



## CHAPTER cix.

An Act to confirm a Provisional Order under the Land Drainage Act 1918 relating to a Drainage District in the administrative counties of the Parts of Holland the Parts of Kesteven and the Soke of Peterborough. [4th August 1922.] A.D. 1922.

**W**HEREAS the Minister of Agriculture and Fisheries made the Provisional Order set forth in the schedule hereto under the provisions of the Land Drainage Act 1918 :

And whereas the Order was duly published and memorials were duly presented by persons and bodies affected by the Order and having such interest as is prescribed by the said Act as being sufficient for the purpose praying that the Order should not become law without confirmation by Parliament and such memorials have not been withdrawn :

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. Confirma-  
tion of  
Order in  
schedule.

2. This Act may be cited as the Land Drainage Provisional Order Confirmation (No. 2) Act 1922. Short title.

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SCHEDULE.

WELLAND DRAINAGE DISTRICT.

WHEREAS in the opinion of the Minister of Agriculture and Fisheries it is expedient that the Areas A B C D E F G shown by colours and edged red on the map sealed by the Minister in relation to this Order which areas are hereinafter referred to as "the district" should be constituted a separate drainage district for the purposes of Part II. of the Land Drainage Act 1861 and such incidental supplemental or consequential provisions as are hereinafter contained are necessary or proper for the purposes of this Order :

And whereas the district includes the whole or part of certain areas within the jurisdiction of the drainage authorities specified in the Second Schedule to this Order and such drainage authorities have consented to the inclusion of their respective drainage areas or parts thereof in the district subject to the provisions hereinafter contained :

Now therefore the Minister of Agriculture and Fisheries by virtue and in exercise of the powers vested in him under the Land Drainage Act 1918 and of every other power enabling him in this behalf does hereby order as follows :—

Constitution  
of district.

1.—(a) The district is hereby constituted a separate drainage district for the purposes of Part II. of the Land Drainage Act 1861 and shall be known as the Welland Drainage District.

(b) Where the site of a culvert under any railway or canal or towing-path is included in the district and coloured on the said map and the railway or canal or towing-path on either side thereof is not coloured the railway or canal or towing-path lying above such culvert shall not by reason of the culvert being so included and coloured be deemed to be included in the district.

Any culvert whether coloured or not on the said map shall if it connects parts of any Area be deemed to be part of the Area the parts of which are connected thereby or where the culvert connects two Areas be deemed to be part of the Area from which water is discharged through it.

Composition  
of Welland  
Drainage  
Board.

2.—(a) The drainage board for the district shall be styled the Welland Drainage Board and from and after the day on which the term of office of members of the first Board shall cease as hereinafter provided shall consist of twenty-eight members appointed as follows :—

Seven members appointed by the Welland Outfall Trustees ;  
Five members appointed by the Deeping Fen Trustees ;



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Two members appointed by the Glen Bank Trustees ;  
Two members appointed by the Holland Elloe Commissioners of Sewers ;

Two members appointed by the Maxey Drainage Board ;  
One member appointed by each of the following drainage authorities namely the Crowland and Cowbit Washes Drainage Commissioners the South Holland Drainage Commissioners the South Holland Embankment Commissioners and the Spalding and Pinchbeck Drainage Commissioners ;

One member appointed by the Council of each of the following administrative counties namely the Soke of Peterborough the Parts of Holland and the Parts of Kesteven ;

Three members elected as follows :—

For Area F two members ;

For Area G one member :

Provided that the Minister of Agriculture and Fisheries may at any time after consultation with the Welland Drainage Board by order under his seal vary the number of members constituting the Welland Drainage Board by the addition of a member to be nominated by any local authority of a district for the purposes of the Public Health Act 1875 or any highway authority which may hereafter in pursuance of section 5 of the Land Drainage Act 1918 contribute or undertake to contribute to the expenses of the execution or maintenance of any works by the Welland Drainage Board or by any two or more of such authorities.

(b) The rules relating to the qualification of members and to elections are set out in the First Schedule to this Order.

