CHAPTER cciv.

An Act to confirm a Provisional Order under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same. [7th September 1880.]

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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.

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

Provisional Order in schedule confirmed.

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.

Short title.

2. This Act may be cited for all purposes as the Drainage and Improvement of Lands Supplemental Act (Ireland), 1880.

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SCHEDULE.

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

26 & 27 Vict. c. 88; 27 & 28 Vict. c. 72; 28 & 29 Vict. c. 52; 32 & 33 Vict. c. 72; 35 & 36 Vict. c. 31; 37 & 38 Vict. c. 32, and 41 & 42 Vict. c. 59, also Erne Lough and River Act, 1876, 39 & 40 Vict. c. 237, Local; and Erne Lough and River Act, 1879, 42 & 43 Vict. c. 222, Local.

In the Matter of the Lough and River Erne Drainage and Navigation District in the Counties of Fermanagh, Cavan, Monaghan, and Donegal.

Whereas John Grey Vesey Porter, esquire, being a proprietor of and a person interested in the lands upon and adjacent to Lough Erne, on or about the Twentieth day of October one thousand eight hundred and seventy-nine, presented his 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 Thomas Hawksley, 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 several objections to the said report have been made to us, and have been duly considered:

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 one moiety 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, and that the proprietors of one third in value of said lands have not expressed in writing their dissent to the formation of the said drainage district.

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 Lough and River Erne Drainage and Navigation 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, 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 March, which will be in the year one thousand eight hundred and eighty-five.

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 eleven members. That the following persons shall be the members of the first Drainage Board, viz.: Captain Mervyn Edward Archdale, of Castle Archdale, Irvinestown, in the county of Fermanagh; Captain William Collum, of Belview, Tamlaght, Enniskillen, in the county of Fermanagh; Lieutenant-Colonel the Honourable Charles Crichton, of Crom Castle, Newtown Butler, in the county of Fermanagh, representing the Right Honourable the Earl of Erne; Francis John Graham, of Drumgoon, Maguire's Bridge, in the county of Fermanagh, esquire; Colonel John Gerard Irvine, of Killadeas, Ballycassidy, in the county of Fermanagh; John Arthur Pomeroy, of St. Angelo, Ballycassidy, in the county of Fermanagh, esquire; John Grey Vesey Porter, of Belleisle, Lisbellaw, in the county of Fermanagh, esquire; Edward Smyth, of Enniskillen, in the county of Fermanagh, esquire, agent for the Right Honourable the Earl of Enniskillen; Gartside Tipping, of Rosferry, Lisnaskea, in the county of Fermanagh, esquire; John Archibald Wood, of Willoughby Place, Enniskillen, in the county of Fermanagh, esquire; Frederick Wrench, of Lurganbrae, Lisnaskea, in the county of Fermanagh, esquire, agent for the Right Honourable the Earl of Lanesborough.

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 personbeing a proprietor as aforesaid of not less than one hundred

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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 third day of August one thousand eight hundred and eighty.

(Signed) E. HORNSBY.

Office of Public Works, Dublin.

L.S.

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