SERVICE

CHAPTER ci.

An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the City of Dublin the Urban Districts of Ballymena and Larne and the Rural District of Tralee. [4th August 1920.] A.D. 1920.

WHEREAS the Local Government Board for Ireland (hereinafter referred to as "the Local Government Board") have made the Provisional Orders set out in Schedules A B and C hereto under the Public Health (Ireland) Acts 1878 to 1919 and the Provisional Order set out in Schedule D hereto under the Gas and Water Works Facilities Act 1870 the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and the Public Health (Ireland) Act 1878:

And whereas it is requisite that the said Orders should be confirmed by Parliament and that the provisions herein contained should be enacted with reference to those Orders:

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:—

Orders in schedules confirmed.

1. The Orders set out in the schedules hereto are hereby confirmed and all the provisions thereof shall have full validity and force.

Restriction of power to take houses of working class.

2. The urban authorities mentioned in the Orders relating respectively to Dublin and Larne and hereby confirmed shall not under the powers of those Orders purchase or acquire in any urban district any house which on the fifteenth day of December last was occupied either wholly or partially by thirty

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or more persons belonging to the working class as tenants or lodgers or except with the consent of the Local Government Board any house which was not so occupied on the said fifteenth day of December but has been or shall be subsequently so occupied.

If either of the said authorities acquire or appropriate any house or houses for the purposes of the said Order in contravention of the foregoing provisions 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 such penalty.

For the purposes of this section the expression "house" means any house or part of a house occupied as a separate dwelling and the expression "working class" means 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 of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Local Government Board (Ireland) Provisional Orders Confirmation (No. 2) Act 1920.

SCHEDULES.

A.D. 1920.

SCHEDULE A.

CITY OF DUBLIN.

Provisional Order to enable the Corporation of Dublin to put in force the Compulsory Clauses of the Lands Clauses Acts. *Dublin.*

WHEREAS the Right Honourable the Lord Mayor Aldermen and Burgesses of Dublin acting by the town council (in this Order referred to as "the Corporation") as the urban sanitary authority for the City of Dublin require to purchase and take the lands described in the schedule hereto for the purpose of widening and improving a street known as Chancery Street:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 of the Public Health (Ireland) Act 1878 and by any other power 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 namely:— 41 & 42 Vict. c. 52.

1. The Corporation shall be empowered to put in force with reference to the lands described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of lands otherwise than by agreement or any of them. 59 & 60 Vict. c. 54.

2. The costs and expenses of the Corporation and of the Local Government Board for Ireland 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 under the Public Health (Ireland) Acts 1878 to 1919.

3. This Order may be cited as the Dublin (Chancery Street) Order 1920.

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Dublin.

SCHEDULE.

Parish of St. Michan and City of Dublin.

Reference to deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Plot of ground and ruins known as numbers 16 and 17 Chancery Street containing 23 sq. yds.	Trustees of Chamberlain Estate.	Christopher Verdon.	—
2	Plot of ground and temporary structure thereon known as number 15 Chancery Street containing 24 sq. yds.	Captain C. H. D. Fetherstonhaugh.	Thomas Archer trading as the National Ice and Cold Storage Company.	Thomas Archer trading as the National Ice and Cold Storage Company.
3	Plot of ground portion of shop yard and out offices known as numbers 13 and 14 Chancery Street containing 1 p. 15 sq. yds.	James Bradish -	William J. O'Hara.	William J. O'Hara.
18	Public Highway Chancery Street containing 26 p. 12 sq. yds.	Corporation of Dublin.	—	—
4	Plot of ground and shed St. Michan Street containing 1 p. 11 sq. yds.	Chas. C. McCarthy Wm. McCabe and Matthew J. McCabe.	—	Chas. C. McCarthy Wm. McCabe Matthew J. McCabe.
5	Public Highway St. Michan Street containing 4 p. 22 sq. yds.	Corporation of Dublin.	—	—
6	Plot of ground house office shop store and workshop known as number 10 Chancery Street containing 4 p. 13 sq. yds.	Captain C. H. D. Fetherstonhaugh.	Chas. C. McCarthy Wm. McCabe Matthew J. McCabe Margaret McQuillan trading as John F. Kelly & Co.	Margaret McQuillan trading as John F. Kelly & Co.
7	Plot of ground stables and stores known as number 9 Chancery Street containing 4 p. 19 sq. yds.	Same - -	Chas. C. McCarthy Wm. McCabe Matthew J. McCabe.	Chas. C. McCarthy Wm. McCabe Matthew J. McCabe trading as the Central Ice and Cold Storage Company.
8	Plot of ground house shop yard and out-offices known as number 8 Chancery Street containing 2 p. 19 sq. yds.	The Misses Charlotte A. and Henrietta A. Gore.	Same - -	Henry Siev.

