



CHAPTER lxiii.

An Act to confirm two Provisional Orders made by the Local Government Board for Ireland under the Housing of the Working Classes Act 1890 and the Public Health (Ireland) Act 1878 relating to the Urban Sanitary District of the Township of Blackrock. [27th June 1895.] A.D. 1895.

WHEREAS the Local Government Board for Ireland have made the Provisional Orders set forth in the schedule hereto under the Housing of the Working Classes Act 1890 and the Public Health (Ireland) Act 1878 :

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 are hereby confirmed 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. 3) Act, 1895. Short title.

[Ch. lxiii.] *Local Government Board (Ireland) [58 & 59 VICT.]
Provisional Orders Confirmation (No. 3) Act, 1895.*

A.D. 1895.

SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Blackrock.

TOWNSHIP OF BLACKROCK.

PROVISIONAL ORDER

*Confirming an Improvement Scheme under Part I. of the Housing
of the Working Classes Act 1890.*

To the Blackrock Township Commissioners acting as an Urban Sanitary
Authority and to all others whom it may concern.

41 & 42 Vict.
c. 52.

26 & 27 Vict.
c. cxxi.

53 & 54 Vict.
c. 70.

WHEREAS the township of Blackrock in the county Dublin is an urban
sanitary district for the purposes of the Public Health (Ireland) Act 1878 and
the Blackrock Township Commissioners (constituted a corporation by section
eleven of the Blackrock Township Act 1863) are the urban sanitary authority of
the district and the local authority under the Housing of the Working Classes
Act 1890:

53 & 54 Vict.
c. 70.

And whereas an official representation for the purposes of Part I. of the
Housing of the Working Classes Act 1890 has been made to the local authority
with reference to the area in the said district included between Harris's Court
Mooney's Court and the intervening part of Temple Road and the local authority
have taken such representation into their consideration and being satisfied of the
truth thereof and of the sufficiency of their resources have passed 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 have made the following scheme for the
improvement of the area :—

HARRIS'S AND MOONEY'S AREA.

IMPROVEMENT SCHEME.

Housing of the Working Classes Act 1890 Part I.

Scheme for the improvement of Harris's and Mooney's Courts (in the town of
Blackrock) unhealthy area pursuant to resolution of local authority dated
14th day of November 1894.

It is proposed to take the entire area by compulsory purchase and to clear it
of the buildings which are thereon.

[58 & 59 VICT.] *Local Government Board (Ireland) [Ch. lxiii.]*
Provisional Orders Confirmation (No. 3) Act, 1895.

The details are shown upon maps or plans accompanying this scheme and numbered one. A.D. 1895.

Dated this 16th day of November 1894.

Blackrock.

(Signed) JAMES J. KOUGH
Engineer and Surveyor to the Blackrock
Township Commissioners.

Estimated Cost of Purchase Clearing &c.

I estimate the cost of this scheme including purchase of property clearing same &c. at 1,200*l.*

Dated this 16th day of November 1894.

(Signed) JAMES J. KOUGH
Engineer and Surveyor to Blackrock Township
Commissioners Town Hall Blackrock.

And whereas the plans mentioned in the scheme with a book of reference have been deposited in the office of the Local Government Board for Ireland (herein-after called the Local Government Board) in Dublin and are herein-after referred to as the deposited plans and book of reference :

And whereas the local authority have presented a petition to the Local Government Board praying that an order may be made confirming the said scheme :

And whereas on consideration of the petition and on proof of the service of the proper notices and publication of the proper advertisements the Local Government Board caused a local inquiry to be held and a report has been made of the result thereof in pursuance of section nineteen of the Housing of the Working Classes Act 1890 :

53 & 54 Vict.
c. 70.

Now we the Local Government Board in exercise of the powers given to us by and subject to the provisions of the Housing of the Working Classes Act 1890 do hereby order as follows :—

53 & 54 Vict.
c. 70.

1. We confirm the said scheme with the modifications herein-after mentioned and we declare that the limits of the area comprised in the scheme are the boundaries of the lands and area comprised in the scheme and in the deposited plans and book of reference and we authorise the scheme to be carried into execution. Confirmation of improvement scheme.
2. For the purpose of carrying the scheme into execution the local 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 and premises described in the deposited plans and book of reference. Compulsory powers of taking land,
3. The local authority shall not in the execution of the said scheme without the consent of the Local Government Board purchase or acquire ten or more houses which after the passing of the Act confirming this Order have been or on the fifteenth day of December last were occupied either Provision for the protection of houses occupied by persons of the labouring class.