3. The following persons shall be the first members of the Welland Drainage Board :— First members.

*Name of Member.*

William John Atkinson,  
George Francis Birch,  
Frederick Ezekiel Bowser,  
William Richardson Caudwell,  
Alfred Henry Clark,  
Frank Herbert Cooke,  
Frank Whitworth Dennis,  
William Dennis,  
The Most Honourable the Marquis of Exeter,  
George W. Fitzwilliam,  
Samuel Freir,  
Fitzalan Howard,  
The Right Honourable the Earl of Lindsey,  
Thomas Onn Mawby.

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Thomas Arthur Pick,  
Thomas Pope,  
William Edward Porter,  
William Stapleton Royce,  
William James Thompson Junr.,  
George Vergette of The Manor Market Deeping,  
Percival Vergette of Northborough,  
Edward Montague Earle Welby,  
Alexander West,  
Hubert de Burgh Wilmot of Milton Ferry Peterborough  
and one person to be appointed by the Council of each of the  
following administrative counties namely the Soke of  
Peterborough the Parts of Holland and the Parts of  
Kesteven within three months of the date of the confirma-  
tion of this Order :

Provided that if the Councils of the said administrative counties  
or any of them do not make such appointments the remaining  
members of the Welland Drainage Board shall act as if such  
appointments had been made.

First  
meeting.

4. The first meeting of the Welland Drainage Board shall be  
summoned as soon as practicable after the confirmation of this  
Order by notice under the hands of any two or more members  
of the Welland Drainage Board which shall be published in  
one or more newspapers circulating in the said district and shall  
be sent to each member of the Welland Drainage Board by  
post at least fourteen days before the day of the meeting and the  
Welland Drainage Board shall come into office on the day of  
the meeting.

Term of  
office &c.

5.—(1) The term of office of a member of the Welland  
Drainage Board shall be three years unless before the expiration  
of such period he commits an act of bankruptcy or resigns or  
dies or his appointment is revoked by the body by which he was  
appointed or he fails to attend at least half the meetings of the  
Welland Drainage Board in any year of his office. or in the case  
of a member appointed by a drainage authority he ceases to be  
a member of such authority and the provisions of section 68 of  
the Land Drainage Act 1861 (Regulations as to drainage boards)  
with respect to vacating office and vacating or retiring members  
or casual vacancies shall not apply provided that in the case of  
the first members the term of office shall instead of three years be  
the period ending on the first day of October in the first year after  
this Order is confirmed.

(2) Every member of the Welland Drainage Board shall on  
the expiration of his term of office be eligible for re-appointment  
or re-election and if at the time when the appointment or elec-  
tion of members ought to take place the place of any retiring



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(4) Save as provided by this Order the expenses of the Welland Drainage Board in connection with the execution improvement or maintenance of drainage works shall be defrayed by means of rates levied within the Areas and in the proportions set out in the following table :—

Name of Area.	How coloured on Map.	Proportionate rate per acre or in the £ to be levied within the Area.
A - - -	Grey - - -	The full rate.
B - - -	Green - - -	$\frac{2}{3}$ of the full rate.
C - - -	Blue - - -	$\frac{7}{12}$ of the full rate.
D - - -	Brown - - -	$\frac{2}{3}$ of the full rate.
E - - -	Yellow - - -	$\frac{1}{6}$ of the full rate.
F - - -	Pink and hatched yellow	$\frac{2}{9}$ of the full rate.

Provided that until such time as an effective scheme of works for the improvement of the outfall of the Welland shall be undertaken the proportionate rate levied within the part of Area D lying south of the Welland (including the Crowland and Cowbit Washes) shall be one-third of the full rate instead of two-thirds and any question as to whether the reduced rate hereunder has ceased to operate shall be determined by the Minister of Agriculture and Fisheries.

(5) It shall be lawful for the Welland Drainage Board by order to constitute any part of any of the said Areas to be described and delimited in such order a separate level for the purposes of section 14 of the Sewers Act 1833 and within such separate level subject to the provisions of this Article to levy rates either on the basis of the annual value of lands liable to be rated or on the basis of acreage irrespective of the basis on which they may be levying rates in other parts of the Area and in respect of any works within the district to levy rates on the lands situated within any such separate level either greater or less in amount than the rates levied in other parts of the Area having regard to the degree of benefit derived from such works by such separate level or district :

Provided that in case any such separate level is so created as aforesaid the rates to be levied in respect of expenses to which paragraph (4) of this Article applies within such separate level and the rates to be levied in respect of such expenses within the residue of the Area of which the level forms part shall together be such as will produce as nearly as possible the same amount as would have been produced by a rate levied on the whole Area in accordance with paragraph (4) of this Article.

