CHAP. lxxxi.

An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same. [4th July 1870.]

A.D. 1870.

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 said Act provided that no such order shall be of any validity whatsoever until it shall have been confirmed by Parliament, and it is expedient that the said order should be so confirmed:

26 & 27 Vict. c. 88.

Sect. 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 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.

Short title.

2. This Act may be cited for all purposes as "The Drainage and Improvement of Lands, Supplemental, Act (Ireland), 1870."

A.D. 1870.

SCHEDULE to which this Act refers.

Drainage and Improvement of Lands Act (Ireland), 1863, 26th and 27th Victoria, chapter 88, 27th and 28th Victoria, chapter 72, and 28th and 29th Victoria, chapter 52.

In the matter of the Frankford River drainage district in the King's County.

Whereas certain proprietors of and persons interested in the lands adjoining the Frankford River and tributary streams on or about the ninth day of November one thousand eight hundred and sixty-eight presented their petition to the Commissioners of Public Works in Ireland, under the provisions of the Drainage and Improvement of Lands Act (Ireland), 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 Acts, showing, by reference to 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 to precede the making of this provisional order have been performed and complied with: And whereas we, the said Commissioners of Public Works in Ireland, 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 said inspector assented thereto in writing:

Now, therefore, in pursuance of the power given to us by the said Acts, we, the said Commissioners of Public Works in Ireland, do, by this our 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 Frankford River drainage district:"

And we do declare that the lands and other property to be purchased for or likely to be injured by the proposed works in such district (subject to such alterations or deviations therefrom as we the said Commissioners may hereafter sanction) are the lands or other property in that behalf shown and set forth in the map, and described in 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 October one thousand eight hundred and seventy-one:

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 six members:

That the following persons shall be the members of the first Drainage Board; viz.:

The Right Honourable Lawrence Earl of Rosse, of Birr Castle in the King's County:

Edward Joseph Bannon of Broughall Castle, Frankford, in the King's County, esquire:

George Whitfield of Williamsfort, Frankford, in the King's County, esquire:

John Ashton of Pigeonstown, Kennetty, in the King's County, esquire:

Toler R. Garvey of Parsonstown in the King's County, esquire:

Edward Barrett of Temora, Frankford, in the King's County, esquire:

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 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 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 last-mentioned Act: 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

A.D. 1870.

paid all rates and 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 sixteenth day of July one thousand eight hundred and sixty-nine.

L.S.

E. Hornsby,
Secretary.

Office of Public Works,
Custom House, Dublin.

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