Reference to deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
9	Plot of ground houses shops yards and out-offices known as numbers 6 and 7 Chancery Street containing 5 p. 28 sq. yds.	Chas. C. McCarthy Wm. McCabe and Matthew J. McCabe.	—	Christina Smith Joseph Reardon Jas. McDonough Mary Flaherty Mary McCarthy Cathr. Doyle Timothy Lennox Elizabeth Carroll Charles Barber Cathr. Burke.
10	Plot of ground house shop yard and out-offices known as number 5 Chancery Street containing 5 p. 16 sq. yds.	Minnie Lowry Powell Alice Mary Powell Annette Charlotte Powell trustees of the Will of Rev. C. D. Powell deceased.	Chas. C. McCarthy Wm. McCabe Matthew J. McCabe.	Edwd. Rogers Mary A. Regan Josh. O'Neill Richd. O'Toole Robt. Crowley Henry Smith.
11	Plot of ground yard stables and stores at rear of number 4 Chancery Street containing 2 p. 17 sq. yds.	Same - -	Same - - Justin Doyle.	Justin Doyle.
12	Portion of stores at rere of number 3 Chancery Street containing 4 sq. yds.	The Misses Una Isabella Alice M. and Annette C. Powell.	Same - -	Chas. C. McCarthy Wm. McCabe Matthew J. McCabe.
13	Portion of stores at rere of number 3 Chancery Street, containing 1 p. 9 sq. yds.	Minnie Lowry Powell Alice Mary Powell Annette Charlotte Powell trustees of the Will of Revd. C. D. Powell.	Same - -	Justin Doyle.
14	Plot of ground house shop yard and out-office known as number 4 Chancery Street containing 2 p. 2 sq. yds.	The Misses Una Isabella Alice M. and Annette C. Powell.	Justin Doyle -	Mrs. Ellen Kidd.
15	Plot of ground house workshop stores and office known as number 3 Chancery Street containing 6 p. 24 sq. yds.	Same - -	Same - -	Justin Doyle.

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Dublin.

Reference to deposited Plan.	Description of Lands.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
16	Plot of ground house shop office stores yard and out-offices known as number 2 Chancery Street containing 3 p. 6 sq. yds.	The Governors and Company of The Bank of Ireland.	E. H. Margetson Justin Doyle.	Justin Doyle.
17	Plot of ground house shop yard and out-office known as number 1 Chancery Street containing 3 p. 4 sq. yds.	Same - -	E. H. Margetson	Christopher Lee Matt. Carey John Milne Mrs. Mooney John Regan Augustus Boylan Mrs. Chr. Rackley Mrs. Hanna Flynn.
19	Plot of ground house shop yard and out-office known as number 53 East Arran Street containing 1 p. 17 sq. yds.	Same - -	Same - - Joseph Gough.	Joseph Gough.
20	Plot of ground house shop yard sheds and out-office known as number 52 East Arran Street containing 2 p. 28 sq. yds.	Same - -	Mrs. Annie O'Carroll Peter O'Connor.	Peter O'Connor.
21	Public Highway East Arran Street containing 4 p. 23 sq. yds.	Corporation of Dublin.	—	—

Given under our seal of office this seventh day of May in the year of our Lord one thousand nine hundred and twenty.

(L.S.) (Signed) H. A. Robinson.

SCHEDULE B.

A.D. 1920.

URBAN DISTRICT OF LARNE.

Provisional Order to enable the Council of the Urban District of Larne to put in force the Compulsory Clauses of the Lands Clauses Acts.

Larne.

WHEREAS the urban district council of Larne (in this Order referred to as "the district council") require to purchase and take the lands water and rights described in the schedule hereto for the purpose of improving the supply of water to their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 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 following provisions shall have effect namely:—

41 & 42 Vict. c. 52.

1. The district council shall be empowered to put in force with reference to the lands water and rights described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with reference to the purchase and taking of lands otherwise than by agreement or any of them.

59 & 60 Vict. c. 54.

2. For the purposes of this Order the expression "land" in the Lands Clauses Acts shall include the lands water and rights described in the schedule hereto.

3. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council out of the rate applicable by that council to defray the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1919.

4. This Order may be cited as the Larne Order 1920.

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Larne.

SCHEDULE.

Urban District Council of Larne.

Parish of Carncastle.

County of Antrim.

