

SUGGESTIONS

FOR THE AMENDMENT

OF

THE ARTERIAL DRAINAGE LAWS

OF

IRELAND.

BY

WILLIAM LANE JOYNT.

DUBLIN:

PRINTED AT THE UNIVERSITY PRESS,

BY M. H. GILL.

1865.

Houses of the Oireachtas

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TO
THE RIGHT HON. SIR ROBERT PEEL, BART., M. P.,
CHIEF SECRETARY FOR IRELAND.

SIR,

I venture to dedicate to you the following Paper, which I had the honour to read, in the month of November last, before the Royal Dublin Society. The cordial reception which it met with, while it owed much of its success to the national importance and urgency of the subject, owed still more to your friendly attendance, and the eloquent and statesmanlike speech made by you on that occasion.

The principles of the amended Arterial Drainage Laws ought to be :—

- 1st. To throw on the Local Drainage Boards the execution of the works;
- 2nd. To shorten the time for the preliminary proceedings, and abolish the unnecessary delay of an Act of Parliament confirming the Provisional Order;
- 3rd. To supply all the money for the Drainage, repayable at $6\frac{1}{2}$ per cent. in twenty-two years;
- 4th. To impose on the Board of Works the duty of investigating how far the proposed works are likely to repay the proprietors; to inspect their execution from time to time; to see that the moneys be properly expended; and then to make the final awards, determining the value of the works, and the amount of repayments to be made by each Proprietor.

The great question of navigation, combined with drainage, may require special legislation.

The Shannon, the Suck, the Barrow, Lough Neagh, and other places, involve subjects of Imperial proportions in their extent, importance, and the funds required to complete them. I leave these to other and abler hands, conscious that before they are begun or settled by Parliament, by its Committees, or Commissioners, much of the humbler, but not less useful Arterial Drainage of Ireland may be undertaken and half accomplished.

Moreover, questions of Navigation, combined with Drainage, are two-fold: they require special legislation, and a fair apportionment of the outlay between what I may designate the Imperial and the Local Accounts. The first should be a *grant* from the Imperial Treasury; the latter a *loan*, to be repaid by the Proprietors. Both ought to be treated with liberality, if not generosity, by the Imperial Government.

Unless the amendments of the Arterial Drainage Laws embrace all these points, future legislation will be found as inoperative and useless as the Act of 1863.

These amendments may be embodied in a few clauses in any amending Bill.

The country requires that some such measure should be passed, and great indeed will be its disappointment if it be not. Those interested in the employment of the people, in the reclamation of the finest soils in Ireland from annual inundations and loss, look to you, as the official representative of Ireland in the Commons House, to introduce and carry such a measure.

Nor can I anticipate any opposition; for this question is above the reach of party and the cry of faction; it is one about which the Irish people and their representatives are unanimous; it is a national question, in which every county, barony, and parish in Ireland is more or less concerned.

If my humble efforts to draw attention to so great a theme be of any value, I will esteem it all the more, since it enables me to say, with truth, that

I am, Sir,

Your grateful and obliged Servant,

WILLIAM LANE JOYNT.

THE GRANGE, RAHENY,

April 17, 1865.

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LIST OF ACTS

RELATING TO

DRAINAGE, AND ACTS INCORPORATED THEREWITH,

REFERRED TO IN THE FOLLOWING PAPER.

- 1 & 2 Wm. IV., Cap. 57 (October 20, 1831).—More O’Ferrall’s Act.
- 5 & 6 Vict., Cap. 89 (August 5, 1842).—The Irish Arterial Drainage Act.
- 5 & 6 Vict., Cap. 105 (August 10, 1842).—Amending More O’Ferrall’s Act.
- 8 Vict., Cap. 18 (May 8, 1845).—Lands Clauses Act, incorporated as to certain portions with Act of 1863.
- 8 & 9 Vict., Cap. 69.
- 9 Vict., Cap. 4 (March 5, 1846).—Summary Proceedings Act, amending the 5 & 6 Vict., Cap. 89.
- 10 Vict., Cap. 16 (1847).—Commissioners Clauses Act, also incorporated as to certain Sections in Act of 1863.
- 10 Vict., Cap. 32 (June 8, 1847).—Landed Improvement Act, Irish (Thorough Drainage).
- 12 Vict., Cap. 43 (May 24, 1849).—For Treasury Advances.
- 14 & 15 Vict., Cap. 70.—Amended Lands Clauses Act (1851).
- 16 & 17 Vict., Cap. 130 (August 20, 1853).
- 23 & 24 Vict., Cap. 107 (August 13, 1860).—Further Amendment of Railways Act, Ireland, incorporated also.
- 24 & 25 Vict., Cap. 45.—Piers and Harbours Act (England and Ireland).
- 24 & 25 Vict., Cap. 133.—English Drainage Act (August 6, 1861).
- 26 & 27 Vict., Cap. 26.—Irish Outfall Act (1863).
- 26 & 27 Vict., Cap. 88 (July 28, 1863).—Irish Arterial Drainage Act, now in force.
- 27 & 28 Vict., Cap. 114 (July 29, 1864).—Improvement of Land Act for England, Ireland, and Scotland.

LIST OF REPORTS AND RETURNS,

REFERRED TO IN THE FOLLOWING PAPER.

- Report of Bog and Waste Land Commissioners, 1810 and 1814.
Report on Irish Land Question (Devon), 1843, 1846.
Reports of Drainage Commissioners from 1842 to 1846 (Ireland).
Reports of Board of Works from 1846 to 1863.
Report to House of Lords, Drainage of Ireland, 1852.
Report of Commissioners of Special Inquiry, 1853.
Arterial Drainage: General Correspondence relating to Brusna District, 1844;
and Repayment of Loans up to 1852.
Arterial Drainage, Lord Duncan's Return (1857).
Report of Select Committee, Drainage Bill (1862).
Report of Committee on Taxation of Ireland, 1864.

SUGGESTIONS

FOR THE

AMENDMENT OF THE ARTERIAL DRAINAGE LAWS.

To any one acquainted with the industrial resources of Ireland, with the impediments to its prosperity, or the advances effected for the last quarter of a century, there can be no more interesting chapter in our history than that which is told in the successive Reports of the Drainage Commissioners from 1842 to 1846, and of the Board of Works from the latter period up to the present.

Reports of the Drainage Commissioners from 1846, interesting.

But it was not in 1842 the suggestions for the improvement and drainage of land first arose. The reclamation of the waste lands of Ireland has often attracted the attention of the Members of the Royal Dublin Society. The unemployed resources of the country had appealed alike to the statesman, the traveller, and the patriot: and all were equally concerned to see the means of profitable employment for the people neglected, and the sources of new revenues untouched.

Waste land.

The annals of the Irish Parliament, as early as 1715, show the attention the subject then received. In 1777-8-9, Arthur Young investigated it. The Reports of the Bog and Waste Lands Commissions of 1810, 1811-14, the Devon Commission, in 1843-6, and the various debates on the subject in the House of Commons, have exhausted the whole field of inquiry. My intention, however, is not to discuss the question of the waste lands of Ireland, but to direct your attention to the rich and fertile lands of the country which occasionally, or for the greater part of the year are wet and flooded, which are rendered almost useless by this overflow, and which, more fatally still, prevent the thorough drainage of the surrounding districts.

Historical references.

The rich flooded lands of the country.

In 1831 a bill was introduced into Parliament, and its preamble is couched in language forcible and felicitous:—

“Whereas it has been ascertained, as well by the Reports of certain Commissioners appointed under the authority of Parliament in the year one thousand eight hundred and nine as otherwise, that there are throughout Ireland, contiguous to the banks of rivers, and streams, and lakes, many large tracts of lands, some covered with water for not less than half the year, some periodically flooded, and others subject to frequent damage and inundation by reason of the defect of embankments

Preamble, 1st and 2nd Wm. IV. cap. 57.

and interruptions in the channels of such rivers and streams: And whereas the said tracts of lands comprise generally the finest alluvial soil, and, although in their present condition of little value, would, if protected against inundation, become productive and fertile in an eminent degree: And whereas the reclamation and protection of such lands would be advantageous to the proprietors thereof, and would conduce to the health of such districts, and afford beneficial employment to the distressed labouring poor; but by reason of the various modifications of interests and estates in such lands, and the legal incapacity of persons having such interests, and the defect of co-operation in them, the same cannot be accomplished without the authority of Parliament."

Preamble best part of Act.

The preamble is the best part of the Act; its cumbrous machinery of joint stock companies and loans on debenture could never carry out the arterial drainage of the country; and it remained on the statute book a monument of unfulfilled intentions.

Act of 1842.

In 1842 the first great attempt was made to establish the Drainage Laws on a practical and useful basis: that attempt presented a feature without a parallel in any country, namely, in the regulation of the great proportion of its water-courses or main drains from their sources to the sea under an organized system of voluntary co-operation, at the expense, equally distributed, of the interests, whether public or private, benefited by the operations.

The arterial and thorough drainage system.

The two great systems of drainage in Ireland for which there are separate acts and modes of procedure are the arterial system as applied to rivers and water-courses, and the thorough drainage as applied to various estates throughout the country. One may be called the public, the other the private system; but both are more required in Ireland than in any other agricultural country in Europe, from its geographical position, the humidity of its climate, the almost level character of the great but not elevated plains of the centre of the island, and the wonderful extent of the country under, surrounded, or penetrated by water. The thorough Drainage Acts, so far as I know, require but little amendment, and to them on a separate occasion we may call attention.

Leading principles, drainage laws.

The leading principle contemplated by the whole code of the Drainage Laws was that the measure in each instance should be successful, provided the resultant benefit on an average of years would be commensurate with the cost.

5 & 6 Vict. cap. 89.

The Act 5 & 6 Vict. cap. 89, entitled, "An Act to promote the Drainage of Lands and Improvement of Navigation and Water Power in connexion with such Drainage in Ireland," received the royal assent on the 5th of August, 1842; and its provisions constituted the Board of Public Works, with such additional Commissioners as the Lords Commissioners of Her Majesty's Treasury should appoint, Commissioners in the execution of said Act.

Objects.

Its objects may be divided into the following classes:—

1st. Drainage of flooded and injured lands along lakes and rivers, and wastes in the interior of the country, combined generally with some alterations or improvements in water power.

2nd. Drainage and embankment of lands from the sea and tideway, combined with the improved drainage of adjacent lands partially embanked or drained.

3rd. Drainage of lands in conjunction with navigation.

4th. Mill-ponds, improvement thereof by formation of reservoirs for the conservancy and constant supply of water.

Let us rapidly notice its leading provisions.

Persons interested in any lands liable to be flooded or injured by water, or the drainage of which might be capable of improvement, were at liberty to memorial the Commissioners of Works; and on the presentation of such memorial, the Commissioners directed some engineer or other competent person to make a survey of the land or river referred to in such memorial, and to inquire into the state of the river, and the capacity of the land for improvement by drainage, and the probable increase in the value of such lands when so improved, and also the capacity of such river for improvement. By the subsequent sections, on the receipt of such report, if the Commissioners should consider that the benefits likely to arise would be commensurate with the probable cost of the necessary works, or if the Commissioners considered it expedient that such works should be undertaken, then the report should be deposited for six weeks with the clerk of the peace for the county where such district was situate; a notice was then to be published that maps, plans, estimates, had been lodged, and subsequent thereto a meeting of the proprietors of the land to be drained was ordered to be held. At such meeting all objections to such plans, schedules, and estimates, were to be heard by the Commissioners, and two-thirds or more in extent of the proprietors of the land proposed to be drained were required to be assenting parties to the undertaking, otherwise the works could not go on. Under the 33rd section, the Commissioners were to make a declaration; and this was a most important and useful document, altogether omitted from the Act of 1863, which was in fact to be an amended schedule, plans, and a history of the whole proceeding. Notice was to be given of its lodgment; an appeal lay to the assistant barrister; and when this was heard, all the preliminary measures and proceedings were taken; the Commissioners were to give final notice thereof, published in the Gazette, and some local newspaper, and thereupon no question or appeal could lie against the acts of the Commissioners, save by a petition to the Court of Chancery or Exchequer. After the publication of the final notice, the Commissioners were at liberty to commence the works (section 40), and to appoint officers (41). The 99th section empowered the Commissioners to borrow money, and to grant certificates on the security of the award to be made as therein directed; and it empowered the Commissioners to borrow money for the execution of the works from the Public Loan Commissioners, and from the Commissioners of Public Works. Its provisions.

