CHAPTER clxxvii.

An Act to confirm certain Provisional Orders under the Drainage and Improvement of Lands (Ireland) Act, 1863, and the Acts amending the same. [26th August 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 orders contained in the first, second, and third schedules to this Act annexed; and it is by the first-mentioned Act provided that no such orders shall be of any validity whatever until confirmed by Parliament, and it is expedient that the said orders should be so confirmed:

26 & 27 Vict. c. 88, &c.

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 Orders in schedule confirmed.

1. The provisional orders contained in the first, second, and third schedules hereto annexed are hereby confirmed, and from and after the passing of this Act shall respectively 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 (No. 3).

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SCHEDULES.

FIRST 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 and 37; 38 Vict. c. 32; and 41 & 42 Vct. c. 59.

In the Matter of the UPPER SILVER RIVER DRAINAGE DISTRICT in the County of Westmeath and King's County.

WHEREAS certain proprietors of and persons interested in the lands upon and adjacent to the above-named river on or about the twentieth day of November one thousand eight hundred and seventy-nine 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 John W. Kelly, 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 Silver 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, 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 thirty-first day of December which will be in the year one thousand eight hundred and eighty-three.

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

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

William Fetherston Haugh, of Grouse Lodge, Moate, in the county of Westmeat, Esquire;

Dawson French, of Tullamore, in the King's County, Esquire;

Henry Chenevix, of No. 1, Cromwell Road, Teddington, in the county of Middlesex, Esquire;

Ralph Smyth, of Gaybrook, Mullingar, in the county of Westmeath, Esquire, late Captain 17th Foot; and

Robert Staples Longworth Dames, of No. 32, Upper Mount Street, in the county of the city of Dublin, Esquire, Barrister-at-Law.

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

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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 eighth day of July one thousand eight hundred and eighty.

E. Hornsby,
Secretary.

Office of Public Works, Dublin.

(The Seal of the Commissioners of Public Works in Ireland.)

SECOND 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.

In the matter of the River Lerr Drainage District in the counties of Kildare and Carlow.

Whereas certain proprietors of and persons interested in the lands upon and adjacent to the above-named river, on or about the twelfth day of December one thousand eight hundred and seventy-nine, 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 John William Kelly, 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 three objections to the said report have been made to us, which we have 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 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 River Lerr 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, 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 June which will be in the year one thousand eight hundred and eighty-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 said district shall consist of seven members. That the following persons shall be the members of the first drainage board, viz.:—

Charles Robert Hamilton, of Hamwood (post town Clonee), in the county of Meath, Esquire, agent to his Grace the Duke of Leinster;

William Read, of No. 4, Dawson Street, in the county of the city of Dublin, Esquire, agent to Frederick Louis Fitzgerald, Esquire;

John Henry Dunne, of Ballymanus (post town Stradbally), in the Queen's County, Esquire;

Michael Walsh, of Newtown (post town Moone), in the county of Kildare, Esquire;

George Alexander, of Rathvinden (post town Leighlinbridge), in the county of Carlow, Esquire, agent to Colonel Henry Bruen;

George Williams, of Newgarden (post town Carlow), in the county of Carlow, Esquire;

John Germaine, of Newtown House (post town Castledermot), in the county of Kildare, Esquire, agent to Frances Archbold, spinster.

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 20 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

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situate within the area of said district, and acting as the 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 fifteenth day of July one thousand eight hundred and eighty.

E. Hornsby,
Secretary.

Office of Public Works, Dublin.

(The seal of the Commissioners of Public Works in Ireland.)

THIRD 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.

In the matter of the Scariff Drainage District in the county of Clare.

Whereas certain proprietors of and persons interested in the lands upon and adjacent to the above-named river, on or about the fourth day of November one thousand eight hundred and seventy-nine, 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 Henry J. B. Kane, 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 two objections to the said report have been made to us, which 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 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 Scariff 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, 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-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 seven members. That the following persons shall be the members of the first drainage board; viz.:—

Charles George O'Callaghan, of Ballinahinch, Tulla, in the county of Clare, Esquire;

Lieutenant-Colonel John O'Callaghan, of Maryfort, in the county of Clare;

Nicholas Butter, of Walterstown, Crusheen, in the county of Clare, Esquire;

Patrick Henry Sheehan, of Gort, in the county of Galway, Esquire;

John William Scott, of Roslevan, Ennis, in the county of Clare, Esquire, agent of Lord Leconfield;

Hallam G. Studdert, of Hazelwood, Quin, in the county of Clare, Esquire, as agent of the Earl of Norbury; and

John Fitzpatrick Cullinan, of River View, Ennis, in the county of Clare, Esquire, agent of Mrs. Jane Cullinan.

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

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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 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-first day of July one thousand eight hundred and eighty.

E. Hornsby,
Secretary.

Office of Public Works, Dublin.

(The seal of the Commissioners of Public Works in Ireland.)

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