(6) The Welland Drainage Board shall have power to allocate to any Area within their district any portion of their administrative

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member is not filled up the retiring member whose place is not filled up shall continue in office until his successor is appointed or elected.

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(3) Any casual vacancy occurring in the Welland Drainage Board may be filled up by the body by which the vacating member was appointed or in the case of an elected member by the Welland Drainage Board but any person so appointed shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

(4) During any vacancy in the Welland Drainage Board the continuing members shall act as if such vacancy had not occurred.

(5) Any act of the Welland Drainage Board or of any committee or sub-committee thereof shall not be invalidated by reason of any defect in the appointment or election of any member of the Welland Drainage Board or of any such committee or sub-committee.

6. The Welland Drainage Board may appoint such committees and subject to any regulations made by that Board a committee may appoint such sub-committees as they think fit and any committee or sub-committee may consist wholly or partly of members of the Welland Drainage Board but any act of any such committee or sub-committee shall be subject to the approval of the Welland Drainage Board unless the Drainage Board shall otherwise direct.

Appoint-  
ment of  
committees.

7.—(1) All expenses incurred by the Welland Drainage Board in connection with the maintenance or improvement of the River Welland above Town End Tunnel or in connection with works within Area G shall be defrayed by means of rates levied on lands within Area G but so that the rate or rates levied on any lands in Area G under this Order shall not in any year exceed two shillings per acre or if levied on an annual value basis one shilling and fourpence in the pound.

Rating.

(2) No rates shall be levied on any land in the Area coloured pink and hatched purple (being part of Area G) until it shall have been provided with an adequate outfall into the River Welland save in respect of expenses incurred solely for the benefit of such land and when such outfall has been provided the said Area shall be rated on the same basis as the remainder of Area G.

(3) Expenses incurred in relation to any works declared by the Welland Drainage Board to be for the exclusive benefit of any lands situate in Area F or within the area of any of the drainage authorities referred to in the Second Schedule to this Order shall be defrayed wholly by means of rates levied on such lands.



or general expenses which may be declared by them to be attributable solely to the exercise of their powers and duties within such Area or to the execution of works for the sole benefit of lands within such Area. Any expenses so allocated shall be defrayed wholly by means of rates levied on lands situated in the Area to which the expenses are allocated. Administrative and general expenses not so allocated to particular Areas shall so far as may be practicable be allocated to works and defrayed as if they were expenses incurred in the erection of works. A.D. 1922.

(7) In the case of any rate levied on the basis of the annual value of the lands liable to be rated the following rules shall apply :—

- (a) Lands belonging to any railway company and used only as a railway constructed under the powers of any Act of Parliament for public conveyance or as a canal or the towing-path for the same shall not be assessed on a basis of higher annual value than that of the lands immediately adjacent thereto; and
- (b) Buildings and other hereditaments not being agricultural land or land used only as aforesaid may if the Drainage Board shall so determine by order be rated at one-half only of the rate in the pound at which the remainder of the lands situate in the same rating area or district are rated.

8. If and when the outfall of the River Welland shall be carried into deep water the Deeping Fen Trustees shall prepare plans and estimates for such enlargement or improvement of the Vernatt's and counter drains as will enable them to take all water which would be discharged from the Bourne South Fen and Thurlby Drainage District by means of any enlargement of the Heathcote Tunnel. Such plans and estimates shall be submitted to the Bourne South Fen and Thurlby Drainage Board who shall then if they so desire become entitled to have their district included in the Welland Drainage District on the following conditions :—

Provision as to Bourne South Fen and Thurlby Drainage.

