

[55 & 56 VICT.] *Local Government Board (Ireland)* [Ch. lxxv.]  
*Provisional Orders Confirmation (No. 6) Act, 1892.*



### CHAPTER lxxv.

An Act to confirm two Provisional Orders made by the Local Government Board for Ireland under the Public Health (Ireland) Act, 1878, relating to the towns of Dundalk and Bangor. A.D. 1892.  
[20th June 1892.]

**W**HEREAS the Local Government Board for Ireland have made the Provisional Orders 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 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 hereto shall be and the same are hereby confirmed, and shall be construed as part of this Act, and all the provisions thereof shall have full validity and force. Orders in  
schedule  
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 6) Act, 1892. Short title.

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**SCHEDULE.**

**THE LOCAL GOVERNMENT BOARD FOR IRELAND.**

A.D. 1892.

*Dundalk.*

**DUNDALK BURIAL GROUND.**

**PROVISIONAL ORDER.**

54 & 55 Vict.  
c. cl.

WHEREAS by the Dundalk Joint Burial Board Provisional Order, 1891, confirmed by Parliament by the Local Government Board (Ireland) Provisional Order Confirmation (No. 5) Act, 1891, the urban sanitary district of Dundalk and the part of the rural sanitary district of Dundalk consisting of the electoral division of Dundalk were formed into a united district for the purpose of providing a new burial ground and of acquiring land therefor, and "the Dundalk Joint Burial Board" (herein-after called the Burial Board) was incorporated for the purposes aforesaid :

41 & 42 Vict.  
c. 52.

And whereas the Burial Board 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 aforesaid :

And whereas the Burial Board have deposited in 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 lands and premises proposed to be taken :

And whereas no part of the said lands and premises is situated in any urban sanitary district :

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 be proper to assent thereto :

It is ordered by the Local Government Board as follows :—

Compulsory  
powers to take  
land.

1. From and after the confirmation of this Order by Parliament, the Burial Board 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 and premises described and shown in the deposited plans and book of reference.

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| <p>2. No part of the said lands or premises shall be appropriated as a burial ground nearer than one hundred yards to any dwelling-house without the consent in writing of the owner, lessee, and occupier of such dwelling-house, nor shall any part of such new burial ground be made within three hundred yards of any house of the annual value of fifty pounds existing at the date of the confirmation of this Order, or of any garden or pleasure ground occupied therewith, except with the consent of the owner, lessee, and occupier of such house.</p> | <p>A.D. 1892.<br/> <i>Dundalk.</i><br/>         Provisions as to dwelling-houses.</p> |
| <p>3. 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.</p>   | <p>Duration of compulsory powers.</p>   |
| <p>4. All costs and expenses incurred by the Local Government Board and the Burial Board in relation to the application for, preparation and confirming of this Order, and also all expenses and costs to be incurred by the Burial Board in carrying out this Order, shall be paid by the Burial Board out of the common fund contributed in the manner provided by clause eleven of the Dundalk Joint Burial Board Provisional Order 1891.</p>  | <p>Costs and expenses of Order.</p>   |
| <p>5. This Order may be cited and referred to for all purposes as the Dundalk Burial Ground Provisional Order 1892.</p>   | <p>Short title of Order.</p>  |

Given under our hands and seal of office this twenty-ninth day of April, in the year of our Lord, one thousand eight hundred and ninety-two.

(Signed) GEORGE MORRIS.  
 H. A. ROBINSON.

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BANGOR ADDITIONAL WATERWORKS.

*Bangor.*

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Bangor, in the county Down (herein-after called the Sanitary Authority), are the urban sanitary authority of the urban sanitary district consisting of the said town :

And whereas by the Bangor Waterworks and Improvement of Streets Provisional Order, 1890; confirmed by the Local Government Board (Ireland) Provisional Order Confirmation (Bangor) Act, 1890, the Sanitary Authority were 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 certain lands and premises required for the construction of certain works for the purpose of supplying the said sanitary district with water for drinking and domestic purposes, consisting of a new storage reservoir in addition to the waterworks already constructed for the said district :

53 & 54 Vict.  
 c. lxxxvii.

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Bangor.

And whereas the Sanitary Authority have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board), stating that the new storage reservoir so proposed to be constructed was quite inadequate to meet the growing wants of the people of the said town, and that they had decided to abandon the scheme for the construction of the then proposed storage reservoir, and to apply for a new order empowering them to make a more extensive additional storage reservoir instead thereof, and praying that they may be allowed to abandon their rights under the said Provisional Order as to the compulsory taking of lands, and that they may be allowed, with reference to the lands, water, rights, easements, and premises in the said petition mentioned, to put in force the powers of the Lands Clauses Acts, with respect to the purchase and taking of lands otherwise than by agreement:

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 new storage reservoir and works connected therewith now proposed to be constructed and executed, and the lands, easements, lands covered with water, and rights to take and convey water required for the purpose of the said storage reservoir and 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:

And whereas no part of the lands and premises so proposed to be taken and shown and described is within any urban sanitary district.

It is ordered by the Local Government Board as follows:—

Cesser of  
compulsory  
powers under  
the Provisional  
Order of 1890.

1. From and after the confirmation of this Order by Parliament, all powers of compulsory purchase of lands and premises given to the Sanitary Authority by the Bangor Waterworks and Improvement of Streets Provisional Order, 1890, for the purpose of constructing the additional waterworks therein mentioned, shall cease; and the Sanitary Authority shall be authorised to abandon the construction of the new storage reservoir so proposed to be constructed; and 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, buildings, easements, lands covered with water, and rights to take and convey water described in the deposited plans and book of reference.

Compulsory  
powers for the  
purpose of the  
new storage  
reservoir.

Interpretation  
of terms.

2. The words "land" and "lands" in the Lands Clauses Acts shall for the purposes of this Order extend to and include lands, buildings, easements, lands covered with water, and rights to take and convey water.

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3. The compulsory powers of purchasing and taking lands given by this Order shall not be exercised after the expiration of three years from the confirmation of this Order. Bangor.  
Duration of compulsory powers.
4. All costs, charges, and expenses of and incidental to the application for, preparation of, obtaining, and confirming this Order, and otherwise incurred in relation thereto, shall be paid by the Sanitary Authority. Costs of Order.
5. This order may be cited and referred to for all purposes as the Bangor Waterworks Provisional Order, 1892. Short title of Order.

Given under our hands and seal of office, this twenty-ninth day of April, in the year of our Lord, one thousand eight hundred and ninety-two.

(Signed)      GEORGE MORRIS.  
   H. A. ROBINSON.

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