

ANNO DECIMO

VICTORIÆ REGINÆ.

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CAP. XXXII.

An Act to facilitate the Improvement of Landed Property in *Ireland*. [8th *June* 1847.]

WHEREAS by an Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, it was amongst other things enacted, that it should and might be lawful for the Commissioners of Public Works acting in execution of the said Act to make Loans and Advances in aid of the Drainage, Embankment, reclaiming, or other Improvement of Land on the Credit of Mortgages, Assignments, or other Assurances of the Estate and Interest, Freehold or Leasehold, on such Land as might be the Subject of such Drainage, Embankment, Reclamation, or other Improvement, upon the Terms and Conditions in the said Act mentioned: And whereas by an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland, it was enacted, that it should and might be lawful for the Commissioners of Public Works in *Ireland*, subject to such Conditions and Restrictions as are therein-after provided, to make any Loan or Advance for the Purposes aforesaid: And whereas a further

1 & 2 W. 4. c. 33.

9 & 10 Vict. c. 1.

9 & 10 Vict. c. 101.

further Act was passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Public Money to a limited Amount, to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage:* And whereas it is expedient that so much of the said thirdly-recited Act as extends to *Ireland* should be repealed, and that greater Facilities, under proper Conditions and Restrictions, should be given for the Improvement of Lands in *Ireland:* Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said thirdly-recited Act as authorizes the Commissioners of Her Majesty's Treasury to issue for Loans to be made under the Provisions of the said Act any Sums of Money not exceeding One million of Pounds for *Ireland*, and all the Provisions and Powers in the said Act contained relating to *Ireland*, and to the Commissioners of Public Works in *Ireland*, shall be repealed, subject to the Provisions herein-after contained for continuing under this Act all Proceedings consequent upon any Application for a Loan under the last-recited Act.

So much of 9 & 10 Vict. c. 101. as authorizes the issuing of 1,000,000*l.* for Ireland, repealed.

Power to Treasury to make Advances not exceeding 1,500,000*l.* for Ireland.

II. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, upon Application of the Commissioners of Public Works in *Ireland*, from Time to Time to issue and advance out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* such Sum or Sums of Money, to be applied for the Purposes and under the Provisions herein-after contained, as may from Time to Time be required, not exceeding in the whole the Sum of One million five hundred thousand Pounds.

The Commissioners of Public Works to be the Commissioners for the Execution of this Act.

III. And be it enacted, That the Commissioners of Public Works in *Ireland* for the Time being shall be the Commissioners for the Execution of this Act, and shall for the Purposes of this Act be a Corporation with perpetual Succession and a Common Seal, to be by them altered or varied at their Pleasure; and such Commissioners shall have full Power, with the Sanction of the Commissioners of the Treasury, and of the Lord Lieutenant of *Ireland*, to appoint so many and such Civil Engineers, Surveyors, Agriculturists, Architects, Builders, Clerks, and other Officers as may be necessary for the Purpose of carrying this Act into execution, in the same Manner as the said Commissioners of Public Works may now appoint any Officers and Clerks under any Act or Acts now in force in *Ireland*, and to pay to them such Salaries as may be determined on by the said Commissioners of Her Majesty's Treasury.

Commissioners may make Loans for Works of Improvement.

IV. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, upon Application made to them under the Provisions of this Act, and subject to such Rules and Regulations as may from Time to Time be made by the Commissioners of Her Majesty's Treasury, to make Loans under this Act for the following Purposes; (that is to say,) for the Drainage of any Lands by any such

Means as the said Commissioners shall approve, for subsoiling, trenching, or otherwise deepening and improving the Soil, for Irrigation or warping of Land, for embanking Lands from the Sea or Tidal Waters or Rivers, for enclosing or fencing any Land, or improving the Fences, Drains, Streams, or Watercourses of any Land, for the Reclamation of Waste or other Land, for making Farm Roads, or for clearing Lands of Rocks and Stones.

No Loans to be made until sanctioned by Treasury.

V. And be it enacted, That no Loan under this Act shall be made until the Application for the same shall have been submitted to and sanctioned by the said Commissioners of Her Majesty's Treasury.

Who shall be deemed Owner.

VI. And be it enacted, That any Person seised of or entitled at Law or in Equity to Land as Tenant in Fee Simple, or in Fee Tail, general or special, or as Tenant in Dower or by Curtesy, and also any Person who shall be entitled to Land under any Will or Settlement, or any other Deed or Instrument (except a Grant or Lease reserving Rent), for his own Life or the Life of any other Person, or jointly for his own Life and the Life of any other Person or Persons, or for Years determinable on such Life or Lives, and also any Person who shall be entitled to Land under any Lease granted by any Collegiate or Ecclesiastical Body, or other Corporation sole or aggregate, or under any Lease granted by any Person having immediate or derivative Title from or under any such Collegiate or Ecclesiastical Body, or other Corporation sole or aggregate, which last-mentioned Lease shall contain a Covenant of perpetual Renewal, or for Renewal *toties quoties*, and also any Person who shall be entitled to Land under any Grant, Lease, or any other Deed or Assurance for an Estate in Fee, or for an Estate or Interest for any Life or Lives renewable for ever, or for a Term of Years absolute, whereof Forty Years or more shall be unexpired at the Time of Application, or for any Term of Forty Years or more renewable on the Fall of any Life or Lives, or for any Term or Terms of Years renewable for ever, whether such last-mentioned Persons shall be entitled to Land for any such Estate, Term, or Interest, either absolutely or as Tenant in Tail, or as *quasi* Tenant in Tail, or for Life, and also every Archbishop, Bishop, Parson, or other ecclesiastical Person as to Lands held by them in their respective corporate Capacities, and also every Feoffee or Trustee of any Land, or of any such Estate or Interest therein as aforesaid, for charitable or other Purposes, or of any Estate created for any Term of Years exceeding Forty Years unexpired, determinable upon the Execution or Fulfilment of any Trusts mentioned in any such Grant, Lease, Deed, or Assurance, and also every Trustee of any such Estate or Interest as aforesaid who shall be in the actual Possession of the Land, or in receipt of the Rents payable by the Tenants of such Land, shall be deemed an Owner of such Land for the Purposes of this Act; and in every Case in which any Person seised, possessed of, or entitled to any such Land for any such Estate or Interest as aforesaid shall be an Infant, Feme Covert, Idiot, or Lunatic, the Guardian of such Infant, the Husband of such Feme Covert, and the Committee of the Estate of such Idiot or Lunatic shall be deemed an Owner of such Land for the Purposes of this Act: Provided always, that no Person, except a Mortgagee in possession

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or receipt of Rent of the mortgaged Lands, or any Part thereof, shall be deemed an Owner for the Purposes of this Act for or by reason of any Estate vested in him which shall have been created by way of Mortgage, or for securing the Payment of any Sum of Money, but that the Person who would be deemed an Owner for the Purposes of this Act, if such Estate by way of Mortgage or for securing any Money had not been created, shall, notwithstanding such Mortgage or Security, or any other Incumbrance, be deemed such Owner as aforesaid: Provided also, that a Feme Covert entitled to Rents and Profits for her separate Use, and whether or not restrained from Anticipation, shall for the Purposes of this Act be considered as a Feme Sole: Provided also, that where several Persons in succession shall have in any Land such Estates or Interests as would entitle each of them, under the Provisions aforesaid, to be so deemed an Owner, such of the said Persons shall be deemed the Owner for the Purposes of this Act as shall be in actual Occupation of the said Land; or in case the Person in actual Occupation shall not be entitled to be deemed an Owner under this Provision, then the Person who shall have the first such Estate or Interest as aforesaid therein in reversion or remainder to or above the Estate or Interest of the Person in actual Occupation as may entitle him to be deemed an Owner under this Provision shall be deemed the Owner for the Purposes of this Act: Provided also, that when the Owner first entitled as aforesaid shall (after Notice given to him in such Form and for such Period as the said Commissioners of Public Works shall from Time to Time direct by the Person having the next such Estate or Interest as aforesaid in reversion or remainder) refuse or neglect to make any such Application, then the Person having the next such Estate as aforesaid in reversion or remainder may, if he think fit to apply for a Loan under this Act, be deemed the Owner of such Lands for the Purposes of this Act, and shall be deemed the Owner for all such Purposes, if any Loan or Advance on account thereof shall, upon his Application, be made under this Act.