By the 106th section, the Commissioners were to make an award on the completion of the works, describing the land or river so drained or improved, the works completed, the quantities belonging to the reputed proprietor, the original and increased value of the land, the amount expended in and about the works so executed, the interest on all borrowed moneys, whether the same was to be paid in one sum or by instalments; and if by the latter, to specify them, and the costs and charges of the future maintenance of said works. Objections were to be heard to said award; and after its final settlement, it was to be filed

in Chancery, and to be then law, so far as all parties interested were concerned. The money for the works, with interest at 5 per cent., was to be charged on the lands so improved, and on any other land situate within one mile of any part of the land so drained or improved.

The 120th section directs the mode of appointing trustees of the districts where no navigation was included, or reservoirs constructed; and these trustees were to decide the amount to be raised for the maintenance of the works, and to hold meetings, and transact the business of the district.

The 147th section directed that the Solicitor of the Board of Works should do all the professional business necessary under and by virtue of the Act.

Act provided
for a territorial
and engineering
survey.

Thus the Act provided for the making of two surveys, and the publication and lodgment of documents emanating from both. The first may be termed, according to the arrangements made by the Board of Works, the engineering survey; and the other, territorial survey and valuation of the various holdings and estates in the district of lands to be drained, comprising the ascertaining of the names, titles, and tenures of the various parties interested.

Second Report,
Drainage Com-
missioners,
1845.

The Second Report of the Drainage Commissioners states—"The policy of the Act is to give the greatest possible publicity to every proceeding, and to afford ample time to every person who is in any way interested in, or affected by, the measure, to consider its details, the means by which it is to be effected, and the probable results, together with a power to submit their objections to the Board; and, if dissatisfied with our decision, to appeal. For this purpose, numerous notices are required to be published, long periods fixed for the lodgments of the plans, schedules, and other documents, and ample time for appeal to the quarter sessions afforded."

They go on to say—"The opening of the rivers and main ducts of the country is the first step, long required towards its improvement in drainage, and the reclamation, not only of waste lands, but of some of the most naturally fruitful soils in the country; this important step the Act offers perhaps the first reasonable prospect of accomplishing, and with it the concurrent advantages of some improvements in navigation and water power, whilst means will be afforded for extensive subsoil draining, by opening the outlets from low grounds; and even improvements in the climate may reasonably be anticipated from the operations of the Act, if extensively worked."

The scope of Act
of 1842.

Such was the general scope of the first great Drainage Act for Ireland. It was unique in its combinations; it was involved in legislative and administrative difficulties of no ordinary character, and required great delicacy and good management in its execution.

The legislative difficulties arose from the numerous and conflicting interests concerned in the drainage, and, above all, from the rendering necessary the voluntary act of a *specified majority*, binding on the *minority of the proprietors*.

Difficulty of
finding profes-
sional assist-
ance.

It was no small or easy thing to find the requisite professional skill—the physical knowledge required in designing, and the training of engineers. It required, moreover, the free, uninterrupted provision of pecuniary means to meet the outlay and all contingencies, and to pro-

ceed with the works at the times and seasons most suitable for the purposes.

The Commissioners adopted the practice in each case of publishing the preliminary report of the engineer employed, with a diagram, map, and section, illustrative of the project; and thus the fullest opportunity was afforded to every one interested in each drainage district of investigating the subject before the measure was undertaken.

Report, map, diagram, and sections in each case.

Let us now see what was the state of the lands before the works commenced in 1844. The Report of 1844, p. 7, states:—

“The present state of the lands in the drainage districts of the several classes now described is so bad as generally to excite astonishment (in persons unacquainted with the want of means to produce co-operation), that more energetic attempts have not been heretofore made to reclaim them, especially as they are known to be, with few exceptions, amongst the richest and most productive soils of the country. The value of the lands has been, generally speaking, gradually decreasing, the causes of injury increasing with the improvement of the country around them, whilst the obstructions, natural and artificial, remain the same, or are increasing also. In many districts the lands are subject to frequent inundations in each year; and often, at harvest time, such crops as may have attained maturity, are subject to be destroyed; in some districts the lands are rapidly becoming marshes, the waters seldom subsiding even in summer below the level of the surface of the ground.

Report of 1844.

Pa. 7.

State of the lands before drainage commenced.

“Few attempts have been heretofore made for the improvement of lands so circumstanced, and these almost invariably of a partial kind; new cuts and embankments along rivers have been made in some districts by individuals to relieve themselves; but from such works not forming any part of a general system, the new cuts have been generally found to aggravate the evil, by dividing and lessening the scouring power of the river, whilst the embankments made to guard the lands under the state of circumstances existing when they were made, become insufficient, the level of the river becomes raised above the adjacent lands, and in a few years the floods overtop the banks, and they produce even greater devastation and loss of property than before.”

From 1844 to 1846 several districts undertaken.

From 1844 up to 1846 several districts were undertaken, and great confidence inspired in the labours of the Commissioners; but the potato famine and all its terrible consequences then fell on the country, and a great cry arose for additional employment for the labouring poor.

The result was an amended Act, 9 Victoria, chap. 4, usually called the Summary Proceedings Act, which was passed by the legislature early in 1846, and by which greatly increased facilities were afforded for carrying into effect the provisions and principles of the original Act:—

Summary Proceedings Act, 1846.

1stly. By sanctioning an advance of money from the consolidated fund to meet the cost of preliminary inquiries.

Its provisions.

2ndly. By the increased and permanently fixed security afforded for moneys to be borrowed for carrying out the works.

3rdly. By a curtailment of the preliminary forms required by the preceding Act, which involved great expense.

4thly. By a reduction of the quantum of assents of proprietors from two-thirds to a simple majority in quantity of the lands to be improved, and also further amendments as regards navigation and formation of reservoirs, or improved mill power in conjunction with drainage; and,

Lastly. By providing that no greater amount than £3 for every statute acre should be expended under it, unless the assents of the proprietors should be given a second time for the further execution or final completion of the works.

Second assents.

This question of second assents was the source of fruitful trouble: no doubt it was introduced into the summary proceedings as a safeguard, but it was taken advantage of subsequently to arrest the works, to dispute the awards, to deny the improvements effected, and partly led to the inquiry before the House of Lords, in 1852, into the operation of the Acts relating to drainage of land in Ireland. Upon the Report of the Lords, Special Commissioners of Inquiry into the state of districts where disputes arose were appointed, and we shall hereafter notice their recommendations.

We have now explained the legislative powers conferred by the two Acts which really formed the drainage code; let us next consider the obstacles to their being successfully carried out.

Impediments in way of Commissioners.

The impediments in the way of the due execution of the works, the apathy or hostility of many interested, the ignorance of the parties employed, the atmospheric and climatic difficulties and impediments, can only be estimated by those who were engaged in the works from their commencement in 1844 up to 1857.

The famine years.

Moreover, the periods over which a great part of these works was spread were those years never to be forgotten in Ireland, when the famine was sore in the land, and the pestilence walked at noonday; these causes demoralized the people, rendered them very unfit for work, and impeded the success of the Commissioners' labours.

No rain-gauges kept.

Previous to the drainage works in Ireland there existed but little data upon which the calculation and designs for river courses to unwater large tracts of country could be safely founded; and although the average fall of rain in some parts of the country had long been recorded, yet it was but a slight and uncertain indication of the fall upon which mainly depended the magnitude of floods in rivers and streams. The Board's engineers collected such information.

Mr. Mullins' address.

Mr. M. B. Mullins, in his able address to the Institution of Civil Engineers in Ireland, points out with great lucidity the difficulties (pp. 144-5) which beset the practical engineer in calculating the rainfall in various parts of the country.

Value of land.

The value of land fell enormously during the years the work was going on; this was another great impediment.

County bridges.

Amongst artificial obstructions, few were productive of more injury, and none are less warranted, than those erected or maintained as county works, to roads and bridges across valleys and rivers.

They were frequently erected and maintained without any regard whatever to the drainage of the district, which they injuriously affect and impede; and as every county in Ireland has representatives in Parliament, it was a difficult question to settle there or elsewhere.

The money for the works was another element of great moment in the Drainage Laws, and becomes of special importance under the Act of 1863. Money for works

The Report of 1844 states:—"To this very important matter, i. e. the borrowing powers, we have devoted much consideration, in order to bring the provisions of the Act into operation with as much economy as possible; agricultural improvements require to be undertaken and carried out on the most economic terms, consistent with success; and in this spirit the leading principle of the Act provides that the works contemplated by it shall be effected for the mere cost of their execution; and by giving the services of a public Board, and of a public salaried solicitor, the cost of management and much legal expense is avoided. The expense attending the execution of the works intrusted to us is to be repaid by instalments, to commence after their completion—a very important advantage, whereby the increased productiveness of the lands reclaimed, will become available at once in aid of the repayments of the outlay." Report of 1844, on that point.

"The intention of the legislature being evidently to encourage the investment of private capital in these undertakings, we are using every exertion to obtain the amount required by the former mode (i. e. from private sources); and are in hopes, from the substantial nature of the security, to be able to procure it at a lower rate of interest than that paid for loans to the department last mentioned; and with a view to ascertain the intention of those most interested in the drainage of the lands, and to give them a preference, circulars are addressed in the first instance to the proprietors and farmers of the district, stating the nature of the loans required, and the probable period of repayment; and should offers not be made for loans to the amount required, public notice of borrowing is then given through the usual channels."

It is worthy of remark, that from 1831 the legislature hoped to obtain loans to carry on the works from private sources; but substantially these hopes were delusive, and no greater sum than £180,000 was so advanced. This is a point of great importance in considering the operation of the borrowing powers in the Act of 1863, and to which we will hereafter refer. Private loans a failure under all acts since 1842 for Drainage purposes.

Another difficulty of much consequence lay in the path of the Commissioners, namely, to decide whether the deep or shallow system of arterial drainage was the better. The proprietors held that works adequate to protect against ordinary floods would be sufficient, while the department maintained that it would not be possible to fix the capacity of a channel which would just accomplish the object of allowing the lands to be occasionally flooded in the winter season, and prevent such an occurrence in summer, when it would do harm. The Commissioners asserted that half works of the drainage class are the most expensive that can be invented. Controversy as to the deep and shallow systems.

This question of the deep or shallow system is closely connected with another source of much difficulty—the estimates for the works. In nearly all cases the estimates were insufficient—perhaps no other cause contributed to the unpopularity of the Board of Works so much as this—perhaps none admits of more reasonable explanation; and certainly the decision of the Commissioners of Special Inquiry, that the Estimates for the works.

excess of the expenditure over the estimates in the eleven districts inquired into by them should be remitted, was at once generous in its result towards the proprietors, without in any way reflecting on the parties who felt the excess to be necessary, and above their abilities to control, under the extraordinary powers conferred on them by the Summary Proceedings Act.

Cost of works.

The cost of the works could not be fairly found fault with—they were executed at less prices than the railways of Ireland, generally given out by contract, and less than the Shannon Navigation works, given out by the Commissioners themselves by contract. (See Report, August 8th, 1852, p. 45.)

Task work.

The system of task work was introduced by the Board with the best result; and its advantages are fully set out in the 4th Report, pp. 11 and 12; but the Commissioners of Special Inquiry in 1852–3 lay down as a principle, that, had there been time enough to do so, such works should have been done by contract.

Final award.

The great and conclusive test of the drainage operations in each district was the final award, in which the total expenditure had to be compared with the beneficial results produced, and the improvement of the lands tested and valued.

Description of lands.

The lands so relieved were the rich alluvial soils of the country, flooded from three to six months of the year, yielding precarious crops, in some cases, nearly valueless, from the height in which the waters were retained even in summer; whilst in others, such as land reclaimed from the sea, or lakes wholly drained or cut out of bogs or marshes, the extent of the land drained forms an absolute addition to the fertile producing power of the country.

The whole of these lands afforded little or no employment, and, from their flooded state, were injurious to the health of the inhabitants; but since their improvement, the best results have been discernible.

Results.

What, then, were the results? When inspected, it was found the crops were greatly improved in their quality, the lands rendered available throughout the whole year, either for grazing or the labours of the agriculturist, and in many cases employment afforded in operations of deep under or thorough drainage, where it would previously have been impossible to till the lands; in many others, works of cultivation, reclamation, and tillage undertaken in lands that could scarcely be grazed in summer; and in almost all cases there was evidence of the amply remunerative nature of the undertaking.

Improvement of lands.

In estimating that increase in the value of lands which might be expected to result from the execution of the works proposed, the Commissioners calculated only the difference between the fair letting value when so improved and their former actual value as the basis of their calculation, and from this they calculated the return upon the expenditure.

Having so far sketched the history of the drainage operations, the legislative powers conferred, and the difficulties impeding the Commissioners in the execution of the works, we will now approach the results accomplished, and the expense incurred.

Return of Lord Duncan, 1857.

