



### CHAPTER cxxiii.

An Act to confirm a Provisional Order under the Land Drainage Act 1861 in the matter of a proposed drainage district in the City of Lincoln and in the Parishes of Saxilby Skellingthorpe and Boutham in the County of Lincoln. A.D. 1912.  
[7th August 1912.]

**W**HEREAS the Board of Agriculture and Fisheries have made the Provisional Order set forth in the schedule hereto under the provisions of the Land Drainage Act 1861: 24 & 25 Vict.  
c. 133.

And whereas it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the King'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 Order as amended and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in  
schedule  
confirmed.

2. This Act may be cited as the Land Drainage (Lincoln West) (South District) Provisional Order Confirmation Act 1912. Short title.

[Ch. cxxiii.] *Land Drainage (Lincoln West)* [2 & 3 GEO. 5.]  
(*South District*) *Provisional Order Confirmation Act, 1912.*

A.D. 1912.

SCHEDULE.

LAND DRAINAGE ACT 1861.

PROVISIONAL ORDER.

*In the matter of a proposed Drainage District in the City of Lincoln and in the Parishes of Saxilby Skellingthorpe and Boultham in the County of Lincoln.*

1. The Board of Agriculture and Fisheries in pursuance of the powers vested in them by the Land Drainage Act 1861 and the Board of Agriculture and Fisheries Acts 1889 to 1909 do by this Provisional Order constitute the lands shown on a plan sealed by the Board and thereon coloured green brown pink and yellow respectively a separate drainage district under the Land Drainage Act 1861.

2. And they do further by this their Provisional Order make the following regulations with respect to the Drainage Board (that is to say):—

(a) The Drainage Board for the said district shall consist of eleven members:

(b) The following persons shall be members of the first Drainage Board:—

Alfred James Brickwell of the Surveyor's Department of the Great Northern Railway Company surveyor;

William Joseph Cannon of Kenilworth House 5 Lindum Terrace Lincoln leather dresser;

Alexander Hugh Bergne-Coupland of Nettleham Field near Lincoln esquire;

Frank St. Barbe Gregorie of 8 Bank Street Lincoln land agent;

George Lister Haslehurst of 17 Mint Street Lincoln solicitor;

Francis Lowry Lightfoot of 23 Abingdon Street Westminster S.W. land agent;

Frederick Howard Livens of Greetwell Road Lincoln engineer;

[2 & 3 GEO. 5.] *Land Drainage (Lincoln West)* [Ch. cxxiii.]  
(*South District*) *Provisional Order Confirmation Act, 1912.*

The Right Honourable Arthur William de Brito Savile A.D. 1912.

Earl of Liverpool;

William Tomlinson Page of 5 and 6 Bank Street  
Lincoln solicitor;

Percy Marriott Payne of the Rates and Taxes Department of the Midland Railway Company rating surveyor; and

Matthew Pearson of Waterloo Street New Boultham  
Lincoln engineer:

(c) The first meeting of the Drainage Board shall be summoned by a notice under the hands of any two or more members of the Drainage Board which shall be published by advertisement in one or more of the newspapers circulating extensively in the said district and by causing a copy of such notice to be affixed to the outer door of the principal office of the Drainage Board at least fourteen days before the day of meeting:

(d) The qualification of subsequent members of the Drainage Board shall be as follows:—

(1) Five members (hereinafter referred to as “the agricultural members”) shall be proprietors each of not less than fifty acres of land within the area (hereinafter referred to as “the agricultural area”) coloured green on the said sealed plan or agents or occupying tenants of such proprietors;

(2) One member (hereinafter referred to as “the urban member”) shall be the proprietor of a house or houses rateable to the relief of the poor at not less than the sum of ten pounds and situate within the area (hereinafter referred to as “the urban area”) coloured brown on the said sealed plan;

(3) Three members shall be persons of whom one shall be from time to time nominated in writing by each of the companies known as William Foster and Company Limited Ruston Proctor and Company Limited and B. Cannon and Company Limited;

(4) Two members shall be persons from time to time nominated in writing one by the Midland Railway Company and the other by the Great Northern and Great Eastern Railways Joint Committee:

(e) The members of the first Drainage Board shall vacate their offices on the first Thursday in September in the year

[Ch. cxxiii.] *Land Drainage (Lincoln West)* [2 & 3 GEO. 5.]  
*(South District) Provisional Order Confirmation Act, 1912.*