Persons having certain Interests may qualify to be Owners.

VII. And be it enacted, That any Person seised or possessed of any Land under any Lease, reserving Rent for Two or more Lives in being at the Time of the Application, or for any Term of Years determinable on any Two or more Lives in being at the Time of Application, or for any Term of Years absolute, whereof there shall be at the Time of Application Twenty-five Years or more unexpired, who shall apply, under the Provisions of this Act, and shall give such Security as the said Commissioners of Public Works shall direct, for the Payment of the annual Amount of any Rent-charge which may become chargeable on such Land in respect of any Loan to be made under the Provisions of this Act by the Person so applying, his Executors, Administrators, or Assigns, during the Continuance of the Residue of such his Estate or Interest in the said Lands, or for so many Years as such Rent-charge under this Act shall be payable, if his Interest shall so long continue, may be deemed the Owner of such Land under the Provisions of this Act; and, unless specially provided by the Terms of holding, no such Application as aforesaid, nor any Act or Proceeding consequent thereupon under this Act, nor the charging of any Rent-charge on such Land, shall be construed as a Breach of any Covenants

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or Conditions, subject to which any Person applying under this or the last preceding Clause may hold the Land: Provided always, that in case there shall be several Persons having such Interest as last mentioned in the Lands, the Person entitled to apply for a Loan under the Provisions of this Act, or in case there shall be several such Applicants, the Person to be preferred shall be the Person in actual Occupation of the Lands, or in his Default, then the Person whose Estate or Interest in remainder or reversion shall be nearest to or above that of the actual Occupier; so always that no Loan shall be granted to any Applicant under this Provision except upon such Security as before mentioned being given for the Payment of any Rent-charge chargeable under this Act by the Person to whom any Loan shall be granted during the Continuance of the Residue of his Estate or Interest in the Land, or for such other Period as before mentioned; and no such Loan shall be granted to any such Applicant as aforesaid, except he shall state in his Application for the same the Name and Address of his immediate Landlord, or Person entitled to the next Estate or Interest in the Land on the Determination of his Lease, and shall have given Notice to such Landlord or Person of his Intention to apply for such Loan, and shall satisfy the said Commissioners that such Notice has been given.

Who shall be entitled to Loan where several Persons have an Interest in the Land.

No Loan to be granted except upon Security.

VIII. And be it enacted, That Joint Tenants, Tenants in Common, and Coparceners of any Land may in respect thereof be accounted as the Owner under the Provisions of this Act: Provided always, that any such Person or Persons interested in or possessing more than One Half of such Land may, subject to the Provisions aforesaid, be deemed entitled to apply for a Loan under this Act; and any such Application, and the Proceedings thereon, shall be binding upon the other Persons interested in such Lands, and upon their Estates and Interests therein.

Joint Tenants, Tenants in Common, &c. to be accounted as the Owner under this Act.

IX. Provided always, and be it enacted, That in any Case in which there shall appear to the Commissioners of Public Works to be any Doubt or Question as to who may be the Owner of any Lands within the Meaning of this Act, either as to the whole of such Lands or any Portion thereof, it shall be lawful for any Person or Persons claiming to be entitled to or interested in any such Lands, or any Portion thereof, or the Rents thereof, or of any Portion thereof, to apply by Petition to the Court of Chancery in a summary Way for an Order to determine who shall be the proper Person to apply as Owner under this Act, and thereupon such Court shall make such Order as may seem fit for the Purpose of determining who shall be the proper Person to apply as Owner under the Provisions of this Act; and it shall be lawful for any Person so determined to be the Owner to do all Acts which any Owner as defined in this Act is authorized and empowered to do under this Act.

Power for Court of Chancery in certain Cases to determine who may act as Owner for the Purposes of this Act.

X. And be it enacted, That it shall be lawful for the Lord Chancellor of *Ireland*, with the Advice and Consent of the Master of the Rolls for the Time being, from Time to Time and as often as Circumstances shall require, to make and prescribe such Rules and Orders concerning the Form and Mode of any Proceedings to

Court of Chancery to make Rules and Orders as to Forms of Proceeding under this Act.

to be had and taken in Chancery for the Purposes of this Act, and the Practice to be observed by the Court in relation to such Proceedings or any Matters incident thereto, as shall from Time to Time seem necessary or expedient.

Owners of Land desirous of obtaining Loan may make Application to the Commissioners by Memorial in the Form in Schedule (A.)

XI. And be it enacted, That any Owner of Land within the Meaning of this Act who may propose to improve the same under the Provisions of this Act may apply to the said Commissioners of Public Works by Memorial for a Loan, and such Memorial shall be made in the Form in the Schedule (A.) to this Act annexed, or as near thereto as in the Opinion of the said Commissioners the Circumstances of the Case will admit, and shall contain the Names or Denominations of the Lands proposed to be charged, and on which or on any Part of which any such Improvements as aforesaid are proposed to be made, the Estate or Interest which such Applicant may have in such Land, the estimated Expence of effecting the proposed Improvements, the Amount of Quit Rents and Rent-charges in lieu of Tithes payable in respect of such Land or any Part thereof, the annual Value of such Land, and the estimated Increase in the annual Value expected to arise to the Lands the Subject of such Improvement; and every such Memorial shall be accompanied by a Plan of such Lands, as well as by an Estimate and Specification in detail of the proposed Works, together with such other Plans and Particulars (if any) as the said Commissioners by any Rules or Regulations to be made by them from Time to Time may require.

As to Lands held in right of any Ecclesiastical Benefice.

XII. And be it enacted, That when the Land to which the Application for a Loan under this Act shall relate shall be Land held in right of any Ecclesiastical Benefice, the Commissioners of Public Works shall not proceed thereon unless the Bishop of the Diocese and the Patron of such Benefice shall have consented in Writing to such Application; and for the Purposes of this Act the Person or Persons (if not more than Two), or the Majority of the Persons (if more than Two), or the Guardian, Committee, Husband, or Attorney (as the Case may be) of any such Person or Persons respectively, being Minors, Idiots, Lunatics, Femes Covert, or beyond the Seas, or the Corporation, who or which would for the Time being be entitled to the Right of Presentation to any Benefice, if the same were then vacant, shall be considered as the Patron thereof; and in case of the Queen being the Patron, the Consent in that Behalf of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being under his Hand and Seal or their Hands and Seals shall be as good and valid in Law, to all Intents and Purposes, as if the Consent of Her Majesty had been thereunto duly signified as by Law required; and any Corporation may consent by Writing under the Common Seal of such Corporation.

Commissioners to take Security for Costs of Report upon and investigating Application.

XIII. And be it enacted, That the said Commissioners of Public Works may require Security, by Deposit, Bond, or otherwise, to be given to them in such Form as they may think fit, by the Owner of the Land making the Application, or by any other Person on his Behalf or jointly with him, for the Payment to the said Commissioners of such Sum as the said Commissioners may require to defray the

Expences of obtaining a Report upon and investigating the Subject of any such Application, including all Expences consequent upon any such Investigation; and, unless the said Commissioners shall otherwise direct, such Payment shall be made by the Person making the Application, and that whether any Loan shall be made upon the Application or not.

If an Advance shall be made, Expences of Inquiry may form Part of the Charge on the Land.

XIV. And be it enacted, That in case any Advance under this Act shall be made on the Security of the Lands the Subject of such Application as aforesaid, the Costs and Expences of the Investigation by the said Commissioners may, on the Application of the Party liable to pay the same, be included in the Sum in respect of which a Rent-charge shall be charged on such Lands under the Provisions of this Act.

Treasury may advance Money to the Commissioners to meet preliminary Expences.