A return made to the House of Commons, on the order of Viscount Duncan, in 1857, gives the following results:—

1st. The lists of Arterial Drainage Districts in which final awards

had then been made—these amounted to 105; the area of their flooded or injured lands which had been drained or improved was 160,572 acres, 2 roods, 7 perches, statute measure; the total expenditure thereon was £926,106 18s. 9d., which included all the cost of works, local staff, purchase of lands, mills, and fisheries, compensation for temporary damage, and interest on the borrowed moneys. This last item was a very heavy one, amounting at the date of the Report to £159,166 7s. 11d.

105 districts wholly completed.

The amount charged to the proprietors of the lands improved was £519,733 16s. 2d.; to counties, for roads and bridges, £45,204 8s. 1d.; and the amount then remitted by the Government was £360,426 13s. 6d.

The second return contained a list of sixteen districts in which the works were then commenced, but the final awards were not made. But as these have been nearly all since finished, we shall notice hereafter these districts in the total of the works completed up to 1864.

Sixteen districts commenced, but not then completed.

That will be found in the 32nd Report of the Board of Works, 1863, and shows that, on 123 districts, a total expenditure for all purposes of £2,384,333 8s. 11d., the portion charged to counties for public works was £151,993 14s. 9d.; the portion of total expenditure charged on lands was £902,148 13s. 6d.; the remissions were £1,190,560 13s. 1d.; area of the catchment basins of the lands improved was 6,358,358 acres; the area of the flooded lands which had been improved was 266,736 acres, 2 roods, 4 perches, statute measure; average cost per acre, including interest, was £8 11s. 4d. But the cost per acre, deducting the remissions, is only £5 19s. 11d.; and even this includes heavy navigation works; the increase in the annual letting value of the lands was £74,502 7s. 2d.; and the total repayments on foot of the advances (less the remissions) was £686,337 17s. 4d.

Results as shown in Report of 1863, in 123 districts.

Now, this return explains itself, and requires no comment. One only we will make on it, and that is, that the repayments are a strong indication that in any future advances the Treasury may make, the sums so lent will be duly repaid.

Repayments satisfactory.

We will come back to the 3rd Table in Viscount Duncan's return, which relates to the navigations combined with drainage.

The length of navigation opened by these works was $222\frac{1}{2}$ statute miles; and as the other details, save that of the Hind River, are included in the second return, we need not further refer to it.

Navigation districts.

In the return No. 4 we have a total of eighteen districts, for which final notices were issued, but in which the works were not then (1857) commenced.

Eighteen districts not since undertaken.

None of these districts have since been undertaken. The area of their catchment basins is 390,877 acres statute measure; the length of river or main drains to be improved is $81\frac{1}{8}$ miles; and of the flooded lands, 16,122 acres, 0 roods, 12 perches, statute measure; the estimated increase in the annual value was £6,122 1s. 1d.; the estimated cost of the works was £69,472 2s. 11d.; and the amount of preliminary expenses was £1,902 6s. 1d.

One district only of these (a small one) was executed by the Marquis of Sligo, and transferred to the Landed Improvement Act. "The others were all discontinued, from want of funds, and subsequently, by the Treasury order against undertaking new responsibilities."

The return No. 5 shows the list of Arterial Drainage Districts for which memorials were presented to the Board of Works, and in which preliminary surveys were commenced, but not completed.

Part I. contains seven cases of ordinary proceedings in which reports have been published, but the preliminaries were not completed, nor the works commenced.

The area of these catchment basins is 1,584,020 acres; length of rivers to be drained, 536 miles; area of the flooded lands, 96,370 acres, 1 rood, 24 perches; estimated increase of annual value of the lands, £23,063 17s. 1d.; the estimated cost of the works, £417,766 16s. 10d., and the expense of the survey, £3,070 12s. 2d.

Suck River.

One of these districts, of which we heard so much recently, is the Suck River. The memorial is dated 2nd September, 1846; the area of its catchment basin, 400,640 acres; length of river, 438 miles; area of flooded lands, 72,337 acres, 2 roods, 6 perches; estimated increased annual value of the lands, £13,275 2s. 4d., and the estimated cost of the works, £242,060. We shall refer to this district again.

Part II.—Return No. 5 shows four cases of ordinary proceedings in which no reports were completed, published, or the works commenced.

Barrow district.

One of these is the Barrow District—one of the finest in Ireland—containing 204 miles of river and main drainage. An effort is now making to commence the preliminary proceedings under the Act of 1863, but we have learned it has been abandoned.

Lower Bann district.

Another district is the Navigation of the Lower Bann—a measure which the inhabitants of Coleraine feel a deep interest in, and for which they recently have obtained special parliamentary powers.

Forty-two cases, reports published.

Part III. contains forty-two cases of summary proceedings in which reports are published, but preliminaries not completed for want of assents, including also rejected cases, and cases postponed at the request of proprietors.

The whole of these forty-two cases cover an area of their catchment basins of 3,627,516 acres; an extent of $355\frac{1}{2}$ miles of navigation; an area of 56,070 acres, 2 roods, 37 perches, of lands proposed to be improved; the estimated improved annual value of the lands, £22,046; the estimated cost of the works, £290,151 18s. 2d., and the amount expended in the surveys is £2,609 18s. 9d. Of these several are districts of great value.

236 cases unfinished.

Part IV. of the return contains a list of 236 cases in which no reports have been published, nor the preliminaries completed, by reason either of their magnitude, or the orders of the Treasury to suspend all further preliminaries.

Causes which prevented their being undertaken. Only half the drainage work of the country done.

Now, it is undoubtedly true that some of these applications were rejected because the works were not likely to repay the expenditure on them—others, for informality in the memorials; some are included in the districts already done; some were not entertained for reasons not stated; and, above all, most of them were put off by reason of the alarm felt by the Treasury in 1848, at the great and gigantic extent to which the districts and expenditure were rapidly moving. *But it is not too much to say that at least as much more of arterial drainage in Ireland remains to be done as has been accomplished.* No doubt many of the most pressing cases were those which were carried out at first; *but those which*

yet remain to be done, and upon which the thorough drainage of the adjoining estates depends, are of national importance and urgency.

How, then, is this work to be done? It will be readily answered, under the Drainage Acts of 1863. Let us, therefore, consider what facilities they offer; in what respect they differ from the Acts of 1842 and the Summary Proceedings Act of 1846, and how they can be amended? Before, however, we proceed to do this, we must retrace our steps, to review the controversies between the Irish proprietors and the Board of Works.

These did not arise until after the passing of the Summary Proceedings Act in 1846; and the correspondence published by Parliament in 1847-8-9 shows very plainly the grounds of complaint. The excess of the expenditure over the estimates arose principally from additional works, and the extension of the area to be drained, from the fact that the estimates for the works, to which the proprietors had in the first instance assented, had been made hurriedly, and were found in many cases to be wholly inadequate to complete them. One hundred and one districts were surveyed, and estimates made, between the months of May and October, 1846. Disputes also arose as to the superiority of the two systems of deep and shallow drainage.

So successful were the first works undertaken, and so definite and satisfactory were the principles laid down, both as to estimates and valuations, that the public gradually acquired confidence, and the applications for preliminary surveys became rapidly more numerous and more important.

From 1842 to 1848, matters went on smoothly enough; but in the latter year the Treasury became alarmed at the outlay; they directed no more works to be undertaken, and that those commenced should be completed rapidly.

The letter of the Chairman of the Board of Works, dated 21st December, 1849, indicated that much of the works would largely exceed the estimates; and another return, in the January following, showed that out of the 106 districts then commenced there was an excess over the estimates in sixty-one cases.

In the return of September, 1851, it appeared that the estimate of the works then unfinished was £1,179,374; the new estimate was £1,863,168, of which £683,794 was still required to complete the works. Looking to the past, one-third should be added to that, and the amount then to be expended was calculated at one million sterling.

It was asked, and not very satisfactorily answered, what right had the Commissioners in charge of the Drainage Department to throw aside the plans and estimates assented to by the proprietors, enlarging the works, making additional works, extending the area to be operated on, making outfalls for the deep instead of the shallow system of drainage, all charges attended with a heavy additional cost, without consulting the proprietors who were to pay for the works? Sir Charles Trevelyan said, the Commissioners were trustees for the mortgagees as well as the proprietors; and that so long as they acted in good faith, and did not come to a decision until the hearing of all parties, they were not exposed to censure. Mr. (now Sir Richard) Griffith said, he would have felt it his duty to consult the proprietors; and Major (now General Sir Thomas)

Act of 1863.

Controversies between the proprietors and the Board of Works.

101 districts surveyed from May to October, 1846.

Confidence of public.

Order of 1848 to stop new works.

Letter of 21st December, 1849.

Excess of expenditure over estimates,

Complaints against Board of Works.

Evidence before Lords' Committee, 1852.

Special inquiry,
1853.

Remissions in
eleven districts.

Report of 1853
too severe on
Board of Works.

The quarrels at
length adjusted,
but effects still
remain.

The objects of
Board of Works.

The works now
to be under-
taken under
proprietors.

Larcom's evidence leads to the same conclusion. Upon a full perusal of the evidence, we must admit that this action of the Drainage Commissioners was beyond their legal powers. The fiftieth section of the Summary Proceedings Act negatives the whole theory ; for it required the second assents to be given when the expenditure exceeded £3 the statute acre. The Committee of the Lords in 1852 investigated the subject, and the evidence given before them is of the most interesting character, and they suggested that a special independent inquiry should be directed ; and accordingly, in 1853, the Commissioners of Special Inquiry—consisting of Sir Richard Griffith, Sir William Cubitt, and Mr. James M. Rendal—recommended that the only just settlement of the question was to limit the contribution of the landowners to the original estimates of cost, and to complete the works at the charge of the Public Exchequer. The remissions thus made in the eleven districts reported on were £106,616 8s. 10d.; the total sum to be expended by the proprietors, £186,916 5s.; and the total cost of the works, £293,532 13s. 10d.

We must confess that, on reading over the Report of the Commissioners of Special Inquiry, it left upon us the impression of harshness towards the Drainage Commissioners ; it took little or no note of the difficulties by which they were surrounded, and did not notice the all-important fact, that, while they were expending the Drainage moneys, an expense of a far greater and more disastrous character was going on throughout the whole country—namely, £5,500,000 on relief works, exclusive of what was being expended by the Food Commissioners and the Poor Laws.

All these matters were at length adjusted ; the districts commenced were finished ; the Government allowed the excess of expenditure over the estimates to be remitted ; but the ill effects of the quarrel between the proprietors and the Board of Works have lasted to the present hour. The proprietors accused the Board of excessive expenditure, of acting without consulting them, of over-estimating the good effects of the drainage, and of undertaking unnecessarily, in the awful times of famine and distress, and at a time when the price of land itself fell fifty per cent., complete or perfect works, which would be as useful if done on the shallow or half system of drainage.

The Board and its officers felt animated by a strong desire to improve the country, to exercise their extraordinary powers with a single view to that end ; but they felt they were thwarted and opposed by the proprietors, in many cases indifferent to any improvement, unwilling even to pay for it when effected, and captious because a single central Board in Dublin, in times of famine, and with a cry for employment ringing in their ears, could not carry out great works at as cheap a cost as a local proprietor in many cases could no doubt effect trifling local works for. And this sense of hostility on the part of those proprietors who resisted and roundly abused the Board of Works has led to an entire change in the Irish Drainage Laws.

For, instead of the Board of Works being directed to carry out these works with the saving which their officers, staff, solicitor, and other appliances would enable them to do, we have now a system in which the whole work is thrown on the country gentlemen, in which the Board is merely a kind of head inspector, and where half the moneys for the

works must be contributed by the parties interested before the other moiety is advanced by the Treasury.

It is undoubtedly true that this Act was passed after much trouble and deliberation in both Houses. It took for its example the English Act, 24 & 25 Vict. cap. 133; but there is very little parallel in the drainage operations of the two countries. And, moreover, from habits of business, from the great wealth and resources of the country, they are enabled in England to secure that local co-operation and assistance which it is most difficult to obtain in Ireland.

Every previous amendment of the Drainage Laws was generally directed to expedite the preliminaries, and then to promote the execution of the works by the advance of the money on such terms as were suited to the circumstances of the country. But the Act of 1863 imposes unnecessary delays, and will be found to be very little if at all adopted.

One of the greatest advantages likely to arise since the operation of the Act of 1842 was its enabling such measures to be accomplished without subjecting the parties to all the expenses of a separate Act, and the concomitants of separate establishments in each case. Now, in this respect the Act of 1863 is totally different. A second Act of Parliament has to be obtained, no doubt by the Board of Works; but still the delay in obtaining the second Act, and the delays in the preliminary proceedings, are sure to occupy from one and a half to two years, perhaps more.