- (1) That the Heathcote Tunnel shall be so enlarged by the Welland Drainage Board at the expense of the Bourne South Fen and Thurlby Drainage Board as to be capable of discharging the whole of the drainage of the Bourne South Fen and Thurlby Drainage District :
- (2) That the cost of such enlargement of the Vernatt's and counter drains (if any) as may be considered by the Welland Drainage Board to be necessary as a condition precedent to the enlargement of the Heathcote Tunnel shall be borne by the Bourne South Fen and Thurlby Drainage Board and paid by them to the

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Deeping Fen Trustees (who shall carry out such enlargement) with such contributions as may be determined by the Welland Drainage Board from any other lands that may be benefited by such enlargement of the Vernatt's Drain or the counter drain :

- (3) That lands in the Bourne South Fen and Thurlby Drainage District shall be rated for the expenses of the Welland Drainage Board to which paragraph (4) of the preceding Article applies at two-thirds of the rate levied on the lands coloured grey on the said map :
- (4) That the Bourne South Fen and Thurlby Drainage Board shall appoint one member of the Welland Drainage Board which shall be increased in number accordingly :
- (5) That unless a drainage board shall previously have been established with jurisdiction over the channel and the south bank of the Bourne Eau the channel and the south bank of the Bourne Eau shall become maintainable by the Bourne South Fen and Thurlby Drainage Board as from the date of the inclusion of the Bourne South Fen and Thurlby Drainage District in the Welland Drainage District.

Saving of certain powers of existing drainage authorities.

9.—(1) Notwithstanding anything contained in the Land Drainage Acts 1861 and 1918 or this Order the powers hitherto exercisable by any of the drainage authorities mentioned in the Second Schedule to this Order or by any other authority having powers or duties in relation to the drainage or embankment of any of the said lands shall not cease except in so far as the same are exercisable in relation to any portion of the channels which are coloured dark-blue on the said map or form the boundary of the district or in so far as may be agreed between the Welland Drainage Board and any such authority or as may be settled by an order made by the Minister of Agriculture and Fisheries on the application of either party and the Welland Drainage Board shall not except with the consent of the authority concerned exercise within the district of any such authority any power otherwise than in relation to the said channels. All the said channels shall be within the view cognizance and jurisdiction of the Welland Drainage Board exclusively :

Provided that no structure appliance or channel for the discharge of water from the drainage area of any drainage authority into any such channel as aforesaid shall be constructed or altered by such authority except upon such terms as may be agreed between the Welland Drainage Board and the drainage authority concerned or in default of agreement upon such terms as may be determined by the Minister of Agriculture and Fisheries.

(2) New works or improvements in existing works in or on any part of the channel or banks of such part of the River Welland



with the consent of the said Commissioners or unless it is determined in the manner provided by Article 10 (3) of this Order that the said banks will not be so endangered and then only subject to such terms and conditions as may be laid down by an arbitrator to be appointed in the manner provided by the said Article 10 (3).

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(5) Any difference arising between the said Commissioners and the Welland Drainage Board under this Article may be referred to such arbitrator by either party after giving at least fourteen days notice to the other.

12. For the protection of the Great Northern Railway Company the Midland Railway Company the Midland and Great Northern Railways Joint Committee and the Great Northern and Great Eastern Joint Committee (each of whom is in this section referred to as "the company") the following provisions shall have effect (that is to say) :—

For protection of certain railway companies.

- (1) In this section the expression "railway" means and includes any railway belonging to or worked by the company and any works or property used in connection therewith :
- (2) Nothing in this Order contained shall prejudicially affect any statutory powers or authorities from time to time vested in or exerciseable by the Company :
- (3) The Welland Drainage Board shall not under the powers of this Order acquire any lands of the company held for the purposes of a railway or any interest in any such lands except with the consent of the company :
- (4) Nothing in this Order shall authorise the Welland Drainage Board to interfere with any railway so as to affect injuriously the conveyance of traffic on such railway or the use or maintenance of such railway or to interfere with the safe use or the supply of water used for the purposes of any railway or provided by the company :
- (5) Whenever under the powers of this Order the Welland Drainage Board shall require to construct any works under over or upon or which may affect or interfere with any railway they shall give to the company notice in writing of their intention to commence such works accompanied by sufficient plans sections specifications and other information to show the nature of such works and such works shall be constructed and thereafter maintained according to the plans sections and specifications approved or settled as hereinafter mentioned and under the superintendence if given and to the reasonable satisfaction of the engineer of the company Provided that if the said engineer fails within twenty-eight days after receiving the said plans sections and

