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TO

Confirm a Provisional Order made by the Local Govern- A.D. 1894.
ment Board for Ireland under the Public Health
(Ireland) Act, 1878, relating to the Urban Sanitary
District of Athlone.

WHEREAS the Local Government Board for Ireland have made
the Provisional Order 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 Order should be
5 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 :—

10 1. The Order set out in the schedule hereto is hereby con- Order in
firmed, and all the provisions thereof shall have full validity and schedule
force. confirmed.

2. This Act may be cited as the Local Government Board Short title.
(Ireland) Provisional Order Confirmation (No. 5) Act, 1894.

A.D. 1894.

Athlone.SCHEDULE.

THE LOCAL GOVERNMENT BOARD FOR IRELAND.

TOWN OF ATHLONE.

PROVISIONAL ORDER.

WHEREAS the Town Commissioners of the town of Athlone, situated 5
in the counties of Roscommon and Westmeath, elected in pursuance of the
Towns Improvement (Ireland) Act, 1854 (herein-after called the sanitary
authority) being the sanitary authority of the urban district consisting of the
said town, and being a body corporate under such title, have made an appli-
cation, in pursuance of the Public Health (Ireland) Act, 1878, to the Local 10
Government Board for Ireland (herein-after called the Local Government
Board), for a Provisional Order to transfer from the grand juries of the said
counties respectively to the sanitary authority the jurisdiction, power, and
authority with respect to roads, bridges, footpaths, and public works vested
in the said grand juries respectively under any Act.

And whereas all advertisements and notices required by the Public Health 15
(Ireland) Act, 1878, having been previously duly published, served, and given,
the Local Government Board have caused a local inquiry to be made, in
pursuance of the provisions of the said Act, as to the propriety of assenting
to the prayer of the said petition.

And whereas the grand jury of the County Westmeath has, by presentment, 20
consented to the making of this Order.

And whereas an application has been made to the Grand Jury of the
County Roscommon to consent to the making of this Order, and the said
Grand Jury has not consented thereto, and, notwithstanding the absence of 25
such consent, the Local Government Board think fit to make this Order, on
the special grounds stated in a special report to Parliament, made in pursuance
of the said Act.

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

1. From and after the confirmation of this Order by Parliament, all 30
jurisdiction, power, and authority with respect to roads, bridges, foot-
paths, and public works within the town of Athlone (except public
works concerning and chargeable on the county at large), shall be
transferred from the Grand Juries of the counties of Roscommon and
Westmeath respectively to the sanitary authority. 35

Transfer of
powers of the
grand juries.

After such transfer, it shall not be lawful for either of the said grand juries to make any presentment with respect to any road, bridge, footpath, or public work within the said town, except public works chargeable on the county at large; and lands and premises within the said town shall not be liable to any grand jury cess in respect of any baronial presentment respecting roads, bridges, footpaths, or other public works, except public works chargeable on the said counties at large respectively.

A.D. 1894.

Athlone.

2. This Order shall not affect in any way the levying and enforcement of the payment of grand jury cess, or of arrears (if any) of grand jury cess due at the time of the confirmation of this Order; nor shall this Order affect any contract for the execution of any public work within the said district, in force and unperformed at the time of the confirmation of this Order.

Provision for
levying arrears
of grand jury
cess and for
existing
contracts.

All such contracts shall be executed and carried out in all respects and all monies payable in respect of such contracts shall be raised, levied, and paid in the same manner as if this Order had not been made.

3. From and after the confirmation of this Order, each of the Secretaries of the Grand Juries of Roscommon and Westmeath shall, within one month after the first day of each assizes, furnish to the clerk of the Town Commissioners of Athlone, a certificate, signed by such Secretary, stating the amount of grand jury cess payable in respect of rateable premises within the said town, on account of presentments chargeable to each of the said counties at large respectively, and the amount stated in each certificate shall be a sum bearing the same proportion to the total amount of presentment for works chargeable to each of the said counties at large respectively, as the value of rateable premises within the part of the town situated in each of the said counties shall bear to the total valuation of such county. The sanitary authority shall, within one month after the delivery of each certificate, lodge the amount therein stated in the bank of the banking company appointed to act as treasurer of the county, in pursuance of the provisions of 30th and 31st Victoria, chapter 46, and the receipt of the officer of the bank authorised by the said Act to give receipts shall be a sufficient discharge to the sanitary authority for the payment of the amount of each certificate. If the sanitary authority shall at any time fail to lodge within the time herein-before mentioned the amount so certified by the Secretary of the Grand Jury, the liability of owners and occupiers of premises within the said town to pay grand jury cess shall be revived to the extent necessary for levying the amount of such certificate, and such owners and occupiers shall be liable to pay grand jury cess in respect of the presentments included in the certificate, and such payment may be enforced in the same manner in all respects as such payment might have been enforced if this Order had not been made.

Provision for
future payment
of grand jury
cess.

A.D. 1894.

*Athlone.*Provisions for
traversing
presentment.Additional
rating power
of sanitary
authority17 & 18 Vict.
c. 103.Costs and
expenses
of Order.

4. In the case of any presentment to which, if fiated, the sanitary authority shall be liable to contribute under the provisions herein-before contained, the sanitary authority may traverse such presentment, and such traverse shall be dealt with and tried in all respects in the same manner as other traverses of presentments. 5
5. In order to enable the sanitary authority to defray the expenses consequent upon and incident to the transfer of authority herein-before provided for and ordered, it shall be lawful for the sanitary authority to assess, raise, and levy, in addition to the rates which they are now empowered to levy, a rate not exceeding two shillings in the pound of the rateable value of premises in the said town, which rate shall be assessed, raised, and levied in addition to the general rate leviable in pursuance of the Towns Improvement (Ireland) Act, 1854, section 60, and shall be assessed, raised, levied, and paid in the like manner in all respects as such general rate is now assessed, raised, levied, and paid. 10
15
6. The costs and expenses of the sanitary authority and of the Local Government Board of and incidental to the application for, and making of this Order, the obtaining and endeavouring to obtain the consents of the grand juries thereto, and the confirmation thereof by Parliament shall be paid by the sanitary authority out of and by means of such general rate as aforesaid. 20
7. This Order may be cited and referred to for all purposes as the Athlone Provisional Order, 1894.

Given under our Hands and Seal of Office, this sixth day of April 25
in the year of our Lord one thousand eight hundred and
ninety-four.

(L.S.)

(Signed) F. MACCABE.
H. A. ROBINSON.

**Local Government
(Ireland) Provisional
Order (No. 5).**

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B I L L

To confirm a Provisional Order made
by the Local Government Board
for Ireland under the Public Health
(Ireland) Act, 1878, relating to the
Urban Sanitary District of Athlone.

*(Prepared and brought in by
Mr. John Morley and Sir John Hibbert.)*

*Ordered, by The House of Commons, to be Printed,
17 April 1894.*

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