The Drainage Acts of 1863 now come to be considered. The first is a short Act, 26 Vict. cap. 26, and merely deals with the power of private owners to procure outfalls for water-courses through the adjoining lands, at the expense of the party anxious to promote such drainage; but the second Act of the same session, 26 & 27 Vict. cap. 88, being an Act to enable landed proprietors to construct works for the Drainage and Improvement of Land in Ireland, is that to which we must draw your attention, as it is substantially the Arterial Drainage code for Ireland at present. It consists of eighty sections, and incorporates with it portions of several other Acts, including the Commissioners' Clauses and Lands Clauses Consolidation Acts.

The fourth section enables any persons interested in land liable to be flooded or injured by water, or the drainage of which may be improved, to constitute such land a drainage district; a petition is then to be presented to the Board of Works, accompanied by maps, schedules, and estimates, showing the works to be done, the names of the proprietors interested in the lands, and the probable expense; copies of these are to be lodged in the district for three weeks, notice thereof to be given to the Clerks of the Poor Law Unions and in a local newspaper, and also served on the proprietor; and all such parties are required, on or before a certain day, not sooner *than two months*, to transmit their objections to the memorialists. The Commissioners of Works are then empowered to send an inspector to inquire into the propriety of constituting the district; and he is, at the time and place of which notice has been given, to hear all parties, and report to the Board of Works, and his report is to be lodged with the Commissioners in Dublin, and with the Clerks of the Unions in which the lands are situate; and also maps, plans, sections, are to be deposited at the Custom House, and with the Clerk of the Peace for the county. It is clearly a mistake not to lodge the in-

24 & 25 Vict.
cap. 133.

Co-operation
difficult in Ire-
land.

Objects of pre-
vious amend-
ments.

Delays in Act,
of 1863.

No separate Act
required under
Act of 1842.

26 Vict. cap. 26,
Outfall Act.

26 & 27 Vict.
cap. 88.

Its provisions.

Preliminary
proceedings.

Report, maps, plans, and sections ought all be lodged with Clerks of Peace and Unions.

Commissioners to obtain second Act.

Serious defect, great delay.

Costs, preliminary expenses.

Section 34, Act of 1863.

Money clauses.

spector's Report with the Clerk of the Peace, or the maps, plans, and estimates with the Clerks of the Unions; and this requires alteration. The inspector having made his Report, a month's notice of same being lodged is to be given to all parties to send in objections to the Commissioners; and if two-thirds of the proprietors of *the value of land* in the district concur in the report of the Inspector, the Commissioners may make a provisional order in writing, constituting the area a drainage district. Under the Act of 1842, the consent of two-thirds *in extent* of the land required to be drained was required; but this frequently gave the owner of a bog more power to impede the works than the owners of land of the highest value; and the alteration of value for extent is a decided improvement. Notice of the provisional order is to be published in the Dublin Gazette, and copies served on such persons as the Commissioners may require. It then becomes the duty of the Commissioners to obtain the confirmation of such provisional order by Act of Parliament; and until that be obtained, the provisional order is of no effect whatever.

This is one of the most serious defects in the Act; the notices, survey, and preliminary labour, all take considerable time and in most cases the land must be seen in winter as well as summer, to enable the engineers to take the proper surveys, levels, &c.; but when all is solemnly and carefully done, the provisional order hangs on, a dead letter perhaps, until the ensuing session, when an Act of Parliament is obtained, which is merely an echo of the Provisional Order, and to which no opposition whatever is likely to be given. Under the Act of 1842, this serious delay was wholly unnecessary; the Provisional Order was fiatd by the Commissioners after hearing all objections to it; and we see no reason why it should be different now.

Under the 8th clause, 6th section, the petitioners have to deposit the amount necessary to pay for the costs of inspection; but the preliminary expenses are chargeable on the district, should the works go on.

Sections twelve and thirteen deal with the constitution of Drainage Boards; and it is sufficient to say they are constituted local corporations, with a perpetual succession and corporate seal, for the drainage purposes of the districts. It would be tedious and uninteresting to go through the various sections of the Act; but we will now come to the thirty-third, which enables Drainage Boards to borrow money, for the purposes of the Act, at a rate not exceeding five per cent., on the security of the moneys accruing to the Drainage Board under or by virtue of the award to be made as thereafter mentioned. By section thirty-four they may grant debentures, and the form is given. These may be transferred and paid off. By section thirty-six, the Commissioners of Public Works may advance moneys to the Drainage Board, to be applied for the completion of the works in the district; but the thirty-eighth section provides—“That no issue of such instalment or advance shall be made unless the Commissioners shall be satisfied that the Drainage Board have previously *bonâ fide* expended a sum of money equal to the amount of such issue or instalment in the drainage and improvement of such district, nor in any case shall such loan or advance be made exceeding one moiety of the moneys proposed to be expended on the drainage and improvement of such district; and every loan so given is to be issued in instalments not exceeding one-fifth of such moiety; and no second instalment is to

be made until it be proved to the satisfaction of the Commissioners that the preceding instalment has been properly expended."

Now, on this security money will never be got for the works.

But we must hurry on with the sections of the Act. By the thirty-ninth, the Commissioners are to make an award, in much the same way as under the Act of 1842; a draft of it is to be printed and published; notice of it to be given; objections to be heard; and the award then finally enrolled.

On such security money will not be given.

Draft award.

Under the forty-fifth section the Commissioners may make a special award for their own advances and protection; and the several lands in such award shall be chargeable with a rent-charge of £6 10s., to be payable for twenty-two years. Under the forty-ninth section all moneys, including the rent-charges aforesaid, are charged on the whole of the denomination or townland, any part of which shall be drained or improved, or upon any portions thereof belonging to the same proprietor, which may by the award be made chargeable therewith. This is an improvement on the Act of 1842; for it gives a specific denomination for the security, instead of the collateral security of all the lands of the same proprietor within one mile of the lands drained. The rest of the Act requires no amendment, and deals only with general details and miscellaneous provisions.

49th section.

Having now called attention to the principal sections of the Act of 1863, and to those amendments which can be suggested, we are at the same time bound to say that its general scope and tendency—namely, to throw on the proprietors the labour and requirements necessary to carry out the works, are not likely to be altered by Parliament, nor, indeed, is it beneficial they should.

Perhaps the principles upon which Parliament is likely to act cannot be better explained than by quoting the letters from the Chief Secretary for Ireland, and also the Under Secretary, touching the Suck Drainage District, one of the largest, most important, and pressing districts in Ireland.

The principles upon which Parliament is likely to act.

The proprietors are very anxious to have the Drainage works commenced, and anxious that the Government should undertake to bring in a special Bill for that end. At the last Ballinasloe fair a meeting was held; Lord Clancarty was in the chair; Mr. Holmes, the Secretary, read the following letters from Sir Robert Peel, M. P., and from Sir Thomas Larcom:—

Suck district.

"Dublin Castle, 15th December, 1863.

"SIR,—I have to acknowledge the receipt of your letter of the 8th instant, with its accompanying copy of resolutions passed at the meeting of the proprietors of estates adjoining the River Suck, and I beg to acquaint you that, before giving the deputation the trouble of coming to town, I shall be glad to be favoured with a more detailed statement of the provisions of the Bill they wish the Government to introduce, to guide me in determining how far the Government could pledge themselves to entertain the proposal at all.

Letter of the Chief Secretary for Ireland.

"I would venture to point out to the Committee that any scheme to improve the drainage of the River Suck, in connexion with the Shannon, must materially depend upon the improvement of the latter; and it is to be feared that the proprietors of lands adjoining the Shannon will object to any additional outfall at Shannon-bridge, until the improvements recommended by Mr. Bateman are carried out.

"There appears to be a further proposal for diverting the waters of the Suck from about one-third of its total rain basin by a cut from Athleague to Loughree; but Mr.

Bateman reports that the expense of the work seems likely to exceed the benefit, and that Loughree cannot bear any material addition to its waters. Under these circumstances, I hope the Committee will concur with me in opinion that it would be desirable I should be favoured with more precise information before putting them to the inconvenience of a personal interview.

"I am, Sir, your obedient servant,

"ROBERT PEEL.

"J. A. Holmes, Esq."

"Dublin Castle, 15th April, 1864.

Letter of Under
Secretary, Sir
Thos. Larcom.

"SIR,—Referring to your letter of the 7th instant, I am directed by the Lords Justices to acquaint you, for the information of the gentlemen who comprised the deputation to Government respecting the drainage of certain lands liable to be flooded by the River Suck, that the subject having been brought under the consideration of the Lords Commissioners of Her Majesty's Treasury, their Lordships observe that they understand that the object of the deputation in question was to induce Her Majesty's Government to sanction the execution of the works required for the purpose through the instrumentality of the Board of Public Works in Ireland, and that it will no doubt be recollected that in former periods, previous to the year 1853, several very extensive works of arterial or river drainage were executed by the Commissioners of Public Works, none of them, however, approaching either in area or cost the magnitude of the works which form the subject matter of the present application.

"Their Lordships believe that the estimates for these works were prepared with the utmost care by the Board of Works; nevertheless, as the works proceeded, it was found that in almost every case, from causes which probably could not have been foreseen, the amount necessary to complete the works would be at least double that of the original estimate.

"The landowners on whose behalf the works were undertaken by the Board of Works became not unnaturally dissatisfied at the prospect of being subjected to a charge for the repayment of the cost of the works much greater than they originally anticipated. Appeals were made to Her Majesty's Government and to Parliament—a Commission of Inquiry was appointed, and the result was a loss to the public, on eleven drainages, of more than £100,000.

Report of 1853.

"Their Lordships are aware that this loss may be in part attributed to the disastrous state of things in Ireland, when many of these works were in course of execution; but they request attention to the following general remarks, made by the Commissioners of Inquiry—Sir R. Griffith, Sir W. Cubitt, and Mr. Rendal—into the drainages of the eleven districts referred to, while endeavouring to justify the remission of no less than £106,000, on the very grounds of the disasters of the period:—

Principles ex-
pounded in it.

"We must not," they state, "be understood by this recommendation to imply our approval of a system which imposes upon a public board the duty of designing and executing works of this character, or which invests such a board with the irresponsibility which, sooner or later, must bring the Government into collision with the governed.

"Such a system is objectionable from its tendency to induce the community to look to the Government for guidance in their local affairs and ordinary social duties.

"Hence arises a dependence which checks that progress which results from self-reliance and experience in the management of their own affairs, and which is wholly contrary to the spirit of our government."

"The impolicy of the system of thus extending the duties of the Government cannot, in our opinion, be better put than in the words of Sir Charles Trevelyan, in his evidence given before the Select Committee on the Miscellaneous Estimates in 1848, when he says, in answer to a question put to him by a member of the committee:—

"I conceive that it places the Government in a most false and injurious position towards the whole body of the people. It places it in the relation of creditor to debtor to every landed proprietor and farmer all over the country; and it continually poisons and irritates the public mind, by the necessity which the Government is under of recovering the public advances.

"I conceive, also, that it nourishes and perpetuates the habit of depending upon others, which prevails to so great an extent in Ireland; and I am of opinion that nothing could be done which would have so great a tendency to consolidate the empire, and to give

a new spring to the energies of Ireland, as to cease to grant any public assistance of this sort whatever.'

"The cogency of these remarks appears to their Lordships to apply peculiarly to the case of works the execution of which is undertaken at the solicitation and for the advantage of private parties by the Board of Public Works, whose functions, in their Lordships' opinion, should be limited, as far as possible, to works which appertain to the public.

"Their Lordships state that they need not advert to the increased staff at the Board of Public Works, and the consequent cost to the public which the execution of such works as those proposed would entail; and that they are not aware how far the provisions of the Act passed last session, 26 & 27 Vict., cap. 88, for the Drainage and Improvement of Lands in Ireland, would be applicable to so large a work as that connected with the River Suck, comprising an area of 72,000 acres; but that Act appears to them to contain the only principles which can be safely adopted with reference to such works—namely, that while the Commissioners of Public Works are to afford the information, advice, and assistance which their experience may enable them to supply as regards the preliminaries of such works, the responsibility and control of the parties interested should be clearly maintained as regards their execution.

"With these views, their Lordships regret that they cannot sanction any proposition which would impose upon the Board of Works the charge of executing such works as those proposed; but they will be prepared to consider any measure which may be submitted, founded on the principle of last session, which may facilitate the execution of such works at the cost and under the responsibility of the parties interested.

"I am, Sir, your obedient servant,

"THOS. LARCOM.

"J. H. Holmes, Esq., Abbeyville, Roscommon."

