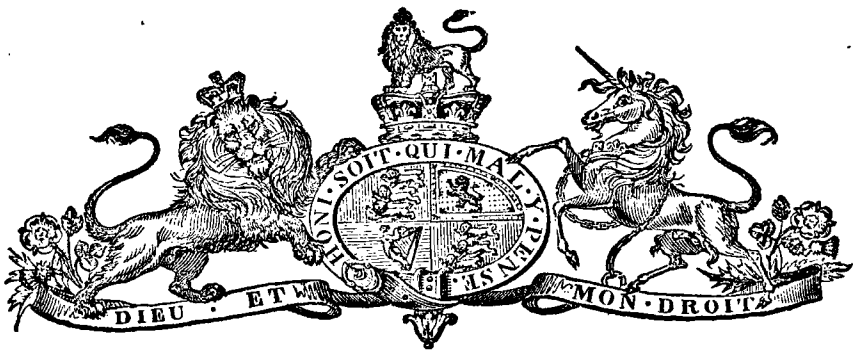



ANNO VICESIMO & VICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## CAP. XXIII.

## An Act to authorize the Commissioners of Public Works in *Ireland* to sell Mill Sites and Water Power, notwithstanding Final Award, in any Drainage or Navigation District.

[10th *August* 1857.]

WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Years of Her Majesty, intituled *An Act to promote the Drainage of Lands and Improvement of Navigation and Water Power in connexion with such Drainage in* Ireland, which Act was amended by an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of Her Majesty, Chapter Sixty-nine, and an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of Her Majesty, Chapter Four, and an Act passed in the Session of Parliament holden in the Tenth and Eleventh Years of Her Majesty, Chapter Seventy-nine, and by an Act passed in the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and thirty, and an Act passed in the Session of Parliament holden in the Eighteenth and Nineteenth Years of Her Majesty, Chapter One hundred and ten, and an Act passed in the Session holden in the Nineteenth

5 & 6 Vict. c. 89.

Nineteenth and Twentieth Years of Her Majesty, Chapter Sixty-two: And whereas under and by virtue of the Provisions of the said firstly-recited Act the said Commissioners are empowered to make and acquire new Sites of Mills and Factories and Water Power, and Premises connected therewith, and to sell the same, with such Rights of Pre-emption to the Owners of the Estates to which the said Sites originally belonged, or to the Owners of the adjoining Estates, as are therein provided, and the Purchase Monies of such Sites and Premises are directed to be applied to such Purposes as are therein set forth: And whereas the said Commissioners, in execution of the Works authorized by the said Acts, have been enabled within certain Districts to make and acquire various new Sites for Mills and Factories upon Parcels of Ground duly taken by them for that Purpose, by virtue of the Powers and Provisions relating to the taking of Lands by the said Commissioners in the said Acts contained, or acquired in the Progress of such Works, and the same and the Water Powers connected therewith have become vested in the said Commissioners for the Purposes aforesaid, and the said Commissioners may hereafter become entitled in like Manner to various other such Sites: And whereas it is not expedient that the making of any Final Award by the said Commissioners, under the Provisions of the said Acts or any of them, should be delayed by reason of the Inability of such Commissioners to sell such Sites and Water Power in connexion therewith, for such Prices as may be adequate to the Value thereof: 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:

All Mill Sites to continue vested in the Commissioners, notwithstanding Final Award.

I. That in all Cases where, under and by virtue of the Provisions of the said Acts or any of them, any such Sites for Mills or Factories have been or shall be acquired by the said Commissioners in any District, either by the making of the same in the Progress of any Works, or by the taking of any Lands for that Purpose, the said Sites and all Water Powers connected therewith shall remain and continue vested in the said Commissioners, on trust to be sold, notwithstanding that such Commissioners may have made or may make any Final Award relating to the District wherein such Sites shall be situate, previously to any Sale by them of such Sites or Water Powers connected therewith as aforesaid.

Power to sell such Mill Sites within Five Years after Final Award.

II. It shall be lawful for the said Commissioners, at any Time within Five Years after the making of any such Final Award or Awards in any such District wherein such Sites are or shall be situate as aforesaid, or whether such Awards shall have been made before or after the passing of this Act, to sell and dispose of the said Site

or

or Sites or Water Powers, or other Premises connected therewith, for such Price or Prices as to them shall seem reasonable, and the Proceeds of any such Sale shall be disposed of as herein-after mentioned: Provided always, that the said Commissioners before they shall sell or dispose of any of such Mill Sites or Water Powers as aforesaid shall first offer the same to the Person to whose Estate the same originally belonged (if any such Person there be), and then to the Person whose Estate shall adjoin thereto; and such Premises shall not be sold to any other Person at such Price as the Persons so entitled to a Preference shall be willing to give for the same, or at any less Price.

Application of the Proceeds of Sale of Sites, Water Powers, &c.

III. The Proceeds of the Sale of all such Sites, Water Powers, and Premises as shall be so sold after the making of any such Final Award as aforesaid shall by the said Commissioners be paid over to the Commissioners of Her Majesty's Treasury, to be applied by them to any or either of the Purposes after mentioned; that is to say, in reimbursing to the said Commissioners of Her Majesty's Treasury the Monies expended on the District in connexion with which such Sites shall have been acquired, in Cases where the Amount chargeable on such District shall have been reduced, pursuant to the Provisions of the Acts of the Sixteenth and Seventeenth of Her Majesty, Chapter One hundred and thirty, or Eighteenth and Nineteenth of Her Majesty, Chapter One hundred and ten; or in discharging an equivalent Amount of the Principal Monies chargeable on such District by virtue of any Final Award, in Cases where no such Reduction shall have been made; and in Cases where such Portion of the Monies so chargeable shall be so discharged as last aforesaid, the said Commissioners of Public Works shall make such rateable Reduction of the Portions of such Amount charged by such Award, or such Alteration with respect to the Duration or Amount of the Instalments payable under the same, as the said Commissioners of the Treasury shall think fit; and the said Commissioners of Public Works shall thereupon make a Supplemental Award in the Manner set forth in the said Act of the Sixteenth and Seventeenth of Her Majesty, Chapter One hundred and thirty, and to which Supplemental Award all the Provisions and Enactments of the said lastly-mentioned Act shall be taken to apply: Provided always, that in case any Proprietor shall, under the Provisions of the said Acts, have paid off the whole of the Principal Monies charged upon his or her Lands by any such Award, he or she shall be entitled to the Benefit of any Reduction so directed as aforesaid, and to be reimbursed accordingly.

Acts recited and this Act to be construed as One.

IV. The several Acts mentioned in this Act and this Act shall be construed as One Act, and the several Words and Expressions to which

which an extended Signification is given in the said Acts or any of them shall have the like Signification in this Act, and (save when such Construction shall be inconsistent with the Context) the Expression "the Commissioners," when used in this Act, shall mean the Commissioners of Public Works in *Ireland*.

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