CHAP. lxii.

An Act to confirm Provisional Orders under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same. [29th June 1871.]

A.D. 1871.

WHEREAS the Commissioners of Public Works in Ireland have, in pursuance of "The Drainage and Improvement of Lands Act (Ireland), 1863," and the Acts amending the same, duly made the Provisional Orders contained in the first and second parts of the schedule to this Act annexed, and it is by the first-mentioned Act provided that no such Orders shall be of any validity whatsoever until they should be confirmed by Parliament; and it is expedient that said Orders should be so confirmed:

26 & 27 Vict. c. 88. s. 6. pt. 7.

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:

Provisional Orders in schedule confirmed.

1. The Provisional Orders contained in the first and second parts of the schedule hereto annexed are hereby confirmed, and from and after the passing of this Act shall be deemed to be a Public General Act of Parliament, of the like force and effect as if the provisions of the same had been enacted in the body of this Act.

Short title.

2. This Act may be cited for all purposes as "The Drainage and Improvement of Lands Supplemental Act (Ireland), 1871."

A.D. 1871.

Schedule to which this Act refers.

PART I.

Drainage and Improvement of Lands Act (Ireland), 1863, *26th and 27th Victoria, chapter* 88; *27th and 28th Victoria, chapter* 72; *28th and 29th Victoria, chapter* 52; *and 32nd and 33rd Victoria, chapter* 72.

In the matter of The Derrinlough Drainage District, in the King's County.

Whereas certain proprietors of and persons interested in the lands upon and adjacent to the Derrinlough Drainage District, on or about the seventeenth day of February one thousand eight hundred and seventy presented their petition to the Commissioners of Public Works in Ireland, under the provisions of "The Drainage and Improvement of Lands Act (Ireland), 1863," and the Acts amending the same, accompanied by the proper schedules, maps, plans, sections, and estimates, together with other particulars and information required by the said Acts, showing, by reference to the said maps, the boundaries and area of the proposed drainage district, and stating the exigencies rendering the formation of such drainage district necessary, and praying that the said lands within the proposed district should be constituted a separate drainage district under the provisions of the said Acts: And whereas the said Commissioners of Public Works referred the same to Samuel Usher Roberts, Esquire, civil engineer, an inspector duly appointed under the said Acts: And whereas all notices and inquiries required by the said Acts have been duly given and made, and the said inspector has duly reported to us the said Commissioners, in writing, the result of his inquiries, and we the said Commissioners have duly considered the same: And whereas no objection to the said report has been made to us: And whereas all preliminaries required by the said Acts to precede the making of this Provisional Order have been performed and complied with: And whereas we, the said Commissioners of Public Works in Ireland, upon consideration of the premises, are satisfied of the propriety of constituting the proposed separate drainage district, and that the proprietors of two third parts in value of the lands in the proposed district are in favour thereof, and have, subsequently to the date of the report of the said inspector, assented thereto in writing:

Now, therefore, in pursuance of the powers given to us by the said Acts, we, the said Commissioners of Public Works in Ireland, do, by this Provisional Order, under our common seal, constitute the area in the said petition and report, and the boundaries and extent of which are set forth within yellow lines in the map to which we have caused our common seal to be attached (and which map is deposited in the Office of Public Works in Ireland), a separate drainage district by the name of "The Derrinlough Drainage District:" And we, the said Commissioners of Public Works in Ireland, do, by this our Order, order and direct that the time for the completion of the necessary works in the said district shall be limited to the first day of October which will be in the year one thousand

eight hundred and seventy-two: And we do further, by this our Provisional Order, make the following regulations with respect to the drainage board:—

That the drainage board for the said district shall consist of six members.

That the following persons shall be the members of the first drainage board; viz.,—

The Right Honourable Lawrence Earl of Rosse, of Birr Castle, Parsonstown, in the King's County.

John William Drought, of Whigsborough, Fivealley, in the King's County, Esquire.

Toler Roberts Garvey, of Parsonstown, in the King's County, Esquire.

Marlborough Parsons Berry, of Clooneen, Parsonstown, in the King's County, Esquire.

Peter Hamlet Thompson, of Comamona, Banagher, in the King's County, Esquire.

William Bigoe Armstrong, of Bal Iver, Banagher, in the King's County, Esquire.

That the first meeting of the said board shall be summoned by notice under the hands of any two or more of the said board, published in the Dublin Gazette and some newspaper generally circulated in the said district at least fourteen days next before the day of meeting.

That the qualification of any subsequent member of the said board shall be that he shall be the proprietor (as defined by the said Act, 1863, and the Acts referred to therein or incorporated therewith) of not less than 20 acres of land situate within the area of the said district, and acting as receiver of the rents and profits of such lands.

That the members of the first board shall vacate their offices on the first Thursday in September in the year following the date of this Provisional Order.

That the electors for members of the drainage board shall be the persons in that behalf mentioned in the said last-mentioned Act: Provided always, that no such elector shall be entitled to vote or exercise any privilege as such unless the lands of which he is the proprietor, or some portion thereof, shall be rateable on account of the works in the district, and he shall have previously paid all rates or arrears of rates which may be payable by him in respect of any drainage rate for the aforesaid district.

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our common seal to be affixed, this thirtieth day of August one thousand eight hundred and seventy.

E. Hornsby, (Seal.)
Secretary.

Office of Public Works,
Dublin.

Schedule to which this Act refers.

PART II.

Drainage and Improvement of Lands Act (Ireland), 1863, *26 & 27 Vict. c.* 88; *27 & 28 Vict. c.* 72; *28 & 29 Vict. c.* 52; *and* 32 *& 33 Vict. c.* 72.

In the matter of "The Baltracey River Drainage District," in the county of Kildare.

Whereas certain proprietors of and persons interested in the lands upon and adjacent to the Baltracey River and tributaries, on or about the fourth day of April one thousand eight hundred and seventy presented their petition to the Commissioners of Public Works in Ireland, under the provisions of "The Drainage and Improvement of Lands Act (Ireland), 1863," and the Acts amending the same, accompanied by the proper schedules, maps, plans, sections, and estimates, together with other particulars and information required by the said Acts, showing, by reference to the said maps, the boundaries and the area of the proposed drainage district, and stating the exigencies rendering the formation of such drainage district necessary, and praying that the said lands within the proposed district should be constituted a separate drainage district under the provisions of the said Acts: And whereas the said Commissioners of Public Works referred the same to Samuel Usher Roberts, Esquire, civil engineer, an inspector duly appointed under the said Acts: And whereas all notices and inquiries required by the said Acts having been duly given and made, and the said inspector having duly reported to us the said Commissioners of Public Works in Ireland, in writing, the result of his inquiries, and we the said Commissioners having duly considered the same, as also an objection made to the said report by Samuel Watson, Esquire, deemed it fit to make a certain alteration in the area of the lands to be drained or improved in said district in the part called the townland of Baltracey: And whereas all preliminaries required by the said Acts to precede the making of this Provisional Order have been performed and complied with: And whereas we, the said Commissioners of Public Works in Ireland, upon consideration of the premises, are satisfied of the propriety of constituting the proposed separate drainage district so altered as aforesaid, and that the proprietors of two third parts in value of the said lands in the proposed district are in favour thereof, and have, subsequently to the date of the report of the said inspector, assented thereto in writing:

Now, therefore, in pursuance of the powers given to us by the said Acts, we, the said Commissioners of Public Works in Ireland, do, by this Provisional Order, under our common seal, constitute the area in the said petition and report, and the boundaries and extent of which are set forth within yellow lines in the

map to which we have caused our common seal to be attached (and which map is deposited in the Office of Public Works in Ireland), a separate drainage district by the name of "The Baltracey River Drainage District;" and we do declare that the lands to be purchased for the proposed works in said district, subject to such alterations and deviations therefrom as we the said Commissioners may hereafter sanction, are the lands in that behalf shown and set forth in the said map, and the schedule thereto annexed, marked with the letter B, and also sealed with our common seal: And we, the said Commissioners of Public Works in Ireland, do, by this our Order, order and direct that the time for the completion of the necessary works in the said district shall be limited to the first day of January which will be in the year one thousand eight hundred and seventy-three.

And we do further by this our Provisional Order make the following regulations with respect to the drainage board:—

That the drainage board for the said district shall consist of seven members.

That the following persons shall be the members of the first drainage board, vizt.:—

James Dillon Meldon, of Ormond Quay, in the city of Dublin, solicitor.

Charles Hamilton, of Hamwood, Clonee, in the county of Meath, Esquire.

Christopher Rynd, of Mount Armstrong, Kilcock, in the county of Kildare, Esquire.

Charles Hamilton, junior, of Hamwood aforesaid, Esquire.

Fleetwood Rynd, of Mount Armstrong aforesaid, Esquire.

Charles G. Stannell, of Kildare Street, in the city of Dublin, solicitor; and,

Patrick Frayne, of Barreen, Maynooth, in the county of Kildare, Esquire.

That the first meeting of the said board shall be summoned by notice under the hands of any two or more of the said board, published in the Dublin Gazette and some newspaper generally circulated in the said district at least fourteen days next before the day of meeting.

That the qualification of any subsequent member of the said board shall be that he shall be the proprietor (as defined by the said Act, 1863, and the Acts referred to therein or incorporated therewith,) of not less than twenty acres of land situate within the area of the said district, or the land agent for the time being of a person being a proprietor as aforesaid of not less than one hundred acres of land situate within the area of the said district, and acting as receiver of the rents and profits of such lands.

That the members of the first board shall vacate their offices on the first Thursday in September in the year following the date of this Provisional Order.

That the electors for members of the drainage board shall be the persons in that behalf mentioned in the said last-mentioned Act: Provided always, that no such elector shall be entitled to vote or exercise any privilege as such elector unless the lands of which he is the proprietor, or some portion thereof,

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shall be rateable on account of the works in the district, and he shall have previously paid all rates or arrears of rates which may be payable by him in respect of any drainage rate for the aforesaid district.

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our common seal to be affixed, this sixth day of March one thousand eight hundred and seventy-one.

E. Hornsby, (Seal.)
Secretary.

Office of Public Works,
Dublin.

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