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- specifications to signify his disapproval thereof or the conditions subject to which he approves the same he shall be deemed to have approved the same :
- (6) The Welland Drainage Board shall be responsible for and make good to the company all losses damage and expenses which may be sustained or incurred through or in consequence of any act or omission in connection with such works of the Welland Drainage Board or their contractors or of any person in the employ of either of them :
  - (7) The Welland Drainage Board shall bear and on demand pay to the company the reasonable expense of any temporary works which may in the opinion of the company be necessary for the protection of any railway in connection with the execution or maintenance by the Welland Drainage Board of any works and of the employment by the company of a sufficient number of inspectors watchmen and flagmen to be appointed by the company for watching the railway with reference to and during such execution or maintenance of works :
  - (8) The Welland Drainage Board shall pay to the company any additional cost of widening altering ~~maintaining~~ or increasing under any powers of the company existing at the date of the execution of the works of the Welland Drainage Board the company's railway accommodation at the places where works of the Welland Drainage Board shall be under or over the railway or in under or over any property of the company which may be due to the existence of any works of the Welland Drainage Board :
  - (9) The Welland Drainage Board shall not abandon any work of drainage by means of which water is conveyed to or from the property of the company or any defence against water which protects from flooding any such property unless or until they shall have provided in substitution therefor to the reasonable satisfaction of the company works for conveying water to or from such property or for protecting such property from flooding as efficiently as by means of the existing work or defence nor shall any rights which the company may enjoy in connection with any stream or water-course be injuriously affected without the consent of the company :
  - (10) Any difference which may arise between the Welland Drainage Board and the company or their engineer with respect to any of the provisions of this section shall unless otherwise agreed be determined on the application of either party by an engineer to be agreed upon by the Welland Drainage Board and the company



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(3) Any difference arising between the Drainage Board and any protected authority under paragraph 2 of this Article as to whether the said banks will be so endangered or as to the terms or conditions upon which such proposals should be proceeded with shall be referred by the Drainage Board if so agreed between the parties to the Minister of Agriculture and Fisheries as arbitrator or failing such agreement to an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of the Drainage Board after giving at least fourteen days' notice to the protected authority concerned and the decision of the Minister or of such other arbitrator as the case may be shall be final.

Protection  
of Black  
Sluice Com-  
missioners.

11.—(1) Nothing in this Order shall in any way affect or derogate from any of the powers rights duties or obligations of the Black Sluice Commissioners.

(2) ~~The Welland Drainage Board shall not have any powers or jurisdiction over any banks which are now maintainable by the Black Sluice Commissioners or over any sluices or weirs now belonging to the Commissioners but no structural alteration of any such sluices or weirs shall be made so as to affect the flow of water into or out of the River Glen or the River Welland without the consent of the Welland Drainage Board.~~

(3) ~~The Welland Drainage Board shall not take any earth or other material for the repair of the south bank of the River Glen from within twenty feet of any part of the north bank which is maintained by the Black Sluice Commissioners.~~

(4) If the Welland Drainage Board propose to alter or widen the channel of the River Glen beyond the summer water line which is the present boundary of the jurisdiction of the Black Sluice Commissioners they shall give notice to the said Commissioners of their proposals and afford facilities to any officer appointed by the said Commissioners to inspect the plans of the proposed works. If upon the receipt of such notice the said Commissioners are of opinion that the carrying out of the proposals contained therein or of any part of them would endanger any of the banks under their jurisdiction and within thirty days give notice to that effect requiring the Welland Drainage Board not to proceed with such proposals or with such part of them then the Drainage Board shall not proceed with such proposals or with that part of them to which the notice relates except



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as lies below the Risegate Outfall or works for the improvement of the outfall of that river below Fosdyke Bridge shall not be executed except with the consent of two-thirds of the members of the Welland Drainage Board present at a duly constituted meeting.

