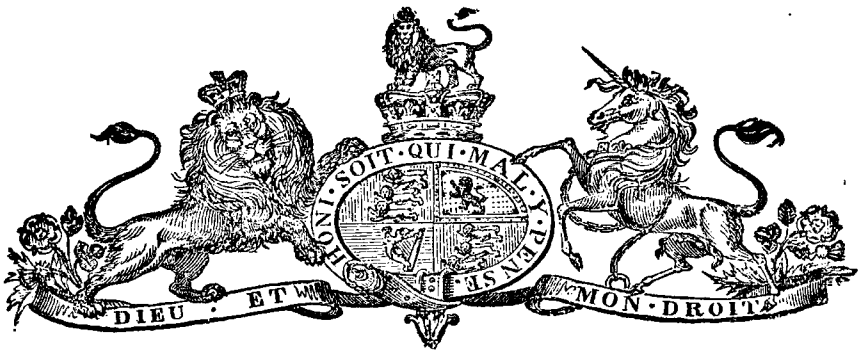


ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XLIII.

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

[15th *July* 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 Order contained in the Schedule to this Act annexed; and it is by said Act provided that no such Order shall be of any Validity whatever 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 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.

2. It

Saving of Rights of Owners beyond the Jurisdiction of the Board established by this Act.

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*), 1867."

SCHEDULE to which the Act refers.

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

In the matter of BRICKEY Drainage District, county of Waterford.

WHEREAS certain proprietors of and persons interested in the lands adjoining the Brickey River, on or about the Nineteenth day of March One thousand eight hundred and sixty-six, 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 since passed amending the same, 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 map 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 have been performed and complied with:

And whereas 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 Brickey River 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 Provisional Order, order and direct that the time for completion of the necessary works in the

the said District shall be limited to the First day of November which will be in the year One thousand eight hundred and sixty-nine:

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.,—

Lord Stuart de Decies of Dromana in the county of Waterford; Sir Richard Musgrave, Baronet, of Tourin in the county of Waterford; Edward O'Dell of Carriglea in the county of Waterford, Esquire; Thomas Egan of Ballintogher in the county of Waterford, Esquire; John Quinlan of Clonkerden in the county of Waterford, Esquire; Edmond Spratt of Coolcormuck in the county of Waterford, Esquire; Patrick Curran of Ballycullane in the county of Waterford, Esquire; William McCarthy of Ballyduff in the county of Waterford, Esquire:

That the first meeting of 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 qualifications 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 alway, 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 Eighth day of April One thousand eight hundred and sixty-seven.

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

Office of Public Works, Dublin.

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