XV. And be it enacted, That with a view to expedite the Proceedings preliminary to the Execution of any of the Works under this Act it shall be lawful for the said Commissioners of Her Majesty's Treasury, on the Application of the Commissioners of Public Works, to direct that any Sum or Sums of Money, not exceeding in the whole the Sum of Five thousand Pounds in any One Year, required for the Purposes of any such preliminary Investigation and Proceedings as aforesaid by the said last-mentioned Commissioners, shall be advanced and paid to them out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and applied by the said Commissioners in making the necessary Survey, Inspection, and Investigation, and in taking all other Proceedings preliminary to making any Loan or Advance under this Act; and all and every Sum or Sums of Money so to be advanced and paid out of the Consolidated Fund as aforesaid shall be repaid to the Consolidated Fund by the Commissioners of Public Works on behalf of the Party on whose Account or at whose Instance such Expences may have been incurred, either out of the first or other Monies advanced for the Purpose of executing the Works the Subject of such preliminary Inquiry, and to be for that Purpose retained by the Paymaster of Civil Services in *Ireland* out of the Monies so advanced, and to be by the said Paymaster of Civil Services paid over to the said Commissioners, on their Certificate, to be made for that Purpose; or (in case where the Execution of the necessary Works shall not be proceeded with, either in consequence of the said last-mentioned Commissioners not approving of the same, or from any other Cause,) such Sum or Sums of Money shall be repaid out of the Monies to be paid to the said last-mentioned Commissioners by the Party or Person who shall have made Application for the Execution of any such Works, and to be recovered by the said last-mentioned Commissioners under the Security herein-before by this Act authorized to be taken for this Purpose.

Commissioners may cause the Land, and Plan, &c. of Works proposed, to be

XVI. And be it enacted, That the said Commissioners, if they shall think fit, shall cause the Land, and the Plan, Estimate, and Specification of the Works proposed in any Application, to be inspected and examined by a competent Person, who shall report his Opinion thereon, and also whether the proposed or any other Works will effect immediately

inspected by a competent Person, who shall report his Opinion thereon.

diately or prospectively an Improvement in the annual Value of the Land to an Amount exceeding the utmost annual Amount to be charged thereon under this Act in respect of the Advance applied for, or the Sum necessary to be expended, and he shall annex to such Report either the Plan, Specification, and Estimate so furnished to the said Commissioners by the Applicant, or some other Plan, Specification, or Estimate for effecting and carrying out the Works in a substantial and durable Manner; and the said Commissioners may make such further and other Inquiries in relation to any such Application as they may think fit, and may alter or modify any such Plans, Specifications, and Estimates in such Manner as they may think fit: Provided always, that no Charge, Security, or Proceeding under this Act shall be impeached or questioned at Law or in Equity by reason that the annual Value of any Lands may not actually be improved by the Works effected.

Commissioners, &c. may enter Lands for the Purposes of Survey or Inquiry, making Compensation for Damages.

XVII. And be it enacted, That for the Purposes of any Inspection, Survey, or Inquiry directed or necessary under any of the Provisions of this Act, it shall be lawful for the said Commissioners, by themselves, or by their Surveyors, Engineers, Agriculturists, Architects, Builders, Agents, Officers, and Workmen, to enter upon any Lands with respect to which any Works shall be executed, or shall be proposed to be executed, under this Act, or any Lands adjoining thereto, and to dig or bore therein, and also to examine any Weir, Sluice, or Floodgate erected in or upon any River or Stream, and to open or raise or shut or close, and to keep open or raised, shut or closed, for a reasonable Time, any such Floodgate or Sluice for the Purposes of any such Inquiry, and to make any Soundings, or bore the Bed or Channel of any Part of such River, or any Millcourse connected therewith, making reasonable Compensation for any Damage done thereby; and the Amount of such Compensation shall (if not previously agreed upon between the Parties and the said Commissioners) be ascertained by Two or more Justices of the Peace at Petty Sessions in or for the District wherein any such Damage shall be committed; and such Justices shall be authorized and required to inquire into and determine the same, and for that Purpose to examine on Oath or otherwise, as by Law authorized, all such Witnesses as shall be produced before them, and to make such Order as to them shall seem just for the Payment of the Amount of such Damage by the Commissioners to the Party aggrieved, which said Order shall be final and conclusive, and such Damages shall be taken as Part of the Costs of the Inquiry: Provided always, that the said Commissioners, their Surveyors, Engineers, Agriculturists, Architects, Builders, Agents, Officers, and Workmen, may enter upon such Lands as aforesaid, and do all necessary Matters and Things by this Act authorized previously to or pending the Decision of such Justices.

Amount of Compensation, if not previously settled, to be determined by Justices.

Commissioners, &c. may enter upon Lands pending Decision of Justices.

Commissioners may make Rules, &c. with respect to Applications for Ad-

XVIII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to make such Rules and Regulations as they shall from Time to Time think proper with respect to Applications for Advances under this Act, and to issue such Instructions

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tions and Forms as they may think proper for the Guidance of and Observance by Persons applying for or receiving Loans, or executing Works, or rendering Accounts of Monies advanced under this Act, and with respect to all other Matters in and about the Execution of this Act not hereby especially referred to the Determination of any other Person, Court, or Body.

vances under this Act.

XIX. And be it enacted, That on Receipt of any such Application by Memorial as herein-before mentioned the said Commissioners of Public Works shall (if they think proper to entertain the same) give Notice thereof by Advertisement, to be published once in the *Dublin Gazette*, and for Two successive Weeks (once at least in each Week) in any Newspaper circulating in the County in which the Lands the Subject of any such Memorial shall be situate, or in any Newspaper printed and published in *Dublin*, which Notice shall contain the Name of the Memorialist, and the Names or such Description as the said Commissioners shall think sufficient of the Lands in respect of which such Memorial shall have been presented, together with the Amount of Loan applied for, and by which Notice all Parties claiming to be interested in the Lands the Subject of any such Memorial, and all other Parties whom it may concern, shall be required on or before a Day therein to be named, not sooner than Two Weeks from the said Publication in the *Dublin Gazette*, to transmit to the said Commissioners in *Dublin* their Dissent or Objection (if any) to any such Memorial, or to any Statement therein contained, or to the Loan applied for by any such Memorial, with their Reasons for such Dissent or Objection; and in case any Person shall, within such Period so named as aforesaid, signify in Writing to the said Commissioners such Dissent or Objection as aforesaid, and the Nature of his Estate or Interest in or Charge upon the said Land (if any), the said Commissioners shall notify such Dissent to the Person by whom such Memorial shall have been presented, or to the Owner for the Time being of such Land, and shall not make any such Loan till such Dissent or Objection shall have been withdrawn, or an Order shall have been made thereon in the Manner herein-after provided.

Commissioners to give Notice, by Advertisement, of Applications for Loans.

Parties objecting to Application to transmit to Commissioners their Dissent, &c.

XX. And be it enacted, That in all Cases in which the said Commissioners of Public Works shall receive any such Dissent or Objection as aforesaid in Writing within such Period as aforesaid (unless such Dissent or Objection shall be withdrawn) they shall, on a Day not sooner than One Week from the Day limited by such Notice for the Transmission of such Dissent or Objection as aforesaid, to be stated in such Notice, or to be fixed by some subsequent Notice to be published as aforesaid, call a Meeting at their Office in *Dublin* or elsewhere of all Persons claiming to be interested in the said Lands, and of such other Persons as the said Commissioners may think fit to summon (and which Meeting, as well as every other Meeting to be held under this Act, may be held and presided over by any one of the said Commissioners, who shall have Power from Time to Time to adjourn such Meeting to such Time and Place as they may think proper), and hear and inquire into such Objections and Dissents, and all such other Matters and Things as shall be then and there brought

In Cases where Commissioners receive any Dissent, they shall call a Meeting and hear Objections.

before them, and shall and may receive any Evidence touching or pertinent to the same, upon Oath or otherwise, as by Law authorized; and in such Case, or in case no Dissent or Objection shall be received as aforesaid (in which Case no Notice of Meeting need be given), and if the said Commissioners shall be satisfied that it will be beneficial to all Persons interested in the Land to which such Application shall relate that such Loan should be made, the said Commissioners shall make such Order under their Common Seal in the Premises as to the said Commissioners shall seem fit with respect to the making of such Loan, or the Execution of the proposed Works; and every such Order shall be in Writing under their Common Seal, and shall contain the Name of the Lands to be charged with such Loan, the Name of the Memorialist, the Amount of the Loan (if any) proposed to be made, and such other Matters as the said Commissioners may think proper.