These reflections are admirable—the principles good; but in order to encourage the local proprietors, greater assistance in the advance of the money for the works should be given. The security is undoubted, and of a first class character for the Commissioners of Works and the Treasury. No such complaints against repayments of advances can ever arise again as occasioned so much trouble before. It may be said here, can that be good security for the Treasury, upon which a private lender will not advance his money? The answer is plain, the Treasury can always secure themselves by special legislation, and no private lender will take his money back bit by bit; whereas the staff of the Board of Works at present organized in receiving the advances made in Ireland, can do so without any serious additional trouble or expense; moreover, under the Act of 1863, the advances by the Board of Works take precedence of the loans advanced by a private lender. Thus the operation of the Act is this:—That two-thirds of the proprietors may have to carry the project on, and to find a moiety of the money required—in other words, to find the money in the first instance for themselves and the unassenting or dissenting one-third proprietors of the district; and then, under certain circumstances, the other moiety lent by the Board of Works takes precedence of the loans advanced by private lenders.

The advance of the moneys for the works is necessary.

Private lenders will never give loans.

Commissioners of Works take precedence, if they lend a moiety of the money to the works.

Practically, in my mind, this is a complete impediment to the general adoption of the Act; and in the Athboy district, money has been refused to be lent on such security on the advice of an eminent lawyer.

It may do in small districts, where one proprietor is concerned; but in large districts it is a total barrier, or, if not, will force the Drainage Trustees to borrow money, as in certain railway projects, at a very high rate of interest, or in ruinous contracts; moreover, it is wholly opposed to the kindred Drainage Act for Landed Improvement. There all the money is advanced repayable at six and a half per cent. in twenty-two years,

The Act may work in small districts.

All the money ought to be advanced, repayable in 22 years.

Private debentures failed since 1842.

Repayments under Arterial Drainage Acts, save in Thorough Drainage.

Districts under Act of 1863.

No reason for second Act of Parliament.

Encouragement necessary.

24 & 25 Vict. cap. 133, section 31.

and the advance is made for the private benefit of the parties concerned; but, as far as the public and the legislature are concerned, the arterial is far more a public and national question than the thorough drainage, and requires more co-operation, and is open to all the disabilities of proprietors, and difficulties set out in the preamble to Mr. More O'Ferrall's Act. It is to be hoped, therefore, the Treasury will not oppose a measure altering the present Act, in providing the whole of the moneys repayable in twenty-two years, where the Board of Public Works are satisfied of the usefulness of the works, of the proper expenditure of the money, of the undoubted nature of the security, and that the works would not only pay for themselves, but also afford employment, and improve the soil of Ireland.

The system of Private debentures failed in 1831, under More O'Ferrall's Act.

Substantially it failed in 1842, and up to 1857, under the Drainage Acts; and it has failed since the enactment of the Act of 1863. But when you see by the last return of the Board of Works, that out of £902,148 13s. 6d., expended on arterial drainage, £688,837 17s. 4d., or two-thirds, has been repaid (in most cases since 1852), then, I say, the Treasury has no reason to doubt that all moneys advanced will be also repaid. Stronger still is evidence of the repayment under the system of land prepayment for Thorough Drainage. In that case the total loan authorized was £2,000,000. The advances up to the present date amounted to £1,780,000, while the total amount of the repayment is £1,450,000 sterling.

The number of districts for which memorials have been presented since 1863 is ten:—Athboy; Ballinacarrig; Thurles (abandoned); Rathdowney; Sixmile Bridge; Kilmastulla; Silver River; Parsonstown; Carnogue; and Elphin. But of these, not one that I know of will be carried to completion unless the Act be amended.

There is no reason whatever for the Parliamentary powers to confirm the order of the Commissioners of Public Works to constitute the district; the clause was introduced in the House of Lords from the impression that the powers to be exercised by a drainage board were analogous to those exercised by a railway company, or such like, where land is taken from the owners on which to construct works; whereas, in drainage, the large channels existing are generally deepened and widened, the smaller channels alone are altered by shorter cuts, and "give and take" lines, occupying less space than the old courses, and all by the owners associated for their own benefit, and not, as in the case of railway company speculators, who for their own purposes take land away from the owners.

Under our peculiar circumstances in Ireland, some encouragement and assistance from the Government is necessary to enable us to make these improvements, the security for the loan is unequivocal; and the Treasury might surely be content to lend us money at a profit, getting four per cent., while they borrow at a lesser rate.

Further, the Act might be fairly amended by rendering the consent of one half the proprietors, or a simple majority, enough to bind the others, and constitute, with the approval of the Board of Works, the district for drainage purposes. The principle is admitted in sect. 31 of

the 24th & 25th Vict. cap. 133, known as "The English Drainage Act."

In fine, the chief complaints made in relation to the Drainage Acts for Ireland are as to the tedious nature of the proceedings; and to the means provided for raising money to carry out the projects. Delay and want of funds.

No doubt, the preliminary proceedings are the same as those followed in the English Drainage Act of 1861 (24 & 25 Vict. cap. 133), carried out under the Enclosure Commissioners; and also the Harbour Act of the same year (24 & 25 Vict. cap. 44), worked out by the Board of Trade. These two Acts appear to have furnished the model for the Irish Act; and all are based on the system of "Provisional Orders" issued by these departments, to be afterwards legalized by Act of Parliament.

But upon a proper representation, Parliament would, we feel assured, alter these provisions, which stand in the way of improvement so much wanted, and so completely shown to be highly beneficial to the country at large.

The Drainage Laws are a complete contrast to the Railway Laws. These, since 1846, have been simplified, rendered cheap, time shortened, and all arrangements for obtaining lands expedited. Why should it be said that the Drainage Laws cannot be likewise improved? The object of this paper has been to show that the Laws relating to Arterial Drainage are not so difficult to comprehend as most country gentlemen or their land agents imagine, and that there is still much to be done in Ireland by the owners and occupiers of land, by the Board of Works, and by Parliament. Drainage Laws a contrast to the Railway Laws.

It is the duty of all who are interested in the prosperity of Ireland to see that the career of improvement is not stopped; to explain that, even at the present rate of wages, drainage works will pay; and to seek from the House of Commons a more liberal application of the public money, based on such undoubted security; and to ask for an amendment of the present Act in the instances specified. Amendment of the Act of 1863, a work of necessity.

Undoubtedly, claims such as those put forward are looked on with great jealousy in England. Why should Parliament help local proprietors to drain their lands, if they will not contribute half the moneys themselves, or do anything to forward their own interests, and show the regard in which they hold the improvement of their estates? This is a question which must be met and answered. Now, most proprietors whose estates are settled will never be able to obtain their share of the moneys under the present Act: even if they did, the money market may range from eight to eleven per cent., while they must not borrow at a greater amount than five per cent. under the 33rd section. It is surely as strong a case for help as the loans under the Thorough Drainage Act; and as there are no more navigations to be opened, the works to be done not consisting of bogs or waste lands, would be both moderate and practicable. The Board of Works has, under the presidency of a most useful public officer, Sir Richard Griffith, its late chairman, done good service to the State, but its younger members ought to be anxious for a larger sphere of usefulness. They have been in past times attacked and misrepresented; but that is the fate of all men who do their duty. For instance, the piers on the Lower Shannon English views of the application for loans.

Irish land-owners cannot raise the moneys.

Sir R. Griffith.

The piers on the Shannon a proof that local aid is not always a sure test of usefulness.

are a constant cause of complaint against the Board of Works: at Kilttery, at Cahercon, at Glin, and indeed at other places, piers have been erected at which no sail, even of a turf-boat, is ever seen. The passengers at Cahercon still land from, and take the steamer in an open boat. At Red Gap, the finest site on the Shannon for a pier, no pier has been made; and why? because the Shannon Commissioners acted on the principle that they would only help those who advanced part of the moneys required. For the piers at Kilttery, Cahercon, this was done; but the piers are useless, and only gratified the local proprietors' caprice; better, far better, to have not built them at all, than to have placed them, no matter what local aid was given, where they are of no public use. I refer to this to show that local aid is not always a sure indication of the undertaking being publicly useful, and that the Board of Works are not responsible for the want of piers on the Lower Shannon. If the Drainage Act be amended, a clause relating to the erection of piers ought to be inserted in it.

Conclusion.

The Royal Dublin Society.

I have to thank the Society for the patient hearing which they have given my paper. For my own part, I have endeavoured to bring the matter forward with a single view to the improvement of the country and employment of the people. For the sake of the Royal Dublin Society, I could have wished it were more complete; but I thought no place could be more appropriate than here to discuss a subject so deeply interwoven with that for which the Society was founded over a century and a quarter ago, namely, the improvement of Irish agriculture. The Society has seen many vicissitudes since then, but it has outlived them all, and, I hope will long continue a career of usefulness and energy in those departments to which it is specially dedicated. I deem it a happy augury that this paper, however imperfect and unworthy the Society, should be the first read after the noble Lord, Her Majesty's representative in this country, has accepted the office of President. I have no doubt that in any reasonable and well-considered project to improve the material condition of Ireland, he will be found to give the aid of his commanding position and undoubted ability to further it. The Right Hon. Gentleman, the Chief Secretary, who bears a historic name, has already shown, in the case of the loan for the Dublin Waterworks, his anxiety to serve that most necessary undertaking; and with their aid (if obtained), with a rational and well-considered statement of the case, it is to be hoped that the Chancellor of the Exchequer, who is as matchless in finance, as he is unrivalled in eloquence, will assist to amend these Drainage Acts, and thus confer a lasting benefit on Ireland, in the development of its resources, and the employment of its people, without any loss to the empire.

Its president, Lord Wodehouse.

Sir Robert Peel.

The Chancellor of the Exchequer.

Mr. James Haughton.

MR. JAMES HAUGHTON congratulated Mr. Joynt on the ability with which he had brought the subject forward. It lay at the root of their agricultural prosperity. Irish proprietors had free trade; and therefore it was their interest that the soil should be made as productive as possible.

Mr. N. Hone Dyas's speech.

MR. NATHANIEL HONE DYAS said that as Hon. Secretary of the only Drainage District, the Athboy, county of Meath, which had yet been constituted under the

Act of 1863, he ventured to make a few remarks. He generally concurred with Mr. Joynt, but differed from him in one or two matters. Thus Mr. Joynt said it would take from one to two years to form a district. Now, in the Athboy district it occupied less than nine months from the first preliminary meeting, at which the proprietors decided to proceed under the Act, and to employ engineers to make the necessary plans, till the Drainage Board held their first meeting under their Act; but as the District was a small one, and the engineers, Messrs. Gray and Brazill, completed their work with great expedition, and owing to accidental circumstances the Act passed through its stages very quickly, one year might be said to be the time necessary under the present law. The procedure was very complicated, and might be much simplified in its details; and also the time shortened: for instance, one month instead of two would be quite sufficient time to allow for objections to the preliminary plans and estimates. Then there was no occasion for an act of confirmation, which caused considerable delay. The Act for the Athboy District seemed to be copied from the Acts confirming the Provisional orders made under the English "Local Government Act," in which case an Act was very proper, as possession would be taken compulsorily of lands and houses; but under the Drainage Act the only property that would be compulsorily affected in an injurious manner would be mills; but it was expressly enacted that the Commissioners should not sanction any such injury, unless they should be satisfied it was of such a nature as to admit of being fully compensated for by money. It therefore became a mere matter of £ s. d., to be decided by an arbitrator, as directed by the Act, and consequently there was no occasion for a special Act. It would afford sufficient protection to property, in fact more than at present, if, instead of merely lodging the inspector's report at the Union Workhouse, a notice were served on each proprietor, millowner, &c., requiring them, if they had any objections to the report, to appear before the Commissioners on a day named in notice; and the Commissioners should be authorized, after such day, if they thought fit, to issue an *absolute* order constituting the district. The main difficulty, however, was as to the money clauses; they were very complicated and obscure, and should be amended before the Act could work easily; but nevertheless Mr. Joynt had overrated their defects; for, although it was quite true a lender would have no absolute security till the award was made, still in practice this should cause no difficulty, as the Commissioners were required to make the award on the completion of the works, or, if they thought fit, on the expiration of the time allowed for their completion; and if possibly there should be any delay or default in the execution of the works, any lender had power to apply to the Commissioners, and ultimately to the Court of Chancery, to enforce it, and thus procure the award. The land in the district should be made provisionally liable previous to the award. It was not, however, any difficulty as to the award which prevented the Athboy Board from obtaining money previously; it was the state of the money market, and not being authorized to pay more than 5 per cent.; the maximum interest should be increased to 6 per cent., as 5 per cent. was not sufficient in these days of limited joint-stock companies, though it probably was when the 5 & 6 Vict. was passed, as apparently it was from that Act that the precedent was taken. The priority of security over the debenture holders given to the Board of Works, in respect of money advanced by them, was not fair. The Board of Works should get a discretionary power to lend more more than half the sum required for the works, without requiring any previous expenditure.

