ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

****

C A P. LIII.

An Act to confirm a Provisional Order under "The Drainage and Improvement of Lands (*Ireland*) Act, 1863," and the Act amending the same.

[29th *June* 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 Schedule to this Act annexed, and it is by the said last-mentioned 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: 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 (No. 2. *Ireland*), "1865."

SCHEDULE to which this Act refers.

DRAINAGE AND IMPROVEMENT OF LANDS ACT (IRELAND), 1863.

In the Matter of Kilmastulla Drainage District in the County of Tipperary.

WHEREAS certain proprietors of and persons interested in the lands upon and adjacent to the Kilmastulla River, in the county of Tipperary, on or about the 23d day of March 1864 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, Esq., 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 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 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 Kilmastulla 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

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 August which will be in the year 1868.

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, viz:—

The Right Honourable Lord Baron Dunally-Kilboy, county Tipperary;
William H. Carroll, Tulla House;
Christopher Keays, of Gortmore Cottage;
George Cashel, of Shallee House;
William Bonfield of Gortmore;
William Vere Cruiss, Silver Street;

All in the county of Tipperary, Esquires, and William Tuthill of Upper Mount Street in the City of Dublin, 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 Acts 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 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 Third day of April One thousand eight hundred and sixty-five.

E. Hornsby, (Seal.)
Secretary.

Office of Public Works, Dublin.

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1865.