Commissioners to register Order for Loan at the Expence of Owner.

XXI. And be it enacted, That in all Cases where the Commissioners shall have made any such Order for a Loan as aforesaid they shall execute under their Common Seal a Duplicate thereof, and shall, at the Expence of the Owner applying for such Loan, or other the Owner for the Time being, forthwith cause the said Duplicate of such Order to be registered in the Office for Registry of Deeds in the City of *Dublin*; and the Registrar of the said Registry Office, his and their Assistant, Deputies, and other Officers, shall be required to register the same, and all other Instruments by this Act directed or authorized to be registered, in the same Manner as any Deeds or Instruments are registered in said Office, and to enter a Memorial thereof in the Abstract Books and Indexes of or relating to Memorials registered and kept in the said Office, subject to the Payment of such Fees as may now be lawfully demanded upon Registration; and further, when and so soon as the said Commissioners shall have advanced the total Amount of the Loan by them agreed to be advanced, or which shall become payable under the Provisions of this Act, they shall execute in Duplicate a Certificate under their Common Seal stating the Amount of the Sums actually advanced, and the Times of advancing the same, and shall, at the Expence of the Owner applying for such Loan, or other the Owner for the Time being, forthwith cause one of the said Certificates to be registered in such Manner as is herein-before provided with respect to such Order.

The Lands to become chargeable with the Payment of Rent-charge from the Date of such Registry.

XXII. And be it enacted, That from the Date of the Registry of such Order the several Lands therein mentioned shall, in case any Loan or Advance shall be granted in respect thereof, become charged (in the Manner and with the Priority by this Act provided) with the Rent-charge to be payable under the Provisions of this Act in respect of such Loan; and every such Order in respect of the Lands therein specified shall be binding upon all Persons having any Estate or Interest in such Lands, or Lien or Incumbrance thereon, and shall be conclusive Evidence that the several Proceedings herein-before directed to be taken and observed have been duly complied with; and that all Dissents or Objections to the making of any Loan have been withdrawn, disallowed, or removed; and it shall not be lawful for any Person to question such Order of the said Commissioners of Public Works,

Works, or any Advances of Money to be made in pursuance thereof, in respect of any thing whatsoever done or omitted to be done under the Provisions of this Act, or for any other Reason whatsoever.

Errors and Omissions not to invalidate Proceedings.

XXIII. And be it enacted, That no Error, Misdescription, Misnomer, Mis-statement, or Omission in any Memorial, Schedule, Plan, Section, Estimate, Notice, or other Document or Proceeding under this Act, prepared, lodged, registered, given, or taken by or to the said Commissioners of Public Works, shall invalidate the same or any of them, or any of the Proceedings under this Act, nor shall any Error or Omission whatever in any of the Proceedings preliminary to the Order for a Loan, or in any such Order, affect or invalidate any such Proceedings or Order, or the Powers and Authorities of the said Commissioners, or prevent the proceeding with the Execution of any Works under this Act, or the doing all Matters in the Judgment of the said Commissioners requisite for carrying the Provisions of this Act into effect, or affect any Matter or Thing done or omitted to be done by the said Commissioners in and about the Matter of this Act, or invalidate or affect any Rent-charge chargeable under this Act; and it shall not be lawful for any Person whomsoever to question or appeal against or in respect of any thing so done or omitted to be done by the said Commissioners; nor shall any Proceedings by or on behalf of the said Commissioners be removable by Certiorari or otherwise into any of Her Majesty's Courts of Record.

Treasury to make Regulations for placing Monies at the Disposal of the Paymaster of Civil Services.

XXIV. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to make such Rules and Regulations as they may consider necessary for the Purpose of placing at the Disposal of the Paymaster of Civil Services in *Ireland* such Sums of Money as may from Time to Time be necessary for the Purpose of making Loans and Advances under the Provisions of this Act, to be from Time to Time made on the Certificate of the said Commissioners of Public Works.

Two separate Accounts to be opened by the Bank of Ireland.

XXV. And be it enacted, That the Governor and Company of the Bank of *Ireland* shall cause Two separate Accounts to be opened in their Books with the Paymaster of Civil Services in *Ireland*, one under the Title of "Improvement of Land Advances Account," and the other under the Title of "Improvement of Lands Repayments Account."

The Commissioners, with the Sanction of the Treasury, may make Loans.

XXVI. And be it enacted, That if the said Commissioners of Public Works shall think that a Loan in respect of any such Application would be expedient, it shall be lawful for the said Commissioners, by and with the Sanction of the Commissioners of Her Majesty's Treasury, to make such Loan, and to certify to the Paymaster of Civil Services for the Issue of the Instalments of the same as after mentioned, to the Owner of the Land by whom such Application shall have been made, or, in case his Interest shall have determined at the Date of the first or any subsequent Instalment, to the Owner for the Time being of such Land, or to such other Party or Parties as they shall think fit: Provided always, that no Loan

Loan shall be made under this Act for a less Sum than the Sum of One hundred Pounds.

Every Loan to be issued by Instalments.

XXVII. And be it enacted, That every Loan to be made by the said Commissioners of Public Works under this Act shall be made and issued by Instalments not exceeding at any Time One Fifth of the entire Sum, together with the Costs and Expences of Investigation as aforesaid, and that no second or any subsequent 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 such Works or Improvement, pursuant to the Plan, Specification, and Estimate which shall have been sanctioned and approved of by the said Commissioners, or such other Plan, Specification, or Estimate as the said Commissioners may think fit from Time to Time to sanction and approve of: Provided always, that no One Instalment of any such Loan shall in any Case exceed the Sum of Five hundred Pounds.

Commissioners to takeSecurity for due Application of the Money.

XXVIII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, either before or after any Advance on account of any Loan under this Act shall be made, to require and take such Security, by Bond or otherwise, as they may think right, from every or any Person to whom any such Loan may be agreed to be made as aforesaid, or who may become entitled to receive any Part thereof, or from any other Person jointly with or on behalf of any such Person, such Security to be conditioned to apply the Monies advanced or to be advanced to and for the Purposes specified in the Plan, Specification, and Estimate from Time to Time approved of by the said Commissioners, and to no other Purpose whatsoever, and also well and truly to account to the said Commissioners for the Application of the Monies to be from Time to Time advanced by the said Commissioners, and also to lay before such Commisioners, whensoever required, such Statements and Reports of the Works for which such Loan may have been made as the Commissioners shall think fit, so as all such Works be completed within such Period as may, previously to making any such Loan or Advance, be fixed by the said Commissioners, or within such further Period as they may fix from Time to Time, such Periods not exceeding in the whole Three Years from the Date of the first Advance on account of any such Loan.

Labourers to be paid in Money.

XXIX. And be it enacted, That all Labourers hired or employed to execute any Works or Improvements effected under the Authority of this Act shall receive the full Value or Consideration which shall be agreed to be given for their Labour respectively in the current Coin of the Realm, and not otherwise.

Commissioners on Application of Owners may sanction Alterations,

XXX. And be it enacted, That whenever any Works shall have been commenced, or shall be carried on under this Act, according to any Plan, Specification, or Estimate which shall have been originally approved of by the Commissioners of Public Works, and it shall, from any Alteration of Circumstances, appear to the Commissioners that it

would

would be expedient so to do, it shall be lawful for the said Commissioners, on the Application of any Owner for that Purpose, from Time to Time to sanction the Alteration or Modification of any such Plans, Specifications, or Estimates so originally approved of to such Extent as may be sufficient for the Purposes of this Act, and to direct the Works to be carried on according to the Plan, Specification, or Estimate so altered or modified; and in case any such Alteration or Modification shall require the Advance of any further Sum of Money for the Completion of the Works not exceeding One Fifth Part of the Loan originally sanctioned, it shall be lawful for the said Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, to advance any such further Sum as shall be necessary; and the Order of the Commissioners directing any such further Advance shall be sufficient, without any formal Application or other Proceeding as is herein-before directed with respect to the original Charge, and shall be registered in like Manner as any Order herein-before authorized to be made for advancing any Money, and shall have the same Effect as any such Order so herein-before authorized; and the Lands therein specified shall thereon become charged with the Payment in manner by this Act directed of a Rent-charge bearing such Proportions as aforesaid to the Amount of such further Advance.

and make further Advance if necessary.