Hon. Secretary,
Athboy district.

Money diffi-
culty the main
one.

Rate of interest
not high
enough.

THE RIGHT HON. SIR ROBERT PEEL, Bart., said—Mr. Chairman and Gentlemen, I came here to-night only to listen, and to study a question of great and vital importance to this country; but having been so pointedly alluded to by the hon. gentleman in the observations which he has addressed to us, I cannot refrain, and I hope you will not consider it as presumption on my part that I should offer a few remarks. In the first place, I think I do but express the general feeling of the gentlemen present in saying that Mr. Joynt has evidently given this subject a great deal of study; and that he has laid before us his views in a very clear and lucid manner. I feel he is entitled to our thanks for treating the subject in the manner he has done. He says his only object—and we all who are here to-night admit it—is to endeavour to elucidate the opinions of persons interested in the welfare of this country, and draw them to some practical conclusion. Now, I think the obser-

Right Hon. Sir
Robert Peel's
speech.

Drainage lies at the root of the agriculture of the country.

Of great interest to the landlords.

Ill effects of lands not drained.

Board of Works not unpopular with the country.

Proprietors of Suck district.

What they want.

Estimate of works.

Imperial Government ought to help this movement.

Lord Lifford's observation.

Emigration since 1861.

vation which fell from the hon. gentleman who first spoke upon the question, hits the right nail on the head—that this question of the drainage of Ireland is, as he said, at the root of the agricultural interests of this country. It is a very great and important question to Ireland—one that has a direct and important practical bearing not only upon the state of the occupying tenantry of this country, not only upon the labouring classes, but upon, as he justly observed, the landlords of the country. It is a question which, in the interests of the landlords themselves, they should endeavour, if possible, to elucidate public opinion upon. I have been, I am happy to say, a good deal through different parts of Ireland; and what is it that strikes an observing traveller or visitor to any particular district? It is the great trials to which the farmer is subjected from the vast amount of undrained land which prevails. We have to contend in this country, not only with a very humid climate, but with vast districts which might, I venture to say, be perfectly well drained, but which unhappily have remained to the present day chilled and blighted by the stagnant waters which for a long period of years cover them. Well, I say, that being the case, any of us who desire in this agricultural country to see the connexion between the landlords and tenantry of Ireland, the occupying tenantry, and others, strengthened, will readily concur, that that which will improve those relations upon a sound basis, well merits the best attention of this most distinguished and patriotic Society. Now, I should have been very glad to reply with greater precision to the observations of the hon. gentleman, but I have not the advantage of the desk and manuscripts which he had before him. His observations, moreover, were rather too rapidly delivered, and we on this side of the house had some difficulty in following him. Much that he said, however, was good. In going through the history of what had been done in the way of drainage in this country, he gave valuable information; but it struck me that he endeavoured to show that the Board of Works was unpopular with the gentry of this country. I do not admit that. I do not think there is any board in this country which has done more service for Ireland than the Board which had at its head for so many years that most distinguished civil engineer, Sir Richard Griffith. I admit there have been grumblings. It could not be otherwise in a question of this kind. Such a question as that which he has brought before us involves a very difficult task to the Government to deal with. It requires a vast deal of consideration. The hon. gentleman, I think, said that certain proprietors, having property in the neighbourhood of the Suck, wanted the Government to do their work. That was not the case. Certain proprietors along the Suck came to me last year, and said:—"We are prepared to advance to the utmost of our ability; but what we ask is," as they said very fairly, "that we should receive that just assistance from the Government which would enable us to carry out works which would really be of great national importance." Well, now, that is the real point. The hon. gentleman told us that the drainage of the Suck, irrespective of the works on the Shannon, would cost about a quarter of a million sterling. He over-estimated the amount, I believe. I speak from memory. He has spoken from a paper, and therefore has an immense advantage over me; but I believe that £180,000 would amply suffice for that particular work. But how is it possible that these proprietors can lay down some £70,000, before they can get the advantage of commencing work of this magnitude? It is impossible I could agree with the hon. gentleman in the sentiment I fancy to have caught from him in this respect. On the contrary, I hope the Government—the Imperial Government—will give that assistance which such cases require; and of this I feel certain, that that Imperial Government will be entitled to the best thanks of the community in Ireland—that Government will be esteemed in this country as one of the most beneficent—it will be that one, at all events, whether in office or out of office, to which I shall give my support, if it will deal boldly with this question—if it will not hesitate to grant money for work which, I am firmly convinced, will have the indisputable effect of raising a very great and important class of Irish people from a depression under which they labour, and of making them an intelligent and self-relying agricultural class. Well, now, the honourable gentleman quoted a noble lord (Lord Lifford) in another place. We have nothing to do with that House here, but in our place we are ready to meet any objection that may be placed before us. I cannot follow exactly the remark made by a noble lord in another place; but an honourable gentleman (who made some observations to-night) said the great thing was to give employment to the country in those great national works. I agree with him. We have had an immense emigration going on for the last few years. I think that since the year 1861 nearly a quarter of a million of people have left the shores of Ireland, perhaps never to return. I have heard people say that this emigration is the safety-valve of Ireland. Well, now, although it may be perfectly true

that nearly a quarter of a million of persons have left since April, 1861, such has been the excess of births over deaths, that really that number is considerably diminished; and the total number up to the present time, as I learn, does not exceed 130,000 persons who have left this country. But it is an important item with respect to the civilization of Ireland. However, I do not admit, myself, that emigration ought to be considered as the safety-valve of Ireland. What we want to see is that steady, that remunerative employment of the agricultural labourers which will do away with all this talk about emigration being considered as a safety-valve for Ireland; and how can we best set about it but by undertaking works such as the honourable gentleman has pointed out? We have all of us, I venture to say, very many at least in this room who take an interest in the question of drainage, read the various reports which have been made on the subject since 1811 to the present time. These Reports are full of information. We find—I believe I am not overstating the mark, when I say that I think there are nearly at this moment 4,600,000 acres of land waste, or bog, and uncultivated. That is an enormous mass in an area of about 20,000,000 acres—very nearly a quarter of the whole area of the country. It would, I think, take eight or ten million of pounds sterling, spread over a series of years, to drain that. We don't ask that. The gentlemen do not go so far as that, and very wisely. I will tell you what I would like to see, and I believe there is in this country adequate security for such a work, and in this work I should like to see three-quarters of a million sterling well laid out in drainage works—not for the purposes of arterial drainage, but for thorough drainage. With that sum of money you might drain 150,000 acres of arable land which very much require it, at the cost, at the very highest, of £5 an acre; and I venture to say that there is not an agriculturist in this room who will not admit that the application of that money would render the letting value of the land at least 10 per cent. higher, at a fair valuation, than it was before that operation. Well, is not that in itself a sufficient guarantee for the security that would be forthcoming from an action of that kind? Unfortunately, in this country, there are so many small occupiers, that there is an immense competition for land of any kind; and in the county of Cork and elsewhere, I have seen land which I have been told was set at from 18s. to 22s. an acre, but which was so cold, and chill, and rank from the water standing upon it, and from the want of drainage, that I venture to say that it was not worth 5s. an acre. I ask you, as reasonable men, how can the tenant be expected to pay his rent under those circumstances? It is impossible. And then comes that much more difficult question—from the uncertainty of tenure under which some are placed, the tenant is naturally unwilling, were he able, to undertake improvements which might entail only heavier rents without due consideration of his own outlay. Now, a great difficulty that we have to struggle against in this country is undoubtedly—I do not think there is a man in this room that will contradict me—that we are encumbered in our operations for drainage purposes on a large scale by an enormous number of small holders. Will any one credit that in this country, out of 600,000 holders of land, at least, 450,000 of them are holders of less than thirty acres, and a vast proportion of these under five acres? That is a state of things which all of us, in the best interests of the country, in the best interests of the people who hold that land, wish to deprecate. It would be infinitely better for these small holders of half an acre, or two acres, or five acres, to become intelligent labourers, rather than to be wasting their time and their substance—substance they have none—but to be wasting their time upon those small holdings from which they never can acquire a position, and which certainly are one of the black spots, I think, in the agricultural interests of the country. Well, now, the honourable gentleman said that he did not despond, however. He said—I think I quote his observation correctly—that he did not despair of the country. Although much has been done, and although much is required to be done, yet still I am happy to say there is a vast improvement in agriculture going on in the country, which only wants a little stimulus to vibrate through its whole extent. I cannot bear—going through this country as a common traveller—I cannot bear to hear it eternally dinned into my ears that the country is going to ruin and decay. I see nothing of the kind. I see improvements of every kind that represent the prosperity of a country—railways, savings' banks, and so forth; and I must say, for one, that I see no reason to despond. I see prospects of a brighter future dawning before us. But I cannot bear to see, by men who know nothing of the matter, a grievance chalked up upon every milestone along the road, just as if it was put there in order to tell the travellers and visitors—and they come here in vast numbers during the season—that, whilst they admire the beauties of our scenery, and observe the resources

Employment for the agricultural population.

Reports on Drainage full of interest.

Three quarters of a million ought to be expended.

Land in Co. of Cork.

How can tenants pay rent for such land?

Small holders of land.

450,000 hold less than thirty acres each.

Great improvement, though much remains to be done.

Grievances chalked on every milestone.

People of Ireland intelligent and self-relying.

The Irish members a strong body in Parliament.

The question a great and Imperial one.

Imperial expenditure in Scotland and Canada.
The Shannon.

Sir R. Griffith's estimates as to bog lands.

4,500,000 acres bog land.

Subject of importance, and likely to serve Ireland.

Mr. W. F. Vesey Fitzgerald.

of our country, they are by no means whatever to contribute their capital for the development of those resources. Well, I say, that is a bad way of setting about our business. Let us put a good face on the matter. I have been four years in the country, and I have had some opportunity of observing them, and I say that the people of this country are a most intelligent—ay, and a self-relying people; and I believe that what we require is, not to be told constantly that we have grievances to complain of, but boldly to put shoulder to shoulder, and that one class should support another; and then we should see that the resources of the country and the intellectual capacities of Irishmen are not surpassed by those of any other people in the world. I must apologize to this company for having detained them so long; but there is one remark which I should like to make before I sit down. We have a strong body in Parliament. Every county, as the hon. gentleman has said, has its representative to advocate its interests. What I should like to see would be a measure pressed upon the Government—pressed upon the Imperial Government and upon Parliament by that legitimate Parliamentary influence, that fair and honourable co-operation and pressure, which would result in the carrying of some such measure which would have the effect, in my mind, of greatly relieving the agricultural interests by the fair and just granting of public money for the purpose of draining in this country. I maintain that this is a great imperial question. The hon. gentleman has alluded to the works on the Shannon. The navigation works there completed were considered an imperial question, and this country is greatly indebted to the exertions of Lord Monteagle, when he was Chancellor of the Exchequer, in furthering and pressing forward a measure of that kind. I look upon the drainage of those vast tracts in Ireland as a question that ought to be dealt with by the Imperial Legislature. Individual proprietors cannot grapple with it—every one admits that. Look at what the Imperial Legislature spent upon the Caledonian Canal in Scotland. Look at what the Imperial Parliament spent upon the Rideau Canal and Ottawa River Navigation Works in Canada—over a million sterling for 123 miles. And then look at our magnificent Shannon, spreading over two hundred miles of this country, running through ten counties, and having a population within reach of its influence of over a million of people. Does not that represent something worthy of the support of the Imperial Parliament? It is true that they gave us, I think the honourable gentleman said, £580,000, to do certain navigation works, and that those works were done. They were well done, I believe. But they have been pernicious to the drainage principle. Why do not the Government come forward now, and treat an imperial question like this as it ought to be treated? Sir Richard Griffith, whose name it is only necessary to mention, has told us that there is no bog land in Ireland that cannot be drained. Sir Richard Griffith tells us that you may drain, I will not say the very worst, but some of the worst land in Ireland, for, I think, £7, or certainly £7 10s. an acre, and that in two years afterwards that land would be worth thirty shillings an acre for a crop of rye, and then a crop of oats, and then a crop of potatoes. There is always manure, observe—and this is an important point—at hand, suitable for the purpose of improving those bogs. I see a gentleman here who is practically acquainted with these matters; but I believe that under these bogs there always is a stratum of clay, which, mixed with turf ashes, is admirable for the purpose of applying to the decomposition of the peat. Therefore, considering that we have in this country about 4,500,000 acres of land in the condition which has been referred to—and considering that in the opinion of Sir Richard Griffith it could be brought into a valuable condition, I do think that this question is well worthy of the attention of the public. I, for one, congratulate the honourable gentleman, as a public man, for handling this subject in the able and lucid manner in which he has treated it. I thank him, because I believe that he has dealt with a subject which is of the utmost importance to this country; and I am quite sure that, if it is treated in a liberal and generous spirit, it will contribute more than anything else to build up a more cordial understanding between those classes which represent in a very large majority the chief industry and the best interests of Ireland.