Reference to deposited Plan.	Description of Land.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Townland of Ballycoos.			
1	Field and spring containing 9 p. with the right to take or abstract water from spring.	Earl of Antrim Campbell W. Tweed.	Campbell W. Tweed.	Campbell W. Tweed.
	Townland of Drainsbog.			
1	Field containing 2½ p. -	Same - -	Same - -	Same.
2	Field and spring containing 9 p. with the right to take or abstract water from spring.	Same - -	Same - -	Same.
3	Field and spring containing 21 p. with the right to take or abstract water from spring.	Same - -	Same - -	Same.
	Townland of Ballyhackett.			
1	Field containing 1½ p. -	Charles R. Cracklow and George A. Cracklow trustees of Harriet Preusser John Stewart.	John Stewart	John Stewart.

Description of Land.	Names of Persons being Owners Lessees or Occupiers of land on or abutting on or adjoining the Springs Streams or Waters referred to in the first column.
The right to take the water from and acquire the water rights in the spring at numbers 1 2 and 3 on the deposited plan and the streams and waters arising in or flowing therefrom.	Thomas McCluggage John Allen Alexander Clements Daniel McAllister Felix Campbell William Caldwell Thomas Stewart John Stewart James Magill William Magill Joseph Legg Campbell W. Tweed Henry Shaw Todd John Barbour Robert Hunter Thomas McKee Samuel McKee Robert Duffin James McKee Hugh McKee Charles Magill James Moore John McNeill Reverend E. Thompson William Browne John O'Neill Joseph Hunter John Campbell Catherine Petticrew David McCormick Robert Crawford Alice McKee Joseph Tweed William John Tweed Benjamin Tweed Jane Crawford Robert Hunter John Crawford John Tweed Hugh Blair William Kirkpatrick Robert Aicken Robert Snoddy William Carmichael

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Larne.

Description of Land.	Names of Persons being Owners Lessees or Occupiers of land on or abutting on or adjoining the Springs Streams or Waters referred to in the first column.
	Alex. McKay Robert Brennan Robert McAuley Major W. Agnew Moore Charles Halliday Bernard McQuillan James McQuillan Hugh McNeill Alexander McNeill (Senior) Alexander McNeill Miss E. C. Murphy Elliott McNeill William Chaine Reps. of Thomas Shaw Earl of Antrim Charles R. Cracklow and George A. Cracklow trustees of Harriet Preusser Larne Rural District Council Antrim County Council.

Given under our seal of office this twenty-seventh day of April in the year of our Lord one thousand nine hundred and twenty.

(L.S.) (Signed) H. A. Robinson.

SCHEDULE C.

RURAL DISTRICT OF TRALEE.

Tralee.

Provisional Order to enable the Council of the Rural District of Tralee to put in force the Compulsory Clauses of the Lands Clauses Acts.

WHEREAS the council of the rural district of Tralee (in this Order referred to as "the district council") being the burial board of the district require to purchase and take the lands described in the schedule hereto for the purpose of enlarging the burial ground at Ratass in their district:

Now therefore We the Local Government Board for Ireland in pursuance of the powers given to Us by section 203 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 following provisions shall have effect namely:— 41 & 42 Vict c. 52.

1. The district council shall be empowered to put in force with reference to the lands described in the schedule hereto and for the purpose aforesaid the powers of the Lands Clauses Acts as amended by section 8 of the Public Health (Ireland) Act 1896 with respect to the purchase and taking of lands otherwise than by agreement or any of them. 59 & 60 Vict. c. 54.

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Tralee.

2. The costs and expenses of the district council and the Local Government Board for Ireland incurred in respect of the application for preparation making and confirmation of this Order shall be paid by the district council and the money required for that purpose shall be supplied by the county council of Kerry in the manner provided by the Local Government (Ireland) Act 1898 as part of the expenses of the district council.

61 & 62 Vict. c. 37.

3. This Order may be cited as the Ratass Burial Ground Order 1920.

SCHEDULE.

Rural District of Tralee—County of Kerry.

Townland of Ratass.

Number on deposited Plan.	Description of Land.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1	Part of field containing 3a.	Sir Maurice O'Connell.	James O'Mahony	Jeremiah M. Slattery or J. M. Slattery and Sons Limited.

Given under our seal of office this twelfth day of April in the year of our Lord one thousand nine hundred and twenty.

(L.S.) (Signed) H. A. Robinson.

SCHEDULE D.

BALLYMENA URBAN DISTRICT.

Ballymena.

Provisional Order under the Gas and Water Works Facilities Act 1870 *the Gas and Water Works Facilities Act* 1870 *Amendment Act* 1873 *and the Public Health* (*Ireland*) *Act* 1878.