(3) Nothing in this Order shall be taken as relieving or discharging any person or any of the authorities referred to in the said Second Schedule from any duty obligation or liability to which such person or authority was subject before the date of the confirmation of this Order with respect to the maintenance of any part of the banks of the River Glen or the River Welland.

(4) Nothing in this Order shall prevent any of the authorities enumerated in the Second Schedule to this Order from raising by rates after the day on which the Welland Drainage Board comes into office as hereinbefore provided any money required to meet expenditure incurred before such day in the exercise of powers or in the discharge of duties which will cease in consequence of this Order or prejudicially affect any security granted by any such authority on the credit of any rate leviable by them.

(5) The Welland Drainage Board may if they think fit assume liability for the discharge of any debt incurred by any of the said authorities before such day in connection with the exercise of any power or the discharge of any duty which will cease by or in consequence of this Order. Provided that the money required to discharge any such debt and to pay interest thereon shall be raised by means of rates levied upon lands which were liable to be rated for that purpose before the passing of this Order.

10.—(1) Before commencing the construction of any new works or the improvement of any existing works on the River Welland above the Great Northern Railway Bridge near Peakirk the Welland Drainage Board shall give notice to the North Level Drainage Commissioners the Deeping Fen Drainage Commissioners the South Holland Drainage Trustees and the Welland Outfall Board hereinafter called "the protected authorities" of their proposals and afford facilities to any officer appointed by any of the protected authorities to inspect the plans of the proposed works.

For the protection of the North Level Drainage Commissioners and others.

(2) If upon the receipt of such notice any of the protected authorities is of opinion that the carrying out of the proposals contained therein or of any part of them would endanger any of the banks under the jurisdiction of any of the protected authorities (including as far as the North Level Commissioners are concerned the bank on the south eastern side of the Welland Wash from Peakirk to Brotherhouse Bar) and give notice to that effect requiring the Drainage Board not to proceed with such proposals or with that part of them then the Drainage Board shall not proceed with such proposals or with that part of them



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or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers.

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13.—(1) Nothing in this Order shall be deemed to be or shall operate as a grant by or on behalf of the Crown as owner of the tidal lands below high-water mark of ordinary tides of any estate or interest in or right over such tidal lands or any part thereof nor shall anything herein authorise the execution of any works on over or under tidal lands below high-water mark of ordinary spring tides or the using thereof except in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade or confer on the Welland Drainage Board any power of levying drainage rates in respect of the said tidal lands.

Saving of  
Crown and  
other rights.

(2) Nothing in this Order shall be taken to prejudice or in any way affect any claim of any person whatsoever to any estate right or interest in or relating to any such tidal lands as aforesaid.

14. The expenses of the Minister of Agriculture and Fisheries in relation to the making and confirmation of this Order shall be a first charge on the rates leviable in the district and shall be defrayed as general or administrative expenses of the Welland Drainage Board.

Expenses of  
the Order.

15.—(a) In this Order the expression "channel" means the bed of any river drain or other watercourse excluding any bank as hereinafter defined and includes any structure or appliance situate in a channel or in any bank thereof as hereinafter defined for controlling or regulating the flow of water into or out of the channel except the River Glen Sluice which shall remain as heretofore under the jurisdiction of the Deeping Fen Trustees.

Definitions.

(b) The expression "bank" means any artificial bank foreland or embankment adjoining or confining any channel on either side and any soak-dykes thereto appurtenant.

(c) Other expressions have the same meanings as in the Land Drainage Acts 1861 and 1918 unless excluded by the subject or the context or expressly varied by this Order.

16. For the purposes of any meeting of the Drainage Board six members shall form a quorum.

17. This Order may be cited as the Welland Drainage Order 1922.

Short title.

In witness whereof the Official Seal of the Minister of Agriculture and Fisheries is hereby affixed this Fifteenth day of February nineteen hundred and twenty-two.

(L.S.) (Signed) A. T. A. DOBSON  
Assistant Secretary.

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FIRST SCHEDULE.

RULES RELATING TO THE QUALIFICATIONS OF MEMBERS OF THE  
WELLAND DRAINAGE BOARD AND ELECTIONS.