XXXI. And be it enacted, That where any Works shall have been commenced, or shall be carried on under this Act, according to any Plan, Specification, or Estimate which shall have been originally approved of by the Commissioners of Public Works, and it shall appear to the said Commissioners, from any Alteration of Circumstances or otherwise, that the Estimate or the Works originally proposed may be modified or altered by reducing the same, it shall be lawful for the said Commissioners from Time to Time to alter or modify any such Plans, Specifications, or Estimates so originally approved of, by reducing the proposed Works or the Estimates thereof, so always that the Works to be carried on according to the modified Plans, Specifications, or Estimates shall in the Opinion of the Commissioners be of a Nature to effect a sufficient Improvement for the Purposes of this Act in the annual Value of the Lands; and also it shall be lawful for the said Commissioners, by any Order as aforesaid, without any previous Sanction of the Commissioners of the Treasury, to withhold any Instalment or Part of the Loan originally agreed to be made for the proposed Works to an Extent corresponding in their Judgment to the diminished Expenditure, and to diminish the Rent-charge which would otherwise have become charged on the Lands in proportion to the diminished Advance so to be made.

Commissioners may sanction Alterations in certain Cases for reducing the Expence of Works.

XXXII. And be it enacted, That the Provisions herein-before contained as to the Alteration or Modification of any Plans, Specifications, or Estimates shall apply as well in Cases where the Works shall be carried on by or on behalf of the said Commissioners of Public Works having entered on any Lands as by this Act is provided for any Default, as where they shall be carried on by any other Person.

Provisions as to Alterations, &c. to apply to Cases where Lands have been entered on.

In default of due Application of any Instalment of Loan Commissioners may stop Advances, and may enter upon Lands and complete the Works.

XXXIII. And be it enacted, That if Default shall be made in the due Application of any Instalment of any Loan made for the Purpose of this Act, or if the Owner to whom any such Loan may have been agreed to be made, or if the Person for the Time being bound to execute the Works for which such Loan shall have been agreed to be made, shall omit or neglect so to do, it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to stop all further Advances in respect to such Works, or it shall be lawful for the said Commissioners of Public Works, with such Sanction as aforesaid, or any Person authorized by them for that Purpose, (if they shall think fit, either for the Benefit of the Person entitled next in remainder or reversion to the said Lands on the Security of which any such Loan shall have been agreed to be made, or for the Purpose of better securing such Loan,) to enter upon such Lands, and proceed to complete the necessary Works, and all Monies paid by the said Commissioners of Public Works for the Completion of the Works shall be taken as Part of the Loan agreed to be by them made, and shall be repaid by such Rent-charge out of such Lands, to be raised from such Lands in manner herein-before provided; and in every such Case it shall be lawful for the said Commissioners of Public Works, by any Order in that Behalf, to fix the Date from which any Rent-charge in respect of any Payment made by them after having so entered shall be computed, and the Day whereon the first Payment thereof shall be made, and also for the Completion of any such Works as aforesaid to apply any Monies which may be recovered by them under any Security to be given to them as aforesaid for the Completion of the said Works.

Power to Commissioners in case of entering to complete Works to expend such further Sum as may be necessary.

XXXIV. And be it enacted, That in any Case in which the said Commissioners of Public Works shall have entered as by this Act is provided upon any Lands for the Completion of any Works, if the Residue of the Monies originally agreed to be advanced by the said Commissioners shall not in the Judgment of the said Commissioners be sufficient to complete the Works, it shall be lawful for the said Commissioners, with the Sanction of the Commissioners of Her Majesty's Treasury, to expend such further Sum as they may think beneficial to all Persons interested in the Land, and necessary to make any Works commenced available for the Improvement of the Land; and the Order of the said Commissioners of Public Works directing any such further Expenditure shall be registered in like Manner, and shall have the same Effect, as any Order directing an Advance; and the Lands therein specified shall, from the Date of such Order, become charged with the Payment, in manner by this Act directed, of a Rent-charge bearing such Proportion as aforesaid to the Amount of such further Advance; and in any such Case it shall be lawful for the said Commissioners, by any such Order, to fix the Date from which any such Rent-charge shall be computed, and the Day whereon the first Payment thereof shall be made.

Nothing to prevent Owners applying for new Loans

XXXV. And be it enacted, That nothing herein contained shall be construed to prevent any Owner of Land which shall have been improved under the Provisions of this Act from applying for a new Loan, nor to prevent the Commissioners of Public Works, with the

Sanction of the Commissioners of the Treasury, as herein-before directed, from making any new Loan, under the Provisions of this Act, on the Security of Lands already improved, as often as it shall appear to them that any new Works proposed will effect (either immediately or prospectively) an Improvement in the annual Value of the Lands intended to be improved to an Amount exceeding the utmost annual Amount to be charged thereon under this Act in respect of the new Loan applied for; and that all the Provisions in this Act contained with respect to any first Application for a Loan, and the Proceedings thereon, shall apply to any Application for a fresh Loan in respect of Lands already improved under this Act.

on the Security of Lands already improved.

XXXVI. And be it enacted, That it shall be lawful for any such Owner, upon receiving any Part of such Loan as aforesaid, or sooner if sanctioned by the said Commissioners of Public Works, by himself, his Engineers, Agents, and Workmen, from Time to Time to enter upon any Lands of which he shall be Owner within the Provisions of this Act, making such Compensation to any Person or Persons for any Damage or Injury done thereby in the same Manner and subject to the like Provisions as in Cases of Compensation to be made by the said Commissioners of Public Works in respect of any Damage done by the said Commissioners, (except as to the adding of any Damage to the Sum in respect of which a Rent-charge is to be charged under this Act,) and to execute all the necessary Works for which such Loan may be made, notwithstanding that any other Person or Persons may have any other Estate or Interest in the same Lands.

Owner may, upon receiving Part of Loan, enter upon Lands of which he is Owner, making Compensation for Damage done.

XXXVII. And be it enacted, That in case any Loan shall be made under this Act, the Lands specified in such Order of the said Commissioners of Public Works as before mentioned for the making of such Loan shall from the Date of such Order become charged with the Payment to Her Majesty of an annual Rent-charge of Six Pounds Ten Shillings for every One hundred Pounds of such Loan from Time to Time advanced, including such Costs and Expences of Investigation as aforesaid, and so on in proportion for any lesser Amount, and to be payable for the Term of Twenty-two Years, to be computed from the Fifth Day of *April* or Tenth Day of *October* which shall next happen after the Advance in respect of which the Rent-charge shall be charged, such Rent-charge to be paid by equal half-yearly Payments on the Fifth Day of *April* and Tenth Day of *October* in every Year, the first of such Payments to be made on the second of such Days which shall happen next after the Issue of any such Advance in respect of which the Rent-charge shall be charged.

A Rent-charge of 6*l.* 10*s.* to be charged for every 100*l.* advanced.

XXXVIII. And be it enacted, That every such Rent-charge to be secured by virtue of this Act shall take Priority of all Charges and Incumbrances whatsoever and whensoever made, save and except Quit Rents and Rent-charges in lieu of Tithes, and also save and except all Charges prior in Date, if any, existing under and by virtue of an Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands and Improvement of Navigation and*

Rent-charges to have Priority of other Charges, save Quit Rents, &c.

5 & 6 Vict. c. 89.

and Water Power in connexion with such Drainage, in Ireland, and Two other Acts since passed amending the same Act, or under and by virtue of this Act.

Recovery of Rent-charge by Appointment of Receiver in default of Payment.

XXXIX. And be it enacted, That if any half-yearly Payment of such Rent-charge shall remain unpaid by the Space of Twenty-one Days next after the Day on which the same should be paid as aforesaid, then it shall be lawful for the Court of Chancery in *Ireland*, upon the Petition of the Attorney General for *Ireland* for the Time being, to appoint a Receiver of the Rents, Profits, and Issues of the Lands liable to any such Rent-charge, who shall have the same Powers as any other Receiver of the said Court of Chancery, and shall apply the same Rents, Profits, and Issues (after Deduction of the necessary Expences of the Application to the said Court, and the other Expences consequent thereon, and after Payment of all Outgoings in respect of any Charges or Incumbrances having Priority under this Act, and the Costs of Collection and of the Receiver,) in or towards Payment of the said Rent-charge.

