

2. 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, and the Railways Traverse Act; and the words "land" and "lands" in the said Act 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 rights to take or convey water.

Duration of
Order.

3. The powers of compulsory purchase granted 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 Kinsale Waterworks Provisional Order, 1880.

Given under our hands and seal of office, this seventeenth day of February, one thousand eight hundred and eighty.

(Signed) HENRY ROBINSON.

(L.S.)

CHARLES CROKER-KING.

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THE LOCAL GOVERNMENT BOARD FOR IRELAND.

A.D. 1880.

SKULE BOG UNITED DISTRICT.

Provisional Order.

WHEREAS an application has been made to the Local Government Board for Ireland by the Guardians of the Poor of the Croom Union, and by the Guardians of the Poor of the Limerick Union, in pursuance of the Public Health (Ireland) Act, 1878, section 12, to form a united district to consist of the townlands herein-after mentioned, situated partly in the rural sanitary district consisting of the Croom Union, and partly in the rural sanitary district consisting of the Limerick Union, for the purposes herein-after mentioned:

41 & 42 Vict.
c. 52. sec. 12.

And whereas all notices and advertisements required by the said Act having been duly served, given, and published, and due inquiry held, it appears to the Local Government Board for Ireland that it will be for the advantage of the rural sanitary districts, consisting respectively of the said Croom Union and the said Limerick Union, and of the proposed united district, to form the said united district, in the manner herein-after stated:

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

1. From and after the confirmation of this Order by Parliament, a united district shall be formed, and thenceforth shall consist of the townlands of Carnane, Cloghadoolarty North, Cloghadoolarty South, and Enaghroe (parts of the rural sanitary district consisting of the Croom Union), and of the townland of Arywee (part of the rural sanitary district consisting of the Limerick Union). Such united district shall be formed for the purposes herein-after mentioned.
2. The governing body of the said united district shall be a joint board, consisting of four ex-officio members, and of four elective members. The ex-officio members shall be the elected Guardians of the Poor for the time being representing the electoral divisions of Fedamore, Rathmore, and Grange, in the Croom Poor Law Union, and the electoral division of Ballybricken, in the Limerick Poor Law Union. The joint board shall be a body corporate, having the name of "The Skule Bog Drainage District Board," and having perpetual succession and a common seal, with power to acquire and hold lands, for the purposes of its constitution, without any license in mortmain.
3. The purposes for which such united district shall be formed are as follows:—making and maintaining main sewers, and carrying into effect and maintaining a system of sewerage and drainage for sanitary purposes of the united district. The joint board shall, for the purposes aforesaid, and with respect to such united district, be authorised to exercise and perform, and shall be subject to all powers, rights, duties,

Formation of
united district,
41 & 42 Vict.
c. 52. s. 12.

Governing
body of united
district,
41 & 42 Vict.
c. 52. s. 13.

Purposes of
formation of
united district.
Powers, duties,
&c. of joint
board,
41 & 42 Vict.
c. 52. s. 14.

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Qualification and mode of election of elected members of joint board, 41 & 42 Vict. c. 52. sec. 14.

First election of elected members.

Annual elections of elected members.

Mode of election of elected members of joint board.

Continuance in office of elected members of joint board.

Filling casual vacancies.

Meetings of the joint board.

Appointment of chairman and vice-chairman.

Casual vacancy in office of chairman and vice-chairman.
Transaction of business by joint board.

capacities, liabilities, and obligations, which any sanitary authority is (by the said Act) authorised to exercise or perform, or is subject to, with respect to the sanitary district of such sanitary authority.

4. The elective members of the joint board shall be four persons, each of whom shall be a justice of the peace for the county of Limerick, and resident within one or more of the Poor Law Unions of Croom, or of Limerick, and acting as an ex-officio Guardian of one of the said Unions. Two of the elective members of the joint board shall be elected by the Guardians of the Poor of the Limerick Union, and two by the Guardians of the Poor of Croom Union.

The first election of elective members of the joint board by each of the said boards of guardians shall take place at a meeting of the board of guardians to be held within one month after the confirmation of this Order by Parliament. Subsequent elections of elective members of the joint board by each of the said boards of guardians respectively shall take place at the meeting of the board of guardians which shall occur on or after the 8th of April in each year.

The mode of election of elective members of the joint board shall be in all respects that prescribed by the general regulations of the Poor Law Commissioners of the 19th January, 1852, for the appointment of officers.

Each elective member of the joint board shall continue in office until the next annual election of elective members of the joint board following his election, unless a casual vacancy in his office shall previously take place.

Casual vacancies in the office of elective members of the joint board shall be filled, as follows:—The board of guardians who shall have elected the member of the joint board whose office shall thus have become vacant, shall at some meeting to take place not later than twenty-one days after the occurrence of such vacancy, elect a person duly qualified to be an elective member of the board to fill such vacancy. Such election shall be conducted in all respects in the same manner as annual elections of elective members of the joint board.

The first meeting of the joint board in each year shall take place on the first Saturday which shall take place next after the first elected members of the joint board shall have been all elected. The joint board shall afterwards meet once at least in every month on some day to be fixed at the last preceding meeting, or if no such day be fixed, then on the first Saturday in each month. The joint board shall at their first meeting, and at each meeting which shall in each year first occur next after the election of elective members of the joint board, appoint one of the members of the joint board to be chairman, and another member to be vice-chairman of the joint board. Such chairman and vice-chairman shall hold office after his appointment until he dies, or resigns, or ceases to be a member of the joint board, or until the time arrives for the next annual appointment of a chairman or vice-chairman, whichever time shall first happen. In the event of a casual vacancy in the office of chairman or of vice-chairman, the joint board shall, at their next meeting after such vacancy shall have taken place, elect some member of the joint board to fill such vacancy. Business shall be transacted at meetings of the joint board in

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the same manner in all respects as is prescribed for meetings of Boards of Guardians of the Poor. A.D. 1880.

5. This Order may be cited and referred to for all purposes as the Skule Bog United District Provisional Order, 1880. Short title
of Order.

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

(L.S.) (Signed) HENRY ROBINSON.
CHARLES CROKER-KING.

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Printers to the Queen's most Excellent Majesty. 1880.

