'under the said Act within their own Districts:' Be it 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:

Penalty on Waywardens being concerned in Contracts within their own Districts.

1. No such Waywarden shall directly or indirectly, in his own Name or in the Name of any other Person or Persons, contract for the Repair of any Road, or for any other Work to be executed under the Provisions of the said recited Act within the Parish for which he is elected Waywarden, or within any other Parish in the same District, under the Pain of forfeiting the Sum of Ten Pounds, with full Costs of Suit, to any Person or Persons who shall sue for the same by Action for Debt in any County Court within the Jurisdiction of which the Parish in which the Roads to be repaired, or the other Work so contracted for, is situate.

Highway Boards not liable to pay for any Work so contracted for.

2. It shall not be lawful for any Highway Board to pay knowingly for any Repair or Work so contracted for, and any Money paid by any Board under any such Contract shall be recoverable by them with full Costs from the Person or Persons to whom the same shall have been paid, by Action of Debt in any of Her Majesty's Courts of Record at *Westminster*, if the same shall amount to above Fifty Pounds, or in any County Court as aforesaid if below that Amount, and the Balance so recovered, after paying all Expenses, shall be placed to the Credit of the District Fund.

This Act to be as Part of recited Act.

3. This Act shall be construed with and held to be Part of the said recited Act for the better Management of Highways in *England*.

CAP. LXII.

An Act to amend the Law relating to the Seizure of growing Crops in *Ireland*. [21st *July* 1863.]

'WHEREAS it is expedient to amend the Law relating to the Seizure of growing Crops in *Ireland*:' 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:

To extend to Ireland only.

1. This Act shall extend to *Ireland* only.

Growing Crops not to be seized under Civil Bill Decrees or Justices Orders.

2. It shall not be lawful to seize or take in execution under any Civil Bill Decree or Order of the Civil Bill Court, or under any Decree, Order, or Warrant of a Justice of the Peace, any growing Crops, Trees, Shrubs, Plants, or Vegetable Matters which are not severed from the Land and Soil, save and except under any such Decree, Order, or Warrant which shall have been pronounced or issued before the passing of this Act.

CAP. LXIII.

An Act to confirm certain Provisional Orders under The Land Drainage Act, 1861. [21st *July* 1863.]

24 & 25 Vict. c. 133.

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Land Drainage Act, 1861," duly made the Provisional Orders contained in the First, Second, and Third Parts of the Schedule to this Act annexed, and it is by the said Act provided that no such Orders shall be of any Validity whatever until theyshall have

'have been confirmed by Parliament, and it is expedient that the said Orders should be so 'confirmed:' 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. Each of the Provisional Orders contained in the Schedule hereunto 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: Provided always, that the following Provisions and Regulations shall take effect and be observed with respect to the Provisional Order contained in Part 1. of the Schedule to this Act annexed.

(1.) The Drainage Board shall not, without the previous Consent in Writing of the *North-eastern* Railway Company, make any new open Main Drain or Main Cut parallel with the Line of the *North-eastern* Railway within the Distance of One hundred Yards from the Centre of such Railway between a Point on such Railway opposite to *Swan Carr House* and another Point thereon One Mile Southwards of such first-mentioned Point, or, without such Consent as aforesaid, deepen any of the existing open Cuts or Drains within the same Distance: Provided always, that the Drainage Board may at all Times cleanse and keep open all existing Cuts or Drains within that Distance to the same Extent and Depth as heretofore:

(2.) The *North-eastern* Railway Company shall not, by virtue of this Act or "The Land Drainage Act, 1861," be rated to any greater Extent than for Fifteen Acres of Land, and only on an agricultural Value of such Fifteen Acres calculated at One Pound *per* Acre *per Annum*.

Nothing in 24 & 25 Vict. c. 133. construed to render legal Works that would have been illegal if Act had not passed.

2. It is hereby declared, That as against any Person owning or interested in any Land or other Property situate beyond the Limits of the Jurisdiction of any Board established by this Act, nothing contained in "The Land Drainage Act, 1861," shall be construed to render legal any Work executed or to be executed by such Board that would if that Act had not been passed have been illegal by reason of its injuriously affecting such Land or Property; and any Damages adjudged to be paid by any of the said Boards to any Person by reason of the said Works of the said Board injuriously affecting any Land or Property as aforesaid, shall be deemed to be Part of the Costs incurred by such Board in defending legal Proceedings instituted against them, and shall be defrayed in manner in which the said Costs are authorized to be defrayed by "The Land Drainage Act, 1861."