If Rent-charge remains unpaid for Thirty-one Days, the same may be recovered by Civil Bill if under 50*l.*

XL. And be it enacted, That if any such Rent-charge, or any half-yearly Payment thereof, or any Part thereof, (not exceeding in Amount the Sum of Fifty Pounds,) shall remain unpaid for the Space of Thirty-one Days next after the same shall be due, then, in addition to the other Powers in and by this Act given, it shall be lawful for the Attorney General for *Ireland* for the Time being to recover the same by Civil Bill against the Person who for the Time being under this Act was or shall from Time to Time be liable to pay the same.

Rent-charges to be paid as directed.

XLI. And be it enacted, That the Rent-charges which shall become chargeable on Lands under this Act shall be paid to such Person or in such Manner as the said Commissioners of Her Majesty's Treasury may from Time to Time signify and appoint by Notice to be published in the *Dublin Gazette* for that Purpose; and all Monies so paid shall be paid into the Bank of *Ireland* to the Credit of the Paymaster of Civil Services, and by him carried to the Account of the Consolidated Fund; and the Receipt of any Person so appointed, or of the said Paymaster, as the Case may be, shall be a sufficient Discharge for the same.

The Rent-charge may be increased so as to pay off Sum advanced sooner than Time appointed.

XLII. Provided always, and be it enacted, That, if any Owner shall so desire it, the Amount of such Rent-charge may, with the Sanction of the Commissioners of Her Majesty's Treasury, be increased to such Amount as will repay the Sum so advanced sooner than the said Period of Twenty-two Years herein-before appointed for the Payment of such Rent-charge, such increased Amount of Rent-charge to be calculated according to the Table in the Schedule (B.) hereunto annexed for that Purpose.

Owners for the Time being to keep down Rent-charges.

XLIII. And be it enacted, That every Owner of Land so charged as aforesaid, and absolutely entitled thereto, shall be the Party to pay the said Rent-charge; and every Owner of Land for the Time being within the Meaning of this Act, being Tenant for Life, or having

having a limited or determinable Interest in the Lands charged, and every succeeding Tenant for Life or other Person having a limited or determinable Interest in such Land liable to such Rent-charge, shall, as between such Person and the Persons in remainder or reversion, be bound to pay the half-yearly Payments of such Rent-charge which shall become payable during the Continuance of his Interest, and, in case he shall be in the actual Occupation of or entitled to an apportioned Part of the Rents and Profits of such Land up to the Time of the Termination of his Interest, shall also be bound to pay an apportioned Part of the half-yearly Payment of such Rent-charge which shall become due next after the Termination of his Interest, proportioned to the Time which shall have elapsed between the Day of the previous half-yearly Payment and the Day of such Termination.

Owners may redeem Rent-charges.

XLIV. And be it enacted, That any Person entitled to Land charged with any such Rent-charge shall be at liberty, at any Time before the Expiration of Twenty Years after the Commencement thereof, to redeem such Rent-charge or any Part thereof, not being less than Ten Pounds annual Charge, on Payment to the Paymaster of Civil Services of the Arrear (if any) thereof, and of such Sum as shall be equal to the Value of such Rent-charge, to be ascertained according to the Table in Schedule (C.) hereunto annexed for that Purpose; and the said Paymaster of Civil Services shall issue and deliver to such Owner a Certificate of such Redemption; and all Monies to be so paid to the Paymaster of Civil Services shall be applied by him in the Manner herein provided with respect to Monies to be received for Rent-charges.

Occupier paying Money on account of Landlord to deduct the same from his Rent.

XLV. And be it enacted, That every Occupier of Land who, not being the Owner thereof within the Meaning of this Act, and liable to the Rent-charge charged thereon, shall pay any Sum of Money for the Land in his Occupation on account of any such Rent-charge, shall be authorized to deduct from and out of his Rent the Amount of the Sum of Money which he shall so pay as aforesaid; and the next immediate Landlord of such Occupier, if not himself such Owner, and liable to such Rent-charge as aforesaid, shall be authorized to make the like Deduction from the Rent payable by him, and so on, each Sub-Lessee and Sub-Lessor of such Land (not being such Owner) being entitled to deduct the Sum so paid on account of such Rent-Charge from and out of the Rent payable to his next immediate Landlord, until such Deduction shall be made from the Rent payable to a Person being the Owner within the Meaning of this Act, and liable to such Rent-charge as aforesaid, who shall not be entitled to make any such Deduction from the Rent (if any) payable by him; and every such Occupier, Sub-Lessee, or Sub-Lessor, as the Case may be, paying any such Sum of Money, shall be acquitted and discharged of the Sum so paid by him as fully and effectually as if the same had been actually paid to his Landlord (except where there shall be any Lease or Agreement to the contrary made after the passing of this Act); but nothing herein contained shall extend or be construed to enable any such Occupier, Sub-Lessee, or Sub-Lessor to deduct from

his Rent any Costs or Expences incurred by the Nonpayment of the Monies charged and to be levied under and by virtue of this Act.

Commissioners empowered to fix increased Rent of Tenants.

XLVI. And be it enacted, That in case any Land which shall be so improved as aforesaid shall at any Time, not later than Twelve Months after the Completion of the Works for the Improvement thereof, be in the Occupation of any Person who shall not be the Owner thereof within the Meaning of this Act liable to such Rent-charge, then and in every such Case the said Commissioners of Public Works shall, if required so to do by or on behalf of the Owner of such Land for the Time being liable to such Rent-charge, or by or on behalf of the Occupier of such Land, determine the Amount of increased Rent, if any, which the Occupier of such Lands ought (immediately or prospectively at one fixed or at a progressive Rent) to pay by reason of the improving thereof under the Provisions of this Act, and shall signify their Determination by Endorsement in Writing on the Lease or other Instrument, if any, by which such Lands may be held, or by a separate Instrument under their Corporate Seal, in which Determination the Commissioners shall be bound to have regard, and as far as possible to give effect to any Agreement which shall be shown to their Satisfaction to have been entered into by the Proprietor and any Person or Persons having an immediate or derivative Title from him in the said Lands respecting the Improvement thereof under the Provisions of this Act; and the Occupier of such Lands shall pay to his next immediate Landlord the said increased Rent, and the immediate Landlord of such Occupier, if not himself such Owner as last aforesaid, shall pay the said increased Rent to his immediate Landlord, and so successively each Sub-Lessor and Sub-Lessee of such Land, not being such Owner as last aforesaid, shall pay the same to his immediate Landlord until such Payment shall be made to the Owner of such Lands within the Meaning of this Act; and the said increased Rent shall be due and payable at the same Times as the Rent originally reserved would be due and payable between the respective Parties and the Landlord of such Occupier; and every Landlord entitled under the Provision aforesaid shall have the same Remedies for the Recovery of such increased Rent as he or they might have or were entitled to have for the Rent originally reserved.

A Portion of Lands liable to Rent-charge may be released in certain Cases.

XLVII. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, from Time to Time and at any Time when and so often as by reason of the Improvement in Value of any Lands in respect of which any Loan shall have been made under this Act, or by reason of the Redemption of any Part of the Loan any Portion of the Lands charged with any Rent-charge shall appear to them a sufficient Security for the whole of such Rent-charge, by any Deed or Instrument under their Common Seal to release any of the Lands originally charged with the said Rent-charge from the Payment thereof; and no Release of any Portion of the Lands charged with a Rent-charge under this Act shall in anywise avoid, diminish, or affect any Remedies by this Act given or otherwise

wise to be had and exercised for the Recovery of such Rent-charge in respect of the Residue of the Lands therewith charged: Provided nevertheless, that such Release shall not be effectual unless the same be made with the Consent in Writing of all Persons having any Charge or Incumbrance on such Part of the Land as shall continue liable to the Rent-charge.

Paymaster to give Certificate of Amount of Advances and Rent-charge.