2 Edw. 7. c. xcv.

WHEREAS by the Ballymena Gas Order 1902 (in this Order referred to as "the Order of 1902") which was confirmed by the Local Government Board (Ireland) Provisional Orders Confirmation (Gas) Act 1902 (in this Order referred to as "the Confirming Act") the urban district council of Ballymena were empowered (when the undertaking of the Ballymena and Harryville Gas Light Company Limited

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Ballymena.

should be acquired by them) upon the lands described in Parts I. and II. of the Schedule to the said Order to lay down make maintain repair renew and continue and construct extend enlarge alter or when necessary or convenient remove buildings apparatus and works for the manufacture and storage of gas and of the refuse or residual products arising from the manufacture of gas and any matters producible therefrom and dwellings for any persons employed in the said works and subject to the provisions of the said Order to make gas and supply and sell the same within the urban district for public and private purposes and to convert or manufacture refuse or residual products arising from the manufacture of gas and any matters producible therefrom and to sell and dispose of the same but were prohibited from manufacturing gas or any residual products arising in the manufacture of gas on any lands other than the lands described in Parts I. and II. of the Schedule to the said Order and from commencing the storage of gas on any lands other than the lands so described which should be situated within three hundred yards of any dwelling-house without the previous consent in writing of the owner lessee and occupier of such dwelling-house:

And whereas by Article 18 of the said Order it was provided that the price to be charged by the council for gas supplied by them to consumers should not exceed five shillings per one thousand cubic feet and so on in proportion for any less quantity supplied but that every odd fraction or proportion of one hundred cubic feet might be charged for as one hundred cubic feet:

And whereas the undertaking of the Ballymena and Harryville Gas Light Company Limited was acquired by the council and the council require to extend the gasworks and for that purpose to be empowered to use and appropriate certain other lands belonging to them and have applied to the Local Government Board for Ireland (in this Order referred to as the "Local Government Board") for a Provisional Order to amend or vary the Order of 1902 so as to enable such other lands to be used and appropriated as aforesaid and to extend the limit imposed by Article 18 of the said Order on the price that may be charged by the council for gas supplied by them to consumers:

And whereas after inquiry it appears expedient to the Local Government Board that the Order of 1902 should be amended and varied in manner hereinafter appearing:

Now therefore We the Local Government Board in pursuance of the powers given to Us by the Gas and Water Works Facilities Act 1870 by section 12 of the Gas and Water Works Facilities Act 1870 Amendment Act 1873 and by sections 80 and 214 of the Public Health (Ireland) Act 1878 and by any other enactments Us in this behalf enabling do hereby order that from and after the date of the Act of

33 & 34 Vict. c. 70.
36 & 37 Vict. c. 89.
41 & 42 Vict. c. 52.

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Parliament confirming this Order the Order of 1902 shall be amended and varied so that the following provisions shall have effect:—

1. Notwithstanding anything in the Order of 1902 the council may hold or use the land belonging to them and described in the Schedule to this Order for all or any of the purposes of their gas undertaking including the manufacture of gas and residual products and matters producible therefrom as if such land had been included in the lands described in the Schedule to the Order of 1902 but nothing in this Order shall authorise the council to manufacture gas or any residual products arising in the manufacture of gas on any lands other than those described in the Schedule to the Order of 1902 or in the Schedule to this Order or to commence the storage of gas on any lands (other than lands so described) which may be situated within three hundred yards of any dwelling house without the previous consent in writing of the owner lessee and occupier of such dwelling house.

2. Article 18 of the Order of 1902 shall have effect as if the words "seven shillings and six pence" were substituted therein for the words "five shillings."

3. The costs and expenses of the 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 council out of any fund or rate applicable by that council to defray the expenses incurred by them in the execution of the Public Health (Ireland) Acts 1878 to 1919.

4. This Order may be cited as the Ballymena Gas Order 1920.

SCHEDULE.

County of Antrim.

Lands in the Parish of Kirkinriola Barony of Lower Toome and within the Urban District of Ballymena the property of and in the occupation of the Urban District Council of Ballymena consisting of two parcels of land of which the first is bounded on the north-west by coach entry for a distance of 147 feet 8 inches by Philip McKeown's property for 26 feet 9 inches and by the existing Gas Works property for 198 feet 4 inches and on the south-east by property in the possession of John Montgomery for 319 feet 6 inches and on the south by the Mill Race for a distance of 111 feet 8 inches and on the north-east by Castle Street for 64 feet 4 inches and by a gateway and Philip McKeown's wall for a distance of 65 feet 4 inches and the

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Ballymena.

second is bounded on the north-east by Joseph O'Gorman's property for a distance of 41 feet 2 inches on the north-west by property of Samuel Eagleson for a distance of 44 feet and on the south-west by property in the occupation of the Urban Council for a distance of 46 feet 3 inches and on the south-east also by property of the said Council for a distance of 45 feet 2 inches which said lands comprise an area of 2 roods and 29 perches or thereabouts.

Given under our seal of office this twenty-fourth day of March in the year of our Lord one thousand nine hundred and twenty.

(L.S.) (Signed) H. A. ROBINSON.

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