[Ch. lxiii.] *Local Government Board (Ireland) [58 & 59 VICT.]
Provisional Orders Confirmation (No. 3) Act, 1895.*

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wholly or partially by persons belonging to the labouring classes as tenants or lodgers unless and until—

- (1.) They have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case and until they have given security to the Local Government Board for the carrying out of the scheme.
- (2.) The approval of the Local Government Board to any such scheme may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may approve either absolutely or conditionally of any modifications in the scheme.
- (3.) Every such scheme shall contain provisions prescribing the time within which it is to be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed and fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced. Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may deem fit.
- (4.) Any provisions of any such scheme and any conditions subject to which the Local Government Board may have approved of any such scheme or of any modifications thereof or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the Local Government Board out of the High Court.
- (5.) If the local authority acquire or appropriate any house for the purpose of this scheme in contravention of the foregoing provisions or displace or cause to be displaced persons residing in any house in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the consolidated fund of the United Kingdom. Provided that the Court may if it think fit reduce the said penalty.
- (6.) Subject to the provisions of the scheme the local authority and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this Order all or any of the powers vested in them under the Public Health (Ireland) Act 1878 in the same manner in every respect as if the preparation and carrying into effect of such scheme

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were one of the general purposes of that Act. Provided that all lands on which any buildings are erected by the local authority in pursuance of any scheme under this Order shall for a period of twenty-five years from the passing of the Act confirming this Order be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this provision. Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may deem fit.

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- (7.) The local authority shall if required by the Local Government Board pay to the said Board a sum to be fixed by the Board in respect of the preparation and issue of any order made in pursuance of this section of this Order and of any expenses incurred by the Board in relation to any inquiries under this Order including the expenses of any witness summoned by the inspector holding the inquiry and a sum to be fixed by the Local Government Board not exceeding three guineas a day for the services of such inspector.
- (8.) For the purposes of this Order the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.
4. 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 thereof. Duration of compulsory powers.
5. The costs charges and expenses of the local authority and of the Local Government Board of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the local authority as part of their expenses under the Public Health (Ireland) Act 1878. Costs of Order.
41 & 42 Vict. c. 52.
6. This Order may be cited as the Blackrock Township Provisional Order 1895 No. 1. Short title of Order.

Given under our Hands and Seal of Office this eighteenth day of April in the year of our Lord One thousand eight hundred and ninety-five.

(L.S.)

(Signed)

GEORGE MORRIS.
 F. MACCABE.
 H. A. ROBINSON.

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Provisional Orders Confirmation (No. 3) Act, 1895.*

A.D. 1895.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

Blackrock.

TOWNSHIP OF BLACKROCK.

PROVISIONAL ORDER.

WHEREAS the Blackrock Township Commissioners (herein-after called the sanitary authority) are constituted a corporation by section eleven of the Blackrock Township Act 1863 and are the urban sanitary authority of the said township and the local authority for the purposes of Part III. of the Housing of the Working Classes Act 1890 which has been adopted therein :

And whereas the sanitary authority are about to widen and improve the main street of the town of Blackrock and to carry into execution Part III. of the Housing of the Working Classes Act 1890 and have presented a petition to the Local Government Board for Ireland (herein-after called the Local Government Board) 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 of the said works :

And whereas the sanitary authority have deposited at the office of the Local Government Board in Dublin a plan and book of reference (herein-after called the plan and book of reference number two) showing the lands and premises required for widening the said street and a plan and book of reference (herein-after called the plan and book of reference number three) showing the lands and premises required for the purpose of carrying into execution Part III. of the Housing of the Working Classes Act 1890 :

And whereas all advertisements and notices in that behalf required having been previously published served and given the Local Government Board have caused a local inquiry to be held 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 :

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

1. From and after the confirmation of this Order by Parliament 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 and premises described in the plan and book of reference number two and to use the said lands and premises for the purpose of widening and otherwise improving the main street in the urban sanitary district and the urban sanitary authority acting as the local authority in pursuance of Part III. of the Housing of the Working Classes Act 1890 shall be empowered to put in force the said powers of the Lands Clauses Acts with reference to the lands and premises described in the plan and book of reference number three.

26 & 27 Vict.
c. cxxi.

53 & 54 Vict.
c. 70.

53 & 54 Vict.
c. 70.

53 & 54 Vict.
c. 70.

Compulsory
power to take
and purchase
lands.

53 & 54 Vict.
c. 70.

[58 & 59 VICT.] *Local Government Board (Ireland)* [Ch. lxiii.]
Provisional Orders Confirmation (No. 3) Act, 1895.

2. The sanitary authority shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or (except with the consent of the Local Government Board) ten or more houses which were not so occupied on the fifteenth day of December last but have been or shall be subsequently so occupied. A.D. 1895.
Blackrock.
 Provision for houses of persons of the working classes.

For the purposes of this Order the expression "labouring class" includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

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. Duration of compulsory powers.
4. The costs charges and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for preparing obtaining and confirming this Order shall be paid by the sanitary authority as part of their expenses under the Public Health (Ireland) Act 1878. Costs and expenses of Order.
 41 & 42 Vict. c. 52.
5. This Order may be cited as the Blackrock (No. 2) Provisional Order 1895. Short title of Order.

Given under our Hands and Seal of Office this Eighteenth day of April in the year of our Lord One thousand eight hundred and ninety-five.

(L.S.)

(Signed)

GEORGE MORRIS.
 F. MACCABE.
 H. A. ROBINSON.

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