XLVIII. And be it enacted, That it shall be lawful for the said Paymaster of Civil Services from Time to Time, and at any Time at the Request of any Person to whom any Money shall have been lent under this Act, or of any Person for the Time being liable to pay any Rent-charge created under this Act, or for the Time being interested in any Lands charged with such Rent-charge, and at the Expence of the Person requiring the same, to deliver or cause to be delivered to any such Person a Certificate under his Hand showing, as the Case may be, the Amount of Money for the Time being advanced or to be advanced under the Provisions of this Act on the Security of the Lands to be specified in any such Certificate, and the respective Instalments made or to be made in respect thereof, and the Dates of such Instalments respectively, the Amount of Rent-charge for the Time being charged upon such Lands under the Provisions of this Act, the Date of Commencement thereof, or of the first or any subsequent Payment thereof, the Number of Payments made or to be made or in arrear for the Time being, or any of such Matters respectively; and every such Certificate shall be Evidence of all and every the Matters therein specified.

Power of Sale by the Paymaster, with the Direction of the Court of Chancery.

XLIX. And be it enacted, That if any such Rent-charge shall be in arrear for the Space of Two Years next after any of the Days on which the same should be paid as aforesaid, then and in any such Case it shall be lawful for the said Paymaster for the Time being, after Notice to the Owner of such Land or his known Agent, and by Direction of the Commissioners of Her Majesty's Treasury, to apply in a summary Manner to the Court of Chancery in *Ireland* for an Order for the Sale of all or a competent Part of the Lands so charged, and on satisfactory Proof being adduced that the said Rent-charge is so in arrear, then the said Court shall by Order authorize and direct the Paymaster of Civil Services, without any further Process, Writ, or other Proceeding, by Sale of the Lands liable to such Rent-charge, subject as herein-after mentioned, or a competent Part thereof, to raise such Sum of Money as shall be sufficient to repay all Monies due and in arrear at the Time of Sale in respect of such Rent-charge, and of any other Rent-charge charged on the said Lands under this Act, and the Value of the said Rent-charge or Rent-charges thereafter to become payable out of the Lands liable to such Rent-charge or Rent-charges under this Act (such Value to be ascertained in the same Manner as the Value of any Rent-charge to be redeemed as by this Act provided), and all Costs as between Solicitor and Client, and other Charges whatsoever attending such Sale and other Proceedings; and the Monies so raised shall be applied, first, in discharge of all Costs, Charges, and Expences as aforesaid; secondly, in and towards Reimbursement and Satisfaction of such Arrears and such Value of such Rent-charge or Rent-charges under this Act; and the Surplus (if

(if any) of such Monies shall be paid either to the Owner for the Time being of the Lands sold and absolutely entitled thereto, or (in case such Owner shall be a Person having a Life Estate or other determinable Interest, or where, but for the Provisions of this Act, the said Lands could not have been sold,) then into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account *ex parte* the said Paymaster, and pursuant to any Law or Orders for the Time being in force in that Behalf, and without Fee or Reward, such Money to be applied under the Direction of the said Court (to be signified by any Order made upon Petition in a summary Way presented by the Persons who would have been entitled to the Rents and Profits of the said Land) in or towards the Discharge of any Debts or Incumbrances, or any Part thereof, affecting the said Land, or affecting other Land settled to the same or the like Uses, or upon the same or the like Trusts, or in or towards the Purchase of other Land to be conveyed and settled to and upon the same Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Land sold stood settled or limited to, or such of them as at the Time of such Sale were existing undetermined and capable of taking effect; and in the mean-time, and until any such Purchase, the said Money shall, by Order of the said Court, be invested by the said Accountant General, in his Name, in the Purchase of any Stocks, Funds, or Annuities transferable at the Bank of *Ireland*, the Dividends of the said Stocks, Funds, or Annuities, until Sale thereof, to be paid from Time to Time by Order of the said Court to the Person who would for the Time being have been entitled to the Rents and Profits of the Land so to be purchased or settled.

Receipt of Paymaster to be a sufficient Discharge.

L. And be it enacted, That the Receipt of the Paymaster of Civil Services in *Ireland* for the Time being shall alone be a sufficient Discharge to all Persons whomsoever for the Purchase Money of any Lands sold under this Act; and such Persons shall not be bound to see to or be liable for the Application thereof, nor shall any such Person be bound to inquire as to the Value or Quantity of Lands sold; and any Sale under this Act may be made in Lots, and subject to such Conditions as the Vendor shall think fit, and may be bought in and re-sold, although at a Loss; and any Contract for Sale may be altered or rescinded as the Vendor shall think fit; and any Conveyance or Assignment executed by the Paymaster of Civil Services shall be effectual for all Purposes therein expressed, and shall be binding and conclusive upon all Persons whomsoever interested in the Lands, and shall convey all Estate, Right, Title, or Interest whatsoever of any Person whomsoever in the Lands the Subject of such Conveyance, and shall assure the Lands to such Uses, upon such Trusts, and in such Manner as shall be expressed in such Conveyance, subject nevertheless only to any Charge having Priority under the Provisions of this Act, and also to any Chief Rent as herein-after defined which shall have been reserved or payable thereout previously to the Date of the Order of the said Commissioners, and subject to the Estate or Estates to which such Chief Rent or Chief Rents shall be incident, and subject to any Under-tenants or Occupiers Leases at Rack Rent, or their Interests in such Lands, and subject also as may be expressed in

in any such Conveyance or Assignment, but freed from all other Charges and Incumbrances whatsoever; and the Signature of the Paymaster to any such Deed shall be sufficient Evidence that all the Provisions of this Act have been complied with.

Proviso as to Sale of other Lands.

LI. Provided always, and be it enacted, That in any Case where the Paymaster of Civil Services shall proceed to sell any Land as aforesaid, if the Owner of such Land shall be desirous that any other Land settled to the same Uses with the Land so improved shall be sold instead of the Land so improved, and such Owner shall be Tenant for Life or incapacitated otherwise from selling such Lands, it shall be lawful for such Owner to apply to the High Court of Chancery in *Ireland* by Petition in a summary Way praying that the Paymaster of Civil Services may be authorized or directed to make such Sale of any such Lands not liable to such Rent-charge, but settled to the same Uses as any Lands liable thereto as aforesaid, and thereupon it shall be lawful for the Court to make such Order authorizing or directing such Sale or otherwise as to the Court shall seem fit: Provided always, that Fourteen Days Notice in Writing of any such Application shall be given to the Person entitled to the Estate or Interest in the Lands proposed to be sold in remainder or reversion next expectant on the Determination of the Estate or Interest of the Owner whose Land shall be sold as aforesaid, or to the Guardian of such Person being an Infant, or to the Husband of such Person being a Feme Covert, or to the Committee of such Person being a Lunatic; and provided also, that in case of any such Sale the Owner shall give Notice to the said Paymaster of such his Application to the said Court as aforesaid, and it may be lawful for such Court, if it shall so think fit, to stay the Proceedings of the said Paymaster in respect to Sale of any Lands liable to the Rent-charge for a reasonable Time; and every Sale directed to be made by the said Court shall, unless otherwise ordered by the said Court, be taken to be within the Provisions of this Act as to any Sale by the Paymaster, and the Purchase Money from such Sale shall be received and applied accordingly.

On Payment of Rent-chargeLands to be released.

LII. And be it enacted, That on the Expiration or Discharge of any Rent-charge, and on Payment of all Arrears thereof, and of all Costs, Charges, and Expences (if any) incurred in any Proceedings to recover the same, or for any Sale under this Act in relation thereto, the said Paymaster shall execute and cause to be registered in the Office for the Registry of Deeds in the City of *Dublin* a Release of the Lands so charged with such Rent-charge.

Rent-charge not to preclude Trustees from investing Money in the Purchase or Mortgage of Land charged.

