


ANNO TRICESIMO & TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## CAP. CXXXIX.

**An Act to confirm Provisional Orders for the *Quinagh* and *Parsonstown* Drainage Districts respectively.** [20th *August* 1867.]

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 Orders contained in the First and Second Parts of the Schedule to this Act annexed, and it is by the 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 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:

**1.** The Provisional Orders contained in the First and Second Parts of the Schedule hereto annexed are 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

Nothing contained in recited Act to render legal Works executed by Board injuriously affecting Land.

**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 Orders, or in this Act, shall be construed to render legal any Work executed or to be executed by such Board that would if 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*), 1867."

## SCHEDULE to which this Act refers.

### PART I.

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

In the Matter of Quinagh Drainage District in the County of Carlow.

Whereas certain Proprietors of and Persons interested in the Lands adjoining the Quinagh River, on or about the 2d Day of March 1867 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 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 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 in 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 Quinagh 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 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

District shall be limited to the 1st Day of March which will be in the Year 1869.

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 Three Members:

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

George Alexander of Ruvindon, Leighlin Bridge in the County of Carlow, Esquire:

John Alexander of Milford House in the County of Carlow, Esquire:

William Johnson of Prumplestown in the County of Carlow, 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 25th Day of July 1867.

E. HORNSBY,
Secretary.

Seal.

Office of Public Works,
Dublin.

## PART II.

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

In the Matter of Parsonstown Drainage District in the County of Tipperary and King's County.

Whereas certain Proprietors of and Persons interested in the Lands adjoining the Little Brosna River on or about the 31st Day of December 1866 presented their Petition to the Commissioners of Public Works in Ireland, under the Provisions

visions 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 Acts, showing by Reference to the said Maps the Boundaries and Area of the 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 Usher Roberts, Esquire, Civil Engineer, an Inspector duly appointed under 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 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 Parsonstown 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 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 1st Day of March which will be in the Year 1870.

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 Ten Members:

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

The Right Honourable the Earl of Rosse of Birr Castle, King's County:
Michael Bernard Mullins, Esquire, of Ballyeigan, King's County:
John Lloyd, Esquire, of Gloster, County Tipperary:
Thomas Hackett, Esquire, of Moor Park, King's County:
John Julian, Esquire, Lower Sackville Street, Dublin, and John Rutherford, Esquire, of Clonoghill, King's County, Trustees of Charles B. Baldwin's Estate:
Captain George Garvey, R.N., of Parsonstown, King's County:
Major William T. Bruce of Parsonstown, King's County:
George Smith, Esquire, of Gurteen, King's County:
Francis H. Toone, Esquire, of Ballincor, King's County:
Robert Dowd, Esquire, of Brosna Mills, County Tipperary:

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 Boards 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 25th Day of July 1867.

E. Hornsby,
Secretary.

Seal.

Office of Public Works,
Dublin.

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