

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XIII.

An Act to confirm certain Provisional Orders under "The Drainage and Improvement of Lands Act (*Ireland*), 1863," and the Act amending the same. [7th *April* 1865.]

WHEREAS the Commissioners of Public Works in *Ireland* have, in pursuance of "The Drainage and Improvement of Lands Act (*Ireland*), 1863," and the Act amending the same, duly made the Provisional Order contained in the First, Second, Third, and Fourth Parts of the Schedule to this Act annexed, and it is by the said first-mentioned Act provided, that no such Orders shall be of any Validity whatsoever until they shall be 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: 26 & 27 Vict. c. 88.

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. Provisional Orders in Schedule confirmed.

2. It

Act not to render legal Works executed by Drainage Board that would otherwise have been illegal by injuriously affecting Lands, &c.

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 the Board established by this Act, nothing contained in the said Drainage and Improvement of Lands Act (*Ireland*), 1863, or in the said Provisional Order, or in this Act, shall be construed to render legal any Work executed or to be executed by such Board that would, if the said Acts 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 the said Board to any Person 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 Drainage and Improvement of Lands Act (*Ireland*), 1863."

Short Title.

3. This Act may be cited for all Purposes as "The Drainage and Improvement of Lands Supplemental Act, *Ireland*, 1865."

SCHEDULE to which this Act refers.

PART 1.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of RATHDOWNEY DRAINAGE DISTRICT, Queen's County.

WHEREAS certain Proprietors of and Persons interested in the Lands adjoining Erkina River and tributary Streams in the Queen's County on or about the Eighteenth Day of March One thousand eight hundred and sixty-four presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, 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 an Inspector might be authorized by the said Commissioners, and sent to the proposed District, to make the necessary Inquiries with respect to the Propriety of constituting the proposed District, and otherwise to proceed under the said Act for the Purpose of having the said District (if it should seem so expedient) formed under the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: 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 no Objections to the Report of the said Inspector have been made to us, and 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 the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, 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 a certain Map marked with the Letter A., 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 Rathdowney Drainage District:" And we do declare that the Lands to be purchased for the proposed Works in such District (subject to such Alterations and Deviations therefrom as we the said Commis-

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 Completion of the necessary Works in the said District shall be limited to the First Day of May which will be in the Year One thousand eight hundred and sixty-six.

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 Five Members:

That the following Persons shall be the Members of the First Drainage Board; viz.:

1. Mathew Henry Franks, Esquire, Westfield Farm, Mountrath;
2. Robinson G. Perry, Esquire, Rathdowney;
3. Sir Patrick O'Brien, Baronet, M.P., 14, Merrion Square East, Dublin;
4. The Reverend Henry Herbert, Rathdowney; and
5. James Howard, Rathdowney:

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 Act: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such, unless the Land 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 Seventh Day of January One thousand eight hundred and sixty-five.

E. HORNSBY, (L.S.)
Secretary.

Office of Public Works,
Dublin.

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation.

PART 2.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

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

WHEREAS certain Proprietors of and Persons interested in the Lands adjoining Silver River, on or about the Eighteenth Day of May One thousand eight hundred and sixty-four, presented their Petition to the Commissioners of Public Works in Ireland under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information as 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 the said Lands within the proposed District should be constituted a separate Drainage District, under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: 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 no Objections to the Report of the said Inspector have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order having been performed and complied with, 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 the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, 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 a certain 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 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 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 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 sixty-six.

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.;

Toler R. Garvey of Parsonstown in the King's County, Esquire;
Edward M. Dunne of Mountrath in the Queen's County, Esquire;
John Ridley of Tullamore in the King's County, Esquire;
Marcus Goodbody of Clara in the King's County, Esquire;
George Ridley of Tullamore in the King's County, Esquire;
Joseph R. Belton of Tullamore 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 Act 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:

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: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such unless the Land 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 Eighteenth Day of February One thousand eight hundred and sixty-five.

E. HORNSBY, (L. S.)
Secretary.

Office of Public Works,
Dublin.

Part 3.

Drainage and Improvement of Lands Act (Ireland), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of Ballynacarrig Drainage District, in the King's County and Queen's County.

Whereas certain Proprietors of and Persons interested in the Lands adjoining the Ballynacarrig River, on or about the Twelfth Day of January One thousand eight hundred and sixty-four, presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of "The Drainage and Improvement of Lands Act (Ireland), 1863," accompanied by the proper Schedules, Maps, Plans, Sections, and Estimates, together with other Particulars and Information, as 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 the said Lands within the proposed District should be constituted a separate Drainage District, under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: 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 no Objections to the Report of the said Inspectors have been made to us, and all Preliminaries required by the said Act to precede the making of this Provisional Order having been performed and complied with, 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 the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, 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 certain Maps to which we have caused our Common Seal to be attached (and which Maps are deposited in the Office of Public Works in Ireland), a separate Drainage District, by the Name of "The Ballinacarrig 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 Maps 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 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 sixty-seven.

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, videlicet:

1. Colonel Thomas Bernard of Castle Bernard in the King's County;
2. Colonel John Head Drought of Letty Brook, King's County;
3. Henry Stuart Johnston, of Ratoath in the County of Meath, Esquire;
4. The Reverend Joseph Marshall of Baronne Court in the King's County;
5. George Thomas Benwell of Cadamstown in the King's County, Esquire;
6. Mathew H. Franks of Westfield in the Queen'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:

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: Provided always, that no such Elector shall be entitled to vote or exercise any Privilege as such unless the Land 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 Eighteenth Day of February One thousand eight hundred and sixty-five.

E. HORNSBY, (L.S.)
Secretary.

Office of Public Works,
Dublin.

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation.

PART 4.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863, 26 & 27 Vict. c. 88. and 27 & 28 Vict. c. 72.

In the Matter of the SIX MILE BRIDGE DRAINAGE DISTRICT, County of Clare.

WHEREAS certain Proprietors of and Persons interested in the Lands upon and adjacent to the Owenogarney River and Tributaries, on or about the Twenty-second Day of March One thousand eight hundred and sixty-four, presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions of the Drainage and Improvement of Lands Act (Ireland), 1863, 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 the said Lands within the proposed District should be constituted a separate Drainage District, under the Provisions of the said Act: And whereas the said Commissioners referred the same to Samuel U. Roberts, Esquire, Civil Engineer, an Inspector duly appointed under the said Act: 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 have also considered an Objection to the said Report made on behalf of Thomas Arthur, Esquire, a Lunatic: 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 the said Inspector assented thereto in Writing: Now, therefore, in pursuance of the Power given to us by the said Act, 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 Six Mile Bridge Drainage District:" And we do declare that the Lands to be purchased for the proposed Works in such 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 Completion of the necessary Works in the said District shall be limited to the First Day of October which will be in the Year One thousand eight hundred and sixty-eight.

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 Eight Members:

That the following Persons shall be the Members of the First Drainage Board, viz.:

1. Maurice O'Connell of Kilgorey,
2. William Bentley of Hurlston,
3. Richard Bentley of Doon House,
4. John Gabbet of Castle Lake,
5. Charles George O'Callaghan of Ballinahinch,
6. John Wilson Lynch of Belvoir,
7. Richard Robert Studdert of Coolreagh, and

} all in the County of Clare, Esquires;

8. John Brown of the Crescent in the County of Limerick, 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 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 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 Second Day of March One thousand eight hundred and sixty-five.

E. HORNSBY, (L.S.)
Secretary.

Office of Public Works,
Dublin.

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