

I assent.
C. C. WOOLLEY,
Governor,
24th March, 1949.

ORDINANCE No. 5 of 1949.

AN ORDINANCE to provide for the declaration of a new Drainage and Irrigation area; the validation of the construction of certain works in connection therewith; the vesting of certain lands in the Drainage and Irrigation Board; and for purposes connected with the matters aforesaid.

[26th. March, 1949.]

A.D. 1949. — Be it enacted by the Governor of British Guiana with the advice and consent of the Legislative Council thereof, as follows:—

Short title. 1. This Ordinance may be cited as the Drainage and Irrigation (Declaration of Area and Validation of Acts) Ordinance, 1949,

2. In this Ordinance —

“the Board” means the Drainage and Irrigation Board established under the Drainage and Irrigation Ordinance, 1940;

“the Principal Ordinance” means the Drainage and Irrigation Ordinance, 1940;

“work” shall have the meaning assigned to that expression in the Principal Ordinance.

Interpretation.

No. 25 of 1940.

DECLARATION OF NEW DRAINAGE AND IRRIGATION AREA.

3. (1) Anything to the contrary contained in the Principal Ordinance notwithstanding, but subject to the provisions of this Ordinance, the area described in the Schedule hereto, shall be, and is hereby declared to be, a drainage and irrigation area for all purposes as though it had been declared to be such by Order-in-Council made under section eighteen, and published as contemplated by section nineteen, of the Principal Ordinance.

Declaration of new drainage and irrigation area. Schedule.

(2) The name and the boundaries of the drainage and irrigation area declared under this section shall be those respectively assigned to them in the Schedule hereto.

4. Anything to the contrary contained in the Principal Ordinance notwithstanding —

(a) The Governor in Council may by Order direct the Board to assess, for the year nineteen hundred and forty-eight only, and to collect and recover the rates so assessed in respect of the drainage and irrigation area described in the Schedule hereto, or in respect of any specified part of any such area.

(b) The Governor in Council may by the same Order, or any subsequent Order prescribe dates or times for the payment in moieties of the rates assessed and for the performance of the acts set out in paragraph (a) of sub-section (3) of section thirty-three (as amended by section two of the Drainage and Irrigation (Amendment) Ordinance, 1942), subsection (1) of section thirty-five, and sections thirty-seven and thirty-nine of the Principal Ordinance, in substitution for the dates or times specified in the sections hereinbefore mentioned.

Power of the Governor in Council to direct the Board to assess rates for 1948 on land which, prior to the commencement of this Ordinance was not a drainage and irrigation area.

VALIDATION OF CERTAIN ACTS.

5. All acts done by the Board, their agents and servants, or by any agent or servant of the Government, in or in respect of any entry into any of the areas described in the Schedule hereto, or in respect of the construction of any work therein or thereon, are hereby declared to have been lawful and valid to the extent that such acts would have been lawful and valid if the procedure prescribed in Part III, or in section twenty-three of the Principal Ordinance in respect of the declaration of new drainage and irrigation areas, or the construction of new works in a declared drainage and irrigation area, as the case may be, had been observed in relation to the area aforesaid.

Validation of certain acts done in a certain area prior to the declaration of such area as a drainage and irrigation area.

Land in
certain
area vested
in the
Board.

6. All lands in the Sarah to Mahaicony Drainage and Irrigation Area as described in the Schedule hereto, wherein or whereon the Board has, prior to the commencement of this Ordinance constructed any work which is not marked or delineated on any plan deposited with the Registrar under section twenty-three of the Principal Ordinance as amended by section two of the Drainage and Irrigation (Amendment) Ordinance, 1941, shall forthwith vest in, and become the property of, the Board, and the provisions of section twenty of the Principal Ordinance shall apply to all such works.

SCHEDULE.

SECTIONS 3 (1) AND (2), 4, 5 AND 6.

The Sarah to Mahaicony Drainage and Irrigation Area, the boundaries of which shall be as follows:—

Commencing at the intersection of the common boundary between Plantations Now or Never and Sarah with a line parallel to and distant 12 feet northeast of the northeastern edge of the facade drainage trench, seaward of the Public Road, and extending thence in a southeasterly direction along the aforesaid line, parallel to and distant 12 feet northeast of the north-eastern edge of the aforesaid facade drainage trench to its intersection with a line parallel to, and distant 12 feet north of the northern edge of the continuation of the aforesaid facade drainage trench through Plantations Taymouth Manor and Farm; thence along the aforesaid line parallel to and distant 12 feet north of the northern edge of the aforesaid facade drainage trench through Plantations Taymouth Manor and Farm to the left bank of the Mahaicony River; thence in a southerly direction along the left bank of the Mahaicony River to its intersection with a line parallel to and distant 12 feet south of the wire fence on the southern side of the aforesaid facade drainage trench; thence westward along the aforesaid line parallel to and distant 12 feet south of the aforesaid wire fence to the common boundary between Plantations Taymouth Manor and Ormsary; thence in a southerly direction along the aforesaid common boundary between Plantations Taymouth Manor and Ormsary and the prolongation thereof to its intersection with the prolongation eastward of the back boundary of Grant No. 7153, thence along the back boundaries of Grants No. 7153 and 7164 and the back boundary of Grant No. 7155 to its intersection with the prolongation southward of the common boundary between Plantations Now or Never and Sarah, thence northward along the aforesaid prolongation of, and the common boundary between Plantations Now or Never and Sarah to the point of commencement.