LIII. And be it enacted, That the Rent-charge by virtue of this Act to be charged on any Land shall not be deemed such an Incumbrance as shall preclude a Trustee of Money from investing the same in a Purchase or upon a Mortgage of such Land so charged, unless the Terms of such Trust shall expressly provide that the Trust Money shall not be so invested; and any Trust Monies already invested or lent on any Land which may become charged with such Rent-charge, or which, before the making such Charge, were charged on the said Land, may, if the Trustee think fit, be continued on the Security of the said Land, notwithstanding the Imposition of such

Rent-charge; and no Guardian, Committee, Feoffee, Trustee, Executor, or Administrator shall be in anywise concerned or obliged to signify a Dissent to any Application under this Act, or be in anywise responsible for the Consequence of such Application, or the Charge made in pursuance thereof.

Works to be maintained.

LIV. And be it enacted, That so long as any Land shall continue charged with any such Rent-charge the Person for the Time being bound to pay such Rent-charge shall be bound to uphold and maintain in good Order and Condition the Works on account of which the Lands shall have been charged as aforesaid, and in default of so upholding and maintaining any such Work shall be liable to an Action on the Case in the Nature of an Action of Waste for the Damage thereby occasioned, at the Suit of the Person then entitled to the next Estate in remainder or reversion in the said Lands.

Sums heretofore advanced by the Treasury under 9 & 10 Vict. c. 4. and 9 & 10 Vict. c. 101. to be considered as Advances, and charged under this Act.

LV. And whereas, under an Act passed in the last Session of Parliament, intituled *An Act to amend the Acts for promoting the Drainage of Lands and Improvement of Navigation and Water Power in connexion with such Drainage in* Ireland, *and to afford Facilities for increased Employment for the labouring Classes in Works of Drainage during the present Year*, and also under an Act of the last Session of Parliament, intituled *An Act to authorize the Advance of Public Money to a limited Amount, to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage*, Proceedings and Investigations preliminary to the Execution of Works or granting of Loans have been taken and made, and Advances of Money have been made or have been agreed to be made by the Commissioners of Public Works for the Drainage and other Improvement of the Lands of single Proprietors in *Ireland;* be it enacted, That all Money advanced or agreed to be advanced by the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, under either of the said last-recited Acts for such Purposes, shall (unless the said Commissioners of Public Works shall otherwise specially direct) be considered as advanced and be advanced under the Provisions of this Act, and as if the preliminary Proceedings and Investigations had been duly taken and made under this Act, and the Person on whose Application or Assent any such Advance has been made or agreed to be made had been Owner of such Land under the Provisions of this Act; provided the Owner for the Time being entitled to the Land to be charged shall require to have the Provisions of this Act applied to such Loan, and undertake to execute the Works in respect of which such Loan was made according to the Provisions of this Act, and thereupon the Lands the Subject of any such Drainage or Improvement shall become charged with the Payment to Her Majesty of an annual Rent-charge of such Proportion and Amount as would be chargeable in respect of any such Advance if made under the Provisions of this Act; and the said Commissioners of Public Works shall, by Order as aforesaid, fix the Commencement of any such Rent-charge, and the Date of the first Payment thereof; and all the Provisions, Powers, Privileges, and Authorities herein contained for securing the Payment and Priority or for Recovery

of any Rent-charge charged in respect of any Advance originally made under this Act, or otherwise by this Act enacted concerning any Rent-charge or the Lands charged therewith, shall apply so far as applicable to any Rent-charges charged under the present Provision; and all Proceedings heretofore had and taken by the said Commissioners under the Provisions of any previous Act of Her present Majesty's Reign for Drainage or Improvement of Lands shall be effectual for the Purposes of this Act.

Power to summon Witnesses, and Persons refusing to give Evidence to be punished.

LVI. And be it enacted, That it shall be lawful for the said Commissioners of Public Works, upon any Inquiry or Proceeding to be had by or before them under any of the Provisions of this Act, to summon and examine upon Oath or Affirmation any Person whomsoever; and if any Person so summoned, having been paid or tendered a sufficient Sum of Money, to be ascertained by the said Commissioners, to defray the Charges for his Attendance, shall not appear before the said Commissioners pursuant to such Summons, without assigning some reasonable Excuse for not appearing, or shall refuse to be sworn or to affirm (as the Case may be), or to be examined and give Evidence touching the Premises, the said Commissioners, upon Proof upon Oath of the Service of such Summons and of such Tender, shall be authorized by Warrant under their Common Seal to direct any Person whomsoever to cause any Sum of Money, not exceeding Five Pounds, to be levied by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to appear or to be sworn, or to affirm or give Evidence, rendering the Overplus (if any), upon Demand, to the Person whose Goods and Chattels shall have been distrained and sold, after deducting the Costs and Charges attending such Distress and Sale; and the Monies so to be levied as aforesaid shall be applied for such Purposes and in such Manner as the said Commissioners may direct.

Any Person swearing falsely guilty of Perjury.

LVII. And be it enacted, That every Person upon Examination on Oath or Affirmation before the said Commissioners respectively, or any Officer by them appointed as aforesaid, and also every Person making any such Affidavit, Declaration, Deposition, or Affirmation as aforesaid, who shall wilfully and corruptly give false Evidence, or shall in such Affirmation, Affidavit, Declaration, or Deposition wilfully or corruptly swear, affirm, or allege any Matter or Thing which shall be false or untrue, shall be subject to the Pains and Penalties of Persons convicted of wilful and corrupt Perjury by any Law in force for the Time being.

Penalty on Persons assaulting Commissioners or their Officers.

LVIII. And be it enacted, That every Person who shall wilfully obstruct or assault any Commissioner of Public Works, or any Engineer, or other Officer, Servant, or Workman, acting in aid or under the Orders of the said Commissioners, in the Execution of any of the Powers given by this Act, shall forfeit and pay for every such Offence, upon Conviction thereof by the Oaths of One or more credible Witness or Witnesses before any Justice or Justices of the Peace, such Sum not exceeding Five Pounds as such Justice or Justices shall think fit, to be applied in such Manner and for such Purposes as the said Justice or Justices shall direct, or in default of Payment

Payment every such Person shall be imprisoned for such Number of Days, not exceeding Fourteen, as the said Justice or Justices shall direct.

Bonds, &c. under this Act exempt from Stamp Duty.

LIX. And be it enacted, That no Bond, Obligation, or other Security, Contract, Agreement, or other Instrument whatever, taken or made to or by the said Commissioners, nor any Affidavit, Deposition, Release, Receipt, or Discharge to be respectively taken or made under and by virtue of this Act to or by them, nor any Power of Attorney to receive from the said Paymaster of Civil Services any Monies advanced on account of Loans under this Act, nor any other Instrument whatsoever executed under the Provisions of this Act, nor any Memorial thereof for Registration, shall be liable to any Stamp Duty whatever.

Notices sent by the Post deemed sufficient.

LX. And be it enacted, That all Notices requiring to be served by or on behalf of the said Commissioners or otherwise under the Provisions of this Act upon any Person may be transmitted through the Post, directed to the last known Address of such Person, within such Period as to admit of its being delivered in due Course of Delivery within the Period, if any, prescribed for the giving of such Notice; and in proving any Service by Post it shall be sufficient to prove that the Notice was properly directed, and so put into the Post Office as before directed.

Penalty on Officers refusing to deliver up Documents.

LXI. And be it enacted, That if any Engineer, Surveyor, Agent, Officer, or Servant employed by the said Commissioners in any Manner relating to Proceedings under the Provisions of this Act shall refuse or neglect, after Seven Days Notice in Writing for that Purpose, to deliver up to the said Commissioners, or to any Person authorized by them for that Purpose, any Survey, Map, Plan, Estimate, Specification, Book, Paper, or Document belonging to the said Commissioners, or to any Owner of Lands proposed to be improved under the Provisions of this Act, in the Possession or Custody of such Engineer, Surveyor, Agent, Officer, or Servant, any such Person shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds, to be recovered in a summary Way before any Two Justices at Petty Sessions, and levied under the Warrant of such Justices by Distress and Sale of the Goods of the Person so refusing or neglecting; and it shall be lawful for such Justices to order any Constable, with proper Assistance, to search for and take possession of any such Survey, Map, Plan, Estimate, Specification, Book, Paper, or Document, and to deliver the same to the said Commissioners, or any Person authorized by them to receive the same.

Exchanges may be made of Land.

LXII. And whereas it may happen that by reason of the Works to be executed in pursuance of the Provisions of this Act it may be convenient to