Short Title.

3. This Act may be cited for all Purposes as "The Land Drainage Supplemental Act, 1863."

SCHEDULE to which this Act refers.

PART 1.

In the Matter of MORDEN CARRS. County of DURHAM.

WHEREAS the Proprietors of not less than One Tenth Part in Acreage of certain Lands situate in the several Parishes of Aycliffe, Sedgefield, Merrington, and Bishop Middleham, in the County of Durham, and particularly delineated on the Map herein-after mentioned, and requiring a combined System of Drainage, have presented a Petition to the Inclosure Commissioners for England and Wales, signed by such Proprietors as aforesaid, stating the proposed Boundaries of the District by Reference to a Map, and praying that the said Lands should be constituted a separate Drainage District, under the Provisions of "The Land Drainage Act, 1861:"

And whereas the said Commissioners referred the same to George Annet Grey, Esquire, an Inspector duly appointed under the Drainage Acts:

And whereas the said Inspector, after having caused due Notice to be given, proceeded to the said District, and held, pursuant to the said Notice, a Meeting on the Ninth Day of May 1862, at the House of Mr. Lawson, Farmer, in the Village of Morden in the said County of

of Durham, for the Purpose of receiving Evidence in support of such Petition, and of making Inquiries as to the Propriety of constituting the proposed District, and as to the Assent of the Proprietors thereto, and also for the Purpose of ascertaining the Opinion of the Proprietors in respect to the Constitution of the District:

And whereas the said Inspector duly reported in Writing to the said Commissioners the Result of his Inquiries:

And whereas we, the said Commissioners, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts of the Lands within the same are in favour thereof:

Now, therefore, in pursuance of the Power given to us by the said Act, we, the Inclosure Commissioners for England and Wales, do by this Provisional Order under our Seal constitute the Area a separate Drainage District, as shown on a Map defining the Boundaries of the same, which Map is authenticated under our Hands and Seal as the Map referred to in this Provisional Order, and a Copy of which is deposited in the Inclosure Office:

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:—Mark Ord, Sands, Sedgefield; the Reverend Thomas Linwood Strong, Sedgefield; Joseph Snowball, Seaton Burn House, Newcastle-on-Tyne; John Parrington, Branspeth, Durham; Samuel Rowlandson, the College, Durham; James Eivers, Darlington; and George Trotter, Tunstall, West Hartlepool:

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 some Newspaper generally circulated in the District, and posted on the Church Doors of the above-mentioned Parishes at least Fourteen Days before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor of not less than Thirty Acres of Land situate within the Area of the said District, or the Agent of such Proprietor acting under written Appointment:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following that in which this Provisional Order shall be confirmed by Parliament:

That the Electors for Members of the Drainage Board shall be the Persons who have, during the Year immediately preceding such Election, been rated to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the Time of such Election.

In witness whereof they have hereunto caused their official Seal to be affixed, this Fifteenth Day of January in the Year of our Lord One thousand eight hundred and sixty-three.

L.S.

PART 2.

In the Matter of Longdon and Eldersfield Drainage.

Whereas the Proprietors of not less than One Tenth Part in Acreage of certain Lands situate in the several Parishes and Hamlets of Eldersfield, Pendock, Forthampton, Berrow, Birts Morton, Castle Morton, Longdon, Queenhill, Holdfast, and Bushley, in the Counties of Gloucester and Worcester, and particularly delineated on the Map herein-after mentioned, and requiring a combined System of Drainage, have presented a Petition to the Inclosure Commissioners for England and Wales, signed by such Proprietors as aforesaid, stating the proposed Boundaries of the District by Reference to a Map, and praying that the said Lands should be constituted a separate Drainage District, under the Provisions of "The Land Drainage Act, 1861."

And

And whereas the said Commissioners referred the same to Richard Grantham, Esquire, Civil Engineer, an Inspector duly appointed under the Drainage Acts:

And whereas the said Inspector, after having caused due Notice to be given, proceeded to the said District, and held, pursuant to the said Notice, a Meeting on the Twenty-first Day of October 1862, at the "Plough Inn" at Longdon in the said County of Worcester, for the Purpose of receiving Evidence in support of such Petition, and of making Inquiries as to the Propriety of constituting the proposed District, and as to the Assent of the Proprietors thereto, and also for the Purpose of ascertaining the Opinion of the Proprietors in respect to the Constitution of the District:

And whereas the said Inspector duly reported in Writing to the said Commissioners the Result of his Inquiries:

And whereas we, the said Commissioners, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts of the Lands within the same are in favour thereof:

Now, therefore, in pursuance of the Power given to us by the said Act, we, the Inclosure Commissioners for England and Wales, do by this Provisional Order under our Seal constitute the Area a separate Drainage District, as shown on a Map defining the Boundaries of the same, which Map is authenticated under our Hands and Seal as the Map referred to in this Provisional Order, and a Copy of which is deposited in the Inclosure Office:

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 Sixteen Members:

That the following Persons shall be the Members of the First Drainage Board:—Sir Edmund Anthony Harley Lechmere, Baronet, the Rhydd Court, Upton-on-Severn; William Dowdeswell, Esquire, Pull Court, Tewkesbury; Edward Gresley Stone, Esquire, Chambers Court, Tewkesbury; Joseph Yorke, Esquire, Forthampton Court, Tewkesbury; William Edward Dowdeswell, Esquire, Pull Court, Tewkesbury; John Cain Thackwell, Esquire, Dymock, Newent, Gloucestershire; the Reverend William Symonds, Rectory, Pendock, Tewkesbury; Mr. Josiah Castree, Land Agent, College Green, Gloucester; Mr. John Ellis, Yeoman, Eastington, Longdon, Upton-on-Severn; Mr. William Herbert, Land Agent, Kempsey, Worcester; Mr. George Need Ireland, Yeoman, Eldersfield, Tewkesbury; Mr. John Rayer Lane, Yeoman, Castle Morton, near Upton-on-Severn; Mr. Richard Lord, Yeoman, Hill End, Longdon, Upton-on-Severn; Mr. William Woodward, Land Agent, Northway House, Tewkesbury; the Reverend Edward Henry Montague Stone, Holdfast, Upton-on-Severn; Matthias Galledge, Farmer, of Mitre Farm, Forthampton:

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 some Newspaper generally circulated in the District, and posted on the Church Doors of the above-mentioned Parishes at least Fourteen Days before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be, first, the Proprietor of not less than One hundred Acres of Land in either of the Parishes affected, of which Thirty Acres shall be within the taxable Area; or, secondly, Successor (Heir apparent) to Estates of not less than Two hundred Acres in Extent in either of the Parishes affected, of which Thirty Acres shall be within the taxable Area; or, thirdly, occupying Tenant, yearly or otherwise, of a Farm of not less than Two hundred Acres, of which Thirty Acres shall be within the taxable Area; or, fourthly, the Agent of a Proprietor of an Estate of not less than Two hundred Acres in Extent in either of the Parishes affected, of which Thirty Acres shall be within the taxable Area, such Agent being duly appointed by Power of Attorney, and the Principals themselves not being on the Board.

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following that in which this Provisional Order shall be confirmed by Parliament:

That the Electors for Members of the Drainage Board shall be the Persons who have, during the Year immediately preceding such Election, been rated to any Drainage Rate

of

of the District hereby constituted, and have paid all such Rates due from them at the Time of such Election.

In witness whereof we have hereunto caused our official Seal to be affixed, this Twenty-eighth Day of January in the Year of our Lord One thousand eight hundred and sixty-three.

L.S.

PART 3.

In the Matter of MAXEY DRAINAGE.

WHEREAS the Proprietors of not less than One Tenth Part in Acreage of certain Lands situate in the several Parishes of Maxey, Deepingate, Northborough, Glinton, Peakirk, Etton, and Helpstone, in the County of Northampton, and particularly delineated on the Map herein-after mentioned, and requiring a combined System of Drainage, have presented a Petition to the Inclosure Commissioners for England and Wales, signed by such Proprietors as aforesaid, stating the proposed Boundaries of the District by Reference to a Map, and praying that the said Lands should be constituted a separate Drainage District, under the Provisions of "The Land Drainage Act, 1861:"

And whereas the said Commissioners referred the same to Richard Grantham, Esquire, Civil Engineer, an Inspector duly appointed under the Drainage Acts:

And whereas the said Inspector, after having caused due Notice to be given, proceeded to the said District, and held, pursuant to the said Notice, a Meeting on the Eleventh Day of November 1862, at the Vestry of the Parish Church of Maxey in the said County of Northampton, for the Purpose of receiving Evidence in support of such Petition, and of making Inquiries as to the Propriety of constituting the proposed District, and as to the Assent of the Proprietors thereto, and also for the Purpose of ascertaining the Opinion of the Proprietors in respect to the Constitution of the District:

And whereas the said Inspector duly reported in Writing to the said Commissioners the Result of his Inquiries:

And whereas we, the said Commissioners, are satisfied of the Propriety of constituting the proposed separate Drainage District, and that the Proprietors of Two Third Parts of the Lands within the same are in favour thereof:

Now, therefore, in pursuance of the Power given to us by the said Act, we, the Inclosure Commissioners for England and Wales, do by this Provisional Order under our Seal constitute the Area a separate Drainage District, as shown on a Map defining the Boundaries of the same, which Map is authenticated under our Hands and Seals as the Map referred to in this Provisional Order, and a Copy of which is deposited in the Inclosure Office:

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 Seventeen Members:

That the following Persons shall be the Members of the First Drainage Board:—Honourable George Wentworth Fitzwilliam, Milton, Northamptonshire; John Yeoman, Milton, Northamptonshire, Esquire; Reverend Charles Mossop, Etton, Northamptonshire, Clerk; Joseph Beecroft Mawby, Market Deeping, Lincolnshire, Esquire; Thomas Parish Wright, Helpstone, Northamptonshire, Farmer; James Haines, Deeping Fen, Lincolnshire, Farmer; Daniel Webster, Maxey, Northamptonshire, Farmer; John Bellars, Maxey, Northamptonshire, Farmer; Thomas Walden, Northborough, Northamptonshire, Farmer; Samuel Vergette, Glinton, Northamptonshire, Farmer; James Webster, Peakirk, Northamptonshire, Farmer; John Giles, Peakirk, Northamptonshire, Farmer; John Crutchfield Sharpe, Deepingate, Northamptonshire, Esquire; Charles Day, Easton, Northamptonshire, Land Agent; Thomas Cole, Peakirk, Northamptonshire, Farmer; James Webster, Glinton, Northamptonshire, Farmer; John Morley Twigge, Molecey, West Deeping, Lincolnshire, Esquire.

That

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 some Newspaper generally circulated in the District, and posted on the Church Doors of the above-mentioned Parishes at least Fourteen Days before the Day of Meeting:

That the Qualification of any subsequent Member of the said Board shall be, that he shall be the Proprietor of not less than Twenty Acres of Land situate within the Area of the said District, or the Agent of such Proprietor, acting under written Appointment:

That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following that in which this Provisional Order shall be confirmed by Parliament:

That the Electors for Members of the Drainage Board shall be the Persons who have, during the Year immediately preceding such Election, been rated to any Drainage Rate of the District hereby constituted, and have paid all such Rates due from them at the Time of such Election.

In witness whereof we have hereunto caused our official Seal to be affixed, this Twenty-eighth Day of January in the Year of our Lord One thousand eight hundred and sixty-three.

L.S.

CAP. LXIV.

An Act to confirm certain Provisional Orders under the Local Government Act (1858), relating to the Districts of *Plymouth*, *Holywell*, *Llanelly*, *West Ham*, *Worthing*, *Aberavon*, and *Wallasey*. [21st *July* 1863.]

'WHEREAS the Secretary of State for the Home Department, being One of Her 'Majesty's Principal Secretaries of State, has under the Provisions of the Local Govern- 'ment Act, 1858, duly made certain Provisional Orders which are contained in the Schedule 'to this Act annexed, and it is provided by the aforesaid Local Government Act that no 'such Orders shall be of any Validity whatever until they shall have been confirmed by 'Parliament; and it is expedient that the said Orders should be so confirmed, and further 'Provision made in relation thereto:' 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.

Proviso as to District of West Ham.

1. The Provisional Orders contained in the Schedule hereunto annexed shall from and after the passing of this Act be absolute, and be as binding and of the like Force and Effect as if the Provisions of the same had been expressly enacted in this Act: Provided always, that notwithstanding anything contained in the Provisional Order in the said Schedule altering the Provisional Order of the Eighth *May* One thousand eight hundred and fifty-six, applying the Public Health Act, 1848, to the District of *West Ham*, the Number of elective Members to constitute the Local Board of Health for such District shall be Eighteen, Six of whom shall be allotted to and be elected by each of the Three Civil Sub-districts or Wards in such first herein-before mentioned Provisional Order described, together with Three Members of such Board delegated for the Time being by the Court of Sewers for the *Dagenham* and *Havering* Levels in the Manner prescribed by "The Public Health Supplemental Act, 1856:" Provided also, that notwithstanding anything in such Provisional Order contained, the Local Act of the Seventeenth and Eighteenth Years of Her present Majesty, Chapter Eighty-nine, in such Order mentioned, shall remain in force within the aforesaid District of the *West Ham* Local Board of Health.