Mr. W. F. VESEY FITZGERALD, said, that the Right Hon. Baronet (Sir R. Peel) was correct in attaching quite as much importance to thorough drainage as to arterial drainage; that it was more profitable, and more certain to succeed; that he had experience of both, having had a good deal to do with drainage, in the management of his property in different parts of Ireland.

After a few observations from Mr. JAMES GANLY, in commendation of Sir R. Peel's views, Mr. Jas. Ganly.

The Chairman (Mr. G. W. MAUNSELL) congratulated the Society upon the manner in which the important subject of the evening had been brought before them, and upon the very able speech it had elicited from the Right Hon. Baronet, the Chief Secretary for Ireland. It was cheering to find the Right Hon. Gentleman among them, taking active part in their proceedings, and studying for himself, and it might be hoped for amended legislation, the bearings and the difficulties of a question in which the welfare of Ireland was so deeply involved. It was the more gratifying when they recollected that it was under the Premiership of the late illustrious Sir Robert Peel that the drainage code was first matured; and the liberality of Parliament, by sanctioning advances of public money for such works, gave the first great impetus to the many and substantial benefits that had since resulted to Irish agriculture. The new Act, so ably commented upon by Mr. Joynt, was the inauguration of a new era in drainage operations; and it behoved all parties to strive earnestly to make it as effective as possible. He regretted to agree with Mr. Joynt that he saw in the Act, as it now stood, difficulties which, except in very favoured districts, threatened to render it almost inoperative. By the former code, the execution of arterial drainage was intrusted to the Board of Works. He would not detain them by going over the details of a system with which most of them were familiar; but he must bear testimony to the very able manner in which the Board had discharged their duties. It was not in human nature they should have pleased every body. But they had been the pioneers of national effort in this direction; they had taught how conflicting interests could be adjusted for the common good, how public advances could be made with perfect security for repayment. And he confessed that, when he reflected upon the prodigious amount of arterial drainage done under the auspices of that Board, as detailed by Mr. Joynt, he looked with considerable apprehension to handing over to the landowners the discharge of such duties, which, with some aid, no doubt, to be still had from the Board of Works, was the principle of the new code. Before coming to the objections to the new Act, which had been so ably treated by Mr. Joynt, he would ask leave to refer to an Act which might be said to form a part of the new Drainage Code, and which had been passed almost without remark by him. He meant what might be called the Outfall Act of 1863—the 26th Vict. c. 26. This Act might be said to be the work of Mr. Francis Longworth Dames, one of the ablest men at the Irish Bar, who had in the previous session, 1862, by framing the Bill known as Col. Dickson's Bill, and which he had successfully carried through the House of Commons, in fact laid the foundation of the present Act, 26 & 27 Vict. c. 88. By the Outfall Act, which is both short and simple, power is given by a very summary and easy proceeding, viz., application to two magistrates in petty sessions, to compel the owners of the lower levels to permit all watercourses to be cleared and deepened which obstruct the discharge of waters from the upper levels; such a power is both equally novel and valuable; it may not often occur that the owners of lower levels are so churlish as to prevent such improvements at the cost of those who desire to make them; still, it is well the power should be known; and the restrictions in the Act are ample to prevent its being made an engine of injustice or hardship. He would not touch upon those amendments required in the simplification and shortening of proceedings under the principle of 1863 Act, c. 68, which had been so fully handled by Mr. Joynt, Mr. Dyas, and other speakers; but he would come at once to the financial difficulties, and he thought both the meeting and the landowners of Ireland should feel grateful to the Right Hon. Baronet for the liberal spirit with which he had dealt with this part of the case, and had frankly stated his opinion, that both the duty and wisdom of governments lay in liberally aiding such works by advances made upon terms which, while sufficient to secure the public from loss, would encourage and stimulate the execution of improvements which could not otherwise be effected, and realize for the community at large the substantial advantages such improvements cannot fail to produce. The first principle of the new code was, that the landowners were to provide by private loan the first

Mr. G. Woods Maunsell's speech.

Under the late Sir Robert Peel the Drainage Acts introduced.

Act of 1863 inoperative.

Board of Works.

Outfall Act of 1863, 26 Vict. cap. 26.

Financial difficulties of Act of 1863.

Landowners to provide moiety of funds.

Athboy district.

Security under the statute found small favour in Ireland.

Congratulated the Society on the value of the discussion.

Mr. Lane Joynt.

Content with reception of the Paper.

Sir Robt. Peel's speech.

Outfall Act of 1863 required no amendment.

Mr. Hone Dyas's observation.

moiety of the funds required; the Board of Works being then empowered to lend the other moiety, to be advanced *pari passu*, they obtaining a first charge upon the lands benefited. It might be possible in small and highly favoured districts, where, as Athboy, the owners were such men as Lord Darnley, Mr. Chapman, Mr. Rotheram, or Mr. Dyas, to obtain the first moiety—men of great wealth and iron determination might do so, but in nineteen cases out of twenty it must fail. The first question would be, at what period can a perfectly valid security to a private lender be given? It is the award which gives validity to the security; but the award cannot be made till the works are completed, and the money expended; and meanwhile the lender must rely upon the preliminary arrangements. Questions may arise how far the plan upon which first assents have been given has been in fact carried out; and the award may in the end become the subject of fierce dispute—a pleasant position for private lenders. No doubt the holder of a debenture may, upon default of the owners, call upon the Board of Works to make an award; but what all private lenders desire is a security which from the moment they advance their money they may put away in their strong box, without further acts to be done, or looked to, certain in its validity, easily transferable, and not open to be paid off by vexatious instalments. Such statutable securities have always found but small favour in Ireland, and but few lenders. The solicitors did not understand them. No solicitor could be expected to advise clients to lend money upon securities beset by long preliminary conditions—perhaps conflicting opinions, doubtful construction of clauses, decisions by boards or commissioners, when investments free from risk and trouble based upon the general law of the land were competing around. These were views which he had no doubt would be pressed by the Right Hon. Baronet in the proper quarter, and which coming from him would be entitled to every consideration. He (the Chairman) had, in conclusion, again to congratulate the Society on the importance of the discussion. The promotion of husbandry was especially one of their chartered duties. How they had heretofore fulfilled their obligation in that respect was but too well known. In no direction could their labours be more usefully given than in studying the difficulties which beset the great question of Arterial Drainage, and consulting how the new system could be made most effective and most extensively useful. He looked forward with hope to results equally important and valuable arising from their meeting this evening; and trusted their successive meetings for the present session would be equally interesting, instructive, and advantageous.

Mr LANE JOYNT then said, in reply—Sir, I have to thank the Society; I have to thank you, Sir; and, above all, I have to thank the Right Hon. Gentleman the Chief Secretary for Ireland, for the friendly interest, and still more friendly criticism, with which my paper has been received. With that reception I am well content; but I know it is owing to no treatment of mine. It is due to this, that the subject is one of great national interest and urgency—that it opens a prospect for employing the people, improving the soil, and enriching the landlords and tenants of Ireland. I feel quite satisfied that the eloquent and outspoken words of the Right Hon. Gentleman will reverberate throughout the length and breadth of the country; and I am much mistaken if the public voice will not unanimously sanction a policy which is as bold as it is wise, as worthy of the most generous feelings as it is creditable to the highest statesmanship. There are two points in the observations of those who followed me, to which I shall refer. The first is that made by the chairman touching the Outfall Act of 1863. Those present will remember that I only briefly referred to it, and for this best of all reasons, it requires no amendment. I deal to-night with suggestions for the amendment of the Drainage Laws, and therefore it would have been out of place to refer at any length to an Act which requires no amendment. Moreover, I had but scant measure of time for what I had to say, and I was equally desirous to exhaust the subject without exhausting the patience of my hearers. The second point is, however, the most important of all. If Mr. Hone Dyas's observations be well grounded—if I have, in his own words, overrated the defects of the Act in regard of the time it will take to form, work, and legalize the arterial drainage of districts in Ireland, and if I have, above all, overrated the defects

of the Act of 1863 as to the borrowing powers, then my whole case fails. I know, Sir, a bridge is not stronger than its weakest part. Now, these are the two weak points of the Act of 1863—delay and want of funds; and unless before I sit down I can dissipate the fallacies put forward by Mr. Hone Dyas, I have no right to suppose that you will conceive the Act is useless, and the difficulty of getting funds for the works insurmountable. Let me do so as briefly as possible. In the first place, then, let me notice that Mr. Hone Dyas represents a very small district—that of Athboy, with only seven or eight proprietors, all wealthy, anxious for improvement, and who have confided the working of the district to him. I am sure their confidence in him is well founded. But the smallness of the district with which he is connected has made him underrate the extent, the preliminary proceedings, the delays, and difficulties in the path of those who undertake works, not like Athboy, whose estimated cost is only from £8000 to £10,000, but whose estimated cost, as in the Barrow and the Suck districts, varies from £160,000 to a quarter of a million sterling. Surely if such works, under the present system, can be commenced; if the surveys, in the height of winter and autumn floods, can be made—if the meetings and notices are duly held and given—if then a second Act of Parliament has to be obtained, it is not too much to say, nay, it is within the mark to say, that the districts generally under the present Act will take from one to two years, perhaps more. We know from experience that one or two years in the life of a great drainage work is but a short term indeed. But Mr. Hone Dyas's second point astonished me more than the first. He said I overrated the difficulty of getting the money for the works. I own I heard that with astonishment; for I violate no confidence in saying that I wrote to Mr. Dyas to learn what impediments he found in working the Act, and here is his reply, which, with his permission, I will read.

The two weak points of the Act of 1863.

Delay and want of funds.

Delay takes from one to two years.

As to money clauses.

Mr. HONE DYAS.—I request Mr. Joynt to read my letter.

Mr. LANE JOYNT then read the following letter:—

“Athboy, Nov. 19, 1864.

“DEAR SIR,—Having been in the county of Longford, I did not receive yours until after post hour. To prove generally useful, the Drainage Act of 1863 must be amended. The great difficulty I have experienced in working it in the Athboy district is, as you suggest, under the money clauses; as it would appear that, in a strict legal point of view, a lender would have no security till the award be made, though I believe that in practice no difficulty would arise as to this; and if the rate of interest had not been so high, that we should have obtained the money easily. Still it is desirable that there should be no doubt as to the security previous to the award, and that all the lands in the district should be made provisionally liable. I think, also, the *maximum* rate of interest should be six per cent. The Board of Works should not have any priority over debenture holders; they should also have a *discretionary* power to lend more than half the entire cost, without insisting on the previous expenditure of an equal, or *any* sum. I fear it would be hopeless to look for an Act requiring them to lend all. Some of the procedure as to notices might be simplified, and time for objections, &c., shortened; and I do not see the necessity for an Act to confirm the provisional order; there are already provided sufficient safeguards to property without it, and it causes great delay, and puts it in the power of a single Member of Parliament, who might be the only dissentient proprietor, to throw it out, at least for the session, by taking advantage of the forms of the House.

Mr. Hone Dyas's letter.

“I have hastily written all that occurs to me; but I will most probably give myself the pleasure of hearing your paper.

“I am, Sir, yours faithfully,

N. HONE DYAS.

“Wm. Lane Joynt, Esq., 46, Lower Gardiner-street,
Dublin.”

Now, I assert that Mr. Dyas's letter is a complete vindication of my views, and the best answer to his speech here to-night. But even if the money were lent to the Athboy district, and to seven or eight wealthy landlords, I say that is no precedent for the rest of Ireland. No lawyer in the Four Courts could or would advise money to be lent on a security not existing, Vindicated the views put forward.

No lawyer could advise money to be lent on the security.

Six-mile Bridge district.

Lord Annaly might give the money, but others could not be expected to do so.

