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C A P. III.

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

[7th *December* 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 the first-mentioned Act provided that no such Order shall be of any Validity whatsoever until it should be confirmed by Parliament, and it is expedient that said Order shall 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:

Confirmation of Provisional Order in Schedule.

1. The Provisional Order contained in the Schedule hereto 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 the 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 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.

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 ELPHIN DRAINAGE DISTRICT, County of Roscommon.

WHEREAS certain Proprietors of and Persons interested in the Lands adjacent to the Owenure River and its Tributaries on or about the 16th Day of September 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, 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 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 the said Lands within the proposed District should be constituted a separate Drainage District under the Provisions of said Act:

And

And whereas the said Commissioners referred the same to Samuel Ushen 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 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 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 Elphin 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 September 1870.

And we do further, by this our Provisional Order, make the following Regulations with respect to the Drainage Board:—

The Drainage Board for the said District shall consist of Eleven Members.

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

The Right Honourable Lord Crofton of Moat Park, County of Roscommon.
John Irwin of Raheen, Esquire, County of Roscommon.
William Lloyd of Rockville, Esquire, County of Leitrim.
Henry Packenham Mahon of Strokestown House, Esquire, County of Roscommon.
Joseph A. Holmes of Roscommon, Esquire, County of Roscommon.
George Walpole of Castlenode, Esquire, County of Roscommon.
William Garnett of Roscommon, Esquire, County of Roscommon.
Christopher French of Cloonyguin, Esquire, County of Roscommon.
John Hague of Cloonahoe, Esquire, County of Roscommon.
Horatio N. Lawder of Aughamore, Esquire, County of Leitrim.
John Ross Mahon of Strokestown, Esquire, County of Roscommon.

That

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 20 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 100 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 of 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 5th Day of August 1867.

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

Office of Public Works,
Dublin.

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