A.D. 1912.

following that in which this Provisional Order shall have been confirmed by Parliament:

(f)—(1) The agricultural members and the urban member shall be elected by meetings of the respective bodies of electors hereinafter mentioned and in manner directed by Part I. of the schedule to the Land Drainage Act 1861 and the electors shall be—

(i) For the agricultural members the persons who were during the year immediately preceding the election liable to be rated in respect of property within the agricultural area to any drainage rate of the said district leviable by the Drainage Board and have paid all such rates (if any) levied and due from them at the time of the election;

(ii) For the urban member the persons who were during such year as aforesaid liable to be rated to any such drainage rate as aforesaid in respect of property within the urban area and have paid such rates (if any) as aforesaid:

(2) Every member nominated as hereinbefore provided shall retain his office until he resigns or dies or his nomination is revoked by the company or committee who nominated him and the provisions of the Land Drainage Act 1861 with respect to vacating office and vacating or retiring members and casual vacancies shall not apply to nominated members:

(g) All rates made by the Drainage Board shall as between the several areas below mentioned be levied borne and collected in the following proportions (that is to say):—

(i) The agricultural area coloured green  
on the said sealed plan - - - - - twenty-two fortieths

(ii) The urban area coloured brown on  
the said plan - - - - - four fortieths

(iii) The area coloured pink on the said  
plan - - - - - six fortieths

(iv) The area coloured yellow on the  
said plan - - - - - eight fortieths

Provided that at any time and from time to time after the expiration of five years from the date at which this Order shall have been confirmed by Parliament the Board of Agriculture and Fisheries may if they think fit vary any of the above regulations upon application made to them by the Drainage Board or by any person or persons liable to be rated to any drainage rate of the said district and representing

[2 & 3 GEO. 5.] *Land Drainage (Lincoln West)* [Ch. cxxiii.]  
(*South District*) *Provisional Order Confirmation Act, 1912.*

at least one-third of the rateable value of any one of the several areas herein-before mentioned and with such consents (if any) as the Board of Agriculture and Fisheries may require in order to protect the interests of any person affected by such variation. A.D. 1912.

3. A tenant under a contract of tenancy current at the date of the confirmation of this Order may in default of and subject to any agreement to the contrary deduct any rate levied by the Drainage Board and paid by him from any rent due or that may accrue due for the land in respect of which the rate is levied.

4.—(a) There shall by virtue of this Order be vested in and transferred to the Drainage Board all drainage works and property which under or by virtue of a local Act of Parliament passed in the forty-fourth year of His Majesty King George the Third intituled “An Act for embanking draining and improving certain lands in the City of Lincoln and County thereof and in the Parishes or Townships of Boultham Skellingthorpe Saxilby Broxholme North Carlton South Carlton Burton and Hathow in the County of Lincoln; and for inclosing Lands in the said Parish of Skellingthorpe” are vested in and all existing liabilities incurred thereunder by the trustees appointed under or by virtue of the said Act for putting into execution the powers and authorities given to and vested in them in over and upon the lands comprised in the South District in the said Act mentioned and also the powers of the said trustees under section forty-seven (Preservation of the course of drainage through Lincoln) of the said Act.

(b) This Order shall not prejudice or affect any rights powers or authorities under or by virtue of the said local Act or otherwise of any commissioners bodies (corporate or unincorporate) or persons other than the said trustees.

(c) All existing agreements or deeds of covenant to which the said trustees are parties shall continue in force after the confirmation of this Order by Act of Parliament with the substitution therein of the Drainage Board for the said trustees and shall thenceforth be construed and have effect accordingly.

(d) The joint expenses in the said local Act referred to in respect of the maintenance of the joint works of drainage therein mentioned shall continue to be chargeable as between the North District and the South District in the said Act mentioned in accordance with the instrument of apportionment dated the sixth day of August one thousand eight hundred and six which is recited in and annexed to the award

[Ch. cxxiii.] *Land Drainage (Lincoln West)* [2 & 3 GEO. 5.]  
(*South District*) *Provisional Order Confirmation Act, 1912.*

A.D. 1912. dated the seventeenth day of May one thousand eight hundred and thirty made in pursuance of the said Act.

In witness whereof the Board of Agriculture and Fisheries have hereunto set their official seal this ninth day of April nineteen hundred and twelve.

(L.S.)

E. J. CHENEY  
Assistant Secretary.

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