Acknowledgments for reception of paper.

dependent on the making of an award, and which if never made the lender would be, at last, compelled to try and get made by an injunction in Chancery. But even were the award made, what lender will submit to the subsequent mortgagees getting precedence over him? and, above all, what person having ten, fifty, or one hundred thousand pounds to lend, will receive it back by unequal and uncertain instalments of principal and interest? No doubt, Mr. Dyas has fallen into this grave error because he hopes to get some friendly lender to give him the money for the Athboy district; I sincerely hope he may get it; but, on the security of seven or eight proprietors, I do not see why, if they come forward and make themselves personally responsible, he should not get it. For my part, the drainage district with which I am most intimately connected, that of Six-mile Bridge, in the county of Clare, is situated in much the same way as that of Athboy. I feel sure that the Noble Lord for whom I act as agent (Lord Annaly) would not let the project drop: if I said—The security is doubtful, but I see my way to its repayment, and it is worth your while to serve the district, and give employment, I feel sure the Noble Lord, who has ever at heart the good of his tenants and his country, would at once cheerfully place the money at my disposal; but that is not the security or the mode given in the Drainage Act, nor could I expect others to follow his example, when, instead of £8000 or £12,000, the works might require a quarter of a million, sterling. Sir, I think I have shown the defects of the Arterial Drainage Laws to be waste of time in the proceedings, and want of security and funds to carry on the works; and if I have succeeded in this, the remedy is plain. For my own part, I am well content with the proceedings of the evening; and I have, in conclusion, to express my acknowledgments for the criticism of an audience so friendly and discriminating.

MEMORANDUM

*Concerning the Borrowing Powers of the Irish Arterial Drainage Act,
26 & 27 Vict. cap. 88.*

I HAVE thought it useful to make a longer analysis of the money clauses of the Act of 1863 than that given in the foregoing Paper, which was necessarily limited in point of time, when being read before the Royal Dublin Society.

The 33rd section provides that any Drainage Board under said Act may borrow from themselves or any other party, money for the outlay incurred in the execution of the Drainage works, and to include the interest between the time of advancing the loan and the making of the final award, such rate of interest not exceeding five per centum per annum; and the repayment of such principle and interest shall be secured to the parties lending the same upon the moneys accruing to the Drainage Board, under the *award* to be made as thereafter mentioned. Section 34 enables Drainage Boards to issue debentures, and gives the form, the pith of which seems to be that the moneys to become payable to the said Drainage Board are thereby charged with the repayment of said sum, and the moneys so lent and the interest shall be charged upon and repayable out of the moneys which shall come to the hands of the Drainage Board under the final award.

Section 35 enables Drainage Boards to pay off debentures.

Section 36 enables the Commissioners of Public Works to make advances.

Section 37 directs applications therefor to be by memorial.

Section 38 provides that the Commissioners may make an order for the advance if they see fit, but not unless and until the Drainage Board have previously expended a sum of money equal to the amount of such issue or instalment on the Drainage and improvement of such district. Nor in any case shall any loan or advance be made exceeding one moiety of the moneys proposed to be expended on the drainage and improvement of such district; and every loan to be made by the Commissioners of Public Works shall be issued by instalments, not exceeding at any time one-fifth of such moiety; and no second or further instalment of any such loan shall be made until it shall have been proved to the satisfaction of the said Commissioners, in such manner as they shall require, that the preceding instalment has been properly expended on the works for which such loan shall have been sanctioned.

Section 39 provides for the making of the final award, after the comple-

tion of the works, or on the expiration of the period limited by the Commissioners for the completion of such works.

Section 40 directs the draft award to be printed and published, lodged as therein.

Section 42 directs such objections to be heard, and that such award shall be settled and sealed.

Section 43 directs the award to be enrolled in Chancery.

Section 44 gives priority as therein to money, and expresses to be charged on the lands.

Section 45 empowers the Drainage Boards, in case of non-payment of the sums under the award, to enter on the lands, to appoint a receiver, and to mortgage the lands.

Section 46 empowers the Commissioners to make an award for their advances.

Section 47 directs that the several lands in such last-mentioned award shall be charged with an annual rent-charge of £6 10s. for every £100 charged, with a proviso that, if any particular parcel or denominations of lands shall not be charged with a sum exceeding £100, it should be lawful for the Commissioners to fix the amount of the instalments by which such sum shall be repaid.

Section 48 gives priority to such rent-charges over all save the excepted charges, and this would give priority over the lenders of the money required to be given before the Board of Works can advance their moiety.

Section 49.—All moneys charged by the Act are to become charged upon the whole of any denomination or townland, any part of which shall be drained or improved under the sections of this Act.

The opinion of a most eminent lawyer was taken on the nature of the security offered by the Act. Here are the queries and replies:—

1st. Is the security provided by the Act such as any ordinary lender could safely give his money on?

Answer—No.

2nd. Does the advance made by the Board of Works take priority of such private advances in the cases specified?

Answer—Yes.

3rd. Is the security provided by the Act, keeping in view the great importance of such works, one that holds out a reasonable hope that any important district requiring advances of over £10,000, will find the money to proceed with the works?

Answer—No.

COPY OF QUERIES AND OPINIONS.

THE following case was also submitted to an eminent lawyer, well acquainted with the Irish Drainage Laws, and I am indebted to the kindness of a friend for it:—

In the Matter of the ——— Drainage District.

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1st. WHAT will be the position and security of the debenture both previous and subsequent to the award; and will it have any and what lien upon the townlands proposed to be improved, for any and what sum; and, if it cannot be made a charge until after the award, can you suggest any view or course to be taken to secure the parties previous to the award, and to guarantee them that within a limited time such an award will be made as will afford them ample security? *For what period should the debentures be given;* and can they be registered in the public Registry of Deeds? What will be their position as against creditors or settlements without notice; and assuming the debentures will become charges according to their numbers from their date, can the priority be displaced by any other, and what lien, now existing or hereafter to be made? And what will be the powers of the holders to enforce payment of said debentures?

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1st. THE provisions of the recent Drainage Act with reference to the borrowing of moneys from private individuals upon the security of the debentures are not new, having been taken with but few alterations from the 5th and 6th Vict. cap. 89, sections 99, 101; but I am not aware that under the former Act the Commissioners of Public Works ever availed themselves of those powers, and I therefore believe that the present statute must be read without the aid of any judicial decisions upon this branch of it. I am of opinion, in the first instance, that it will not be possible for a Drainage Board, in the first issue of a debenture, to confer upon the lenders an absolute charge or lien upon the lands to be improved by the works. No such charge can be given completely until after the Commissioners shall have made the award contemplated by the 39th and following sections; and therefore it follows that the security to which lenders must look will be that award. The power of making such an award is not confined to the event of the final completion of the works; for by the 39th section it may be made upon the expiration of the period limited by the provisional order for their completion. It therefore appears to me that, prior to the award, the security which lenders have will be threefold:—Firstly, the interest which the spirit of the Act presumes the Drainage Board and their constituents, the proprietors,

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have in the completion of the works ; 2ndly, the very large powers conferred upon a lender by the 64th section of the Act, enabling him to apply to the Commissioners of Public Works, and ultimately to the Court of Chancery, with respect to the execution of the works ; and, 3rdly, the powers conferred upon the Commissioners to make the award after the expiration of the limited time, notwithstanding that the works should not have been completed—a power which would, I apprehend, be most probably exercised in favour of persons who had *bonâ fide* advanced money which had been expended in the partial execution of the works. Such, it appears to me, is the position of a lender before the award. After the award has been made, the debenture holder will, in my opinion, be in the position of an assignee of so much of the moneys as by the award are charged upon the townlands in favour of the Drainage Board, and as such entitled to the ordinary remedies either by appointment of a receiver to keep down interest, or by sale in the Court of Chancery or Landed Estates Court for payment of the principal and interest. The moneys payable under the award take priority, under the 44th section, of all purchasers, settlements, and creditors ; and these moneys are again charged with the amount of the debentures, whose priorities are regulated by the order of their numbers. I do not think those debentures are capable of registration, nor does it occur to me that any further priority would be obtained by registering them. With respect to the period at which the debentures should be made repayable, a difficulty arises from the provision enabling the Commissioners, by their award, to make the moneys repayable by instalments ; and, therefore, to fix any period which should make a debenture payable at an *earlier* date would be clearly useless. I therefore think that the time to be specified in the debenture should be “at such time after the expiration of the period (if any) by the award of the Commissioners to be appointed for the payment of the apportioned expenses of the said Drainage and works as may be appointed by the said Drainage

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2nd. Can the Board in any and what way secure interest not exceeding any and what rate upon said debentures, from their date, to be paid half-yearly? Will said interest be secured along with the principal upon the fee-simple of the townlands; and in case said interest should not be punctually paid, what remedy will the debenture holders have? Can they enforce payment of their principal, notwithstanding the time for payment limited in the debenture is not expired?

3rd. Can the Board out of the moneys to be raised on the debentures, pay a per-centage along with the expenses out of pocket to the party procuring the same, in lieu of costs; and if not, what costs can the Board pay? It will be impossible to raise money unless the Board can pay a reasonable sum, say about three per

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Board, pursuant to notice to be given for that purpose; or, if no such period shall be appointed by the said Commissioners, then at such time after the enrolling of the said award as may be appointed by the said Drainage Board, pursuant to notice to be given for that purpose."

2ndly. The payment of interest between the issue of a debenture and the making of the award is intended by the 33rd section to be made out of the principal moneys advanced, i. e., a certain portion of the advance is to be set aside for such payments. The Act does not provide any machinery for securing such payments to the lender, but it occurs to me that the sum appropriated to the *ad interim* interest should be lodged in the names of two trustees, one to be nominated by the Board, and one by the lender. The total amount of the advance will of course eventually remain a charge upon the moneys awarded, but in the mean time the interest will have to be paid out of the principal; but if not so paid, it will eventually become a charge upon lands comprised in the award. I think that a proviso to the following effect might be added to the form of debenture given by the Act:—"Provided that after the moneys to be awarded by the Commissioners, or any instalments thereof, shall have become due and payable to the said Drainage Board, in the event of the non-payment for thirty days after either of the said gale days of the interest due thereon, the principal moneys due hereon, or so much thereof as by virtue of the said award may be then raisable, may be called in and raised, notwithstanding anything herein contained."

3dly. I think it not an unreasonable incident to the loan that the Board should have the power of paying a sum in lieu of the lender's costs; provided, however, that a fair discretion is exercised in so doing. I believe it to be a very usual transaction, and one looked upon as a general incident and expense in contracting a loan between private individuals; and I think a Drainage Board may act in a similar manner, more particularly when a difficulty or impossibility would

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cent. on the money raised, and the costs out of pocket. If this cannot be done, can you suggest the means through which these expenses can be paid?

4th. Can trustees or executors lend upon these debentures?

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otherwise exist, preventing them from raising money under the Act. Under any circumstances, I do not think the lender is bound to see to the application of the money.

4th. The securities are so novel, and of such a complex nature, that I do not think trustees or executors could advance trust funds upon them.

NOTE AS TO THE OPINIONS OF THE PUBLIC PRESS IN IRELAND.

I HAD intended as part of the Appendix to give short extracts from the various metropolitan and provincial Journals to show the general interest in the subject of Arterial Drainage, the deep sense entertained all over the country of the able and statesmanlike speech of Sir Robert Peel, and the too kind manner in which my own humble efforts in the matter had been acknowledged; but on sitting down to make these extracts, I found they would make a volume in themselves. From all quarters of Ireland—north, south, east, and west—the most unanimous and cordial testimony is borne to the necessity for Arterial Drainage; to the delay and inutility of the Act of 1863; to the fact that unless Government provide all the moneys, repayable in twenty-two years, the works will never be commenced; and, above all, that much of the Thorough Drainage of the country cannot be undertaken so long as the Arterial Drainage remains in its present state.

Moreover, the employment of the labouring population, and the improvement of the finest soils, have enlisted the sympathies of those who agree on few public questions in Ireland; and if the unanimous and concurrent testimony of the public Press be of any value as an index of public opinion, then the amendment of the Arterial Drainage Laws becomes a great national question. I must only, therefore, content myself with referring to the names of the various Journals which, immediately after the reading of the foregoing Paper (November, 1864), bestowed on the subject a leading place in their columns; and by leading articles, and by copying articles from the Provincial Press, proved the value they set on the discussion.

Freeman's Journal,	Dublin.
Evening Mail,	do.
Morning News,	do.
Irish Times,	do.
Daily Express,	do.

Times,	London.
Morning Star,	do.
Daily Telegraph,	do.
Clare Journal,	Clare County.
Galway Vindicator,	Galway.

Londonderry Standard, Londonderry.	Clare Freeman, Co. Clare.
„ Journal, do.	„ Journal, do.
Northern Whig, Belfast.	Kerry Evening Post, Kerry.
Tipperary Vindicator and Limerick Reporter, Limerick.	Sligo Champion, Sligo.
Munster News, Limerick.	Cork Examiner, Cork.
Limerick Chronicle, do.	Southern Reporter, do.
	Farmer's Gazette, Dublin.

It may not be out of place to add, that, as an evidence of the public interest taken in the Drainage question in various parts of Ireland, and especially in Clare and Limerick, many tenant farmers have, by letters and in conversation, evinced the deepest interest in the amendment of the law and the prosecution of the works.