CHAPTER cxcviii.

An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, relating to Upper Gully River Drainage District, Queen's County. [28th July 1873.]

A.D. 1873.

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 Order contained in the Schedule to this Act annexed, and it is by the first-mentioned Act provided that no such Order shall be of any validity whatever until confirmed by Parliament, and it is expedient that said Order should be so confirmed.

26 & 27 Vict. c. 88.

Section 6, part 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 :

1. The Provisional Order contained in the Schedule hereto annexed is 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.

Provisional Order in Schedule confirmed.

2. This Act may be cited for all purposes as "The Drainage and Improvement of Lands Supplemental Act (Ireland), 1873."

Short title.

A.D. 1873.

SCHEDULE referred to in foregoing.

"The Drainage and Improvement of Lands Act (Ireland), 1863."

26 & 27 Vict. cap. 88; 27 & 28 Vict. cap. 72; 28 & 29 Vict. cap. 52; and 32 & 33 Vict. cap. 72.

In the matter of the Upper Gully River Drainage District, in the Queen's County.

Whereas certain proprietors of and persons interested in the lands upon and adjacent to the upper portion of the above-named river, on or about the sixteenth day of May one thousand eight hundred and seventy-two, presented their petition to the Commissioners of Public Works in Ireland, under the provisions of "The Drainage and Improvement of Lands Act (Ireland), 1863" (herein-after called the Act of 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 Act, 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 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 referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Acts: And whereas all notices and inquiries required by the said Act 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 Act of 1863 to precede the making of this Provisional Order have been performed and complied with: And whereas we, the said Commissioners, 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 power given to us by the said Acts, we, the 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 on 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 Upper Gully River Drainage District."

And we, the said Commissioners of Public Works, 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-four.

And we do further, by this our Provisional Order, make the following regulations with respect to the Drainage Board:

That the drainage board for said district shall consist of five members. That the following persons shall be the members of the first drainage board, viz.:—

The Right Honourable John Wilson, Baron Castletown, of Upper Ossory;
Samuel Edge, of Granston House, Ballacolla, in the Queen's County, Esquire, M.D.;
Richard Despard, of Rathmoylan House, Enfield, in the county of Meath, Esquire;
James William Butler Scott, of Annegrove Abbey, Mountrath, in the Queen's County aforesaid, Esquire; and
Matthew Henry Franks, of Westfield, Mountrath aforesaid, Esquire.

That the first meeting of 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 of 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 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 Act of 1863: 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 twenty-ninth day of April one thousand eight hundred and seventy-three.

E. Hornsby,
Secretary. (L.S.)

Office of Public Works, Dublin.

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