1. Members of the Welland Drainage Board appointed by existing drainage authorities shall be members of the appointing body.

2. After the expiration of the term of office of the members of the first Drainage Board no person other than a member of an existing drainage authority or a person appointed by a county council shall be elected as a member of the Drainage Board or act as such unless he is the proprietor of at least ten acres of land situated within the Area for which he is appointed or elected or the heir-apparent of such a proprietor or the occupier of at least twenty acres of such land or one of the persons named in this Order as members of the first Board and unless he has paid all rates due from him to the Board :

Provided that no person who is the heir-apparent of such a proprietor as aforesaid shall be appointed or elected as a member of the Board or act as such during such time as the proprietor is a member thereof :

Provided further that each member of the Drainage Board may by instrument in writing appoint some person to be approved by the Drainage Board to represent him at any meeting which from any cause he cannot personally attend :

Provided also that for the purposes of this paragraph no rate shall be deemed to be due before the expiration of one calendar month from the date of demand.

3. The electors for any Area shall be the owners and occupiers of all lands in such Area in respect of which the Welland Drainage Board have power to levy rates provided that if any rates have been made by the said Board in respect of the lands severally owned or occupied by them they shall have paid all rates due from them to the said Board and demanded not less than one calendar month before the date of the election. The owner or occupier of any land shall be deemed to be the person shown as such in the poor rate in force in the parish in which the land is situate at the commencement of the month preceding the month of the election.

Subject to the provisions of any Act of Parliament to the contrary where a corporation aggregate or any commissioners proprietors or other undertakers are owners or occupiers of any land such corporation commissioners proprietors or undertakers respectively shall be deemed to be one owner or occupier for the purposes of this Article and may appoint a deputy to vote and such deputy shall be appointed in the case of a college either



under the common seal or under the hands of the head or senior bursar or treasurer of such college and in the case of any other corporation under their common seal and in any other case under the hands of three commissioners proprietors or other undertakers professing to act for the whole.

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If any land is owned by joint tenants or tenants in common any one of such tenants may for the purposes of this Article be deemed to be the owner of such land.

4. For the purposes of any election it shall be lawful for the Welland Drainage Board to convene either one or more meetings at such places and on such dates as may be convenient.

5. Unless the Welland Drainage Board during the year preceding the year of the election shall in any part of its district have levied rates on the basis of annual value and not on the basis of acreage each elector entitled to vote in respect of land in such part of the district shall vote according to the following scale :—

If the property in respect of which he is entitled to vote does not exceed 20 acres in extent he shall have one vote.

If such property exceeds 20 acres but does not exceed 40 acres he shall have two votes.

If it exceeds 40 acres but does not exceed 80 acres he shall have three votes.

If it exceeds 80 acres but does not exceed 120 acres he shall have four votes.

If it exceeds 120 acres but does not exceed 200 acres he shall have five votes.

If it exceeds 200 acres but does not exceed 400 acres he shall have six votes.

If it exceeds 400 acres but does not exceed 800 acres he shall have eight votes.

If it exceeds 800 acres he shall have ten votes.

6. The first election of members shall take place not later than the first day of September in the year following the confirmation of this Order on a day or days to be appointed by the Welland Drainage Board and subsequent elections shall take place in every third subsequent year on a day or days in September to be appointed by the Welland Drainage Board.

A.D. 1922.

SECOND SCHEDULE.

DRAINAGE AUTHORITIES WHOLLY OR PARTLY WITHIN  
THE DISTRICT.

The Welland Outfall Trustees.  
The Deeping Fen Drainage Trustees.  
The Glen Bank Trustees.  
The Boston Commissioners of Sewers.  
The Moulton Salt Marsh Trustees.  
The South Holland Embankment Trustees.  
The Holland Elloe and Sutton St. Edmunds Commissioners  
of Sewers.  
The South Holland Drainage Trustees.  
The Spalding and Pinchbeck Trustees.  
The Fourth Drainage District Trustees.  
The Deeping Fen Washes Drainage Board.  
The Crowland and Cowbit Washes Trustees.  
The Maxey Drainage Board.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of  
Acts of Parliament.

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