CHAPTER 31.

An Act to amend the several Acts relating to the Drainage and Improvement of Lands in Ireland. [18th July 1872.]

5 & 6 Vict. c. 89.

WHEREAS by an Act passed in the fifth and sixth years of the reign of Her Majesty Queen Victoria, chapter eighty-nine, intituled "An Act to promote the drainage of "lands and improvement of navigation and water power in connexion with such drainage "in Ireland," and which Act was amended by a certain Act passed in the session held in the sixteenth and seventeenth years of Her Majesty Queen Victoria, chapter one hundred and thirty, it was amongst other things enacted that in case any land which shall be drained or improved by drainage under the provisions of the said Act shall, at the time of making the award therein mentioned, be in the occupation of a person who shall not be a proprietor thereof within the meaning of the provisions in that behalf therein-before contained, or in case any lands so drained or improved shall be held under any person who shall within the meaning of the said provisions be a proprietor thereof by any other person or persons under any lease, agreement, or contract for a lease, or shall be held under any lease, agreement, or contract for a lease granted or made by any person or persons having any immediate or derivative title from or under such proprietor, then and in such case the Commissioners of Public Works in Ireland should determine the amount of increased rent or rents which such occupant or other person or persons having such immediate or derivative title from or under such proprietor as aforesaid should pay in consequence of any improvement of such land, regard being had to the particulars therein mentioned and referred to:

10 Vict. c. 32. s. 46.

26 & 27 Vict. c. 88. s. 56.

And whereas by an Act passed in the session of Parliament held in the tenth year of Her said Majesty, chapter thirty-two, intituled "An Act to facilitate the improvement of "landed property in Ireland," and by a further Act passed in the session of Parliament held in the twenty-sixth and twenty-seventh years of Her said Majesty, chapter eighty-eight, intituled "An Act to enable landed proprietors to construct works for the drainage "and improvement of lands in Ireland," similar powers and on the like terms have been given to the said Commissioners for the purpose of determining the increased rents to be paid by occupants and tenants of lands improved under the provisions of the two last-mentioned Acts:

And whereas doubts exist whether the said provisions of the said Acts respectively extend to cases where lands drained and improved under the said Acts of Parliament respectively are held by or occupied by persons under or by virtue of any demise or contract of tenancy not being in writing:

And whereas it is expedient that such doubt should be removed:

Be it declared and 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:

Short title.

1. This Act may be cited as "The Drainage and Improvement of Lands Amendment Act (Ireland), 1872."

Provisions in recited Acts as to increased rents for lands drained to apply to contracts of tenancy not in writing.

2. All the provisions in the said several Acts contained respecting the increase of rents payable by persons holding or occupying lands drained and improved under the same respectively, and the powers of the Commissioners of Public Works in Ireland to determine the amount of such increased rents, shall be deemed to apply to cases in which any lands which shall be drained or improved under the provisions of the said several Acts respectively, or any of them, are held or occupied by any person or persons under any demise or contract of tenancy not being in writing.

Construction of Acts.

3. This Act and the several herein-before in part recited Acts shall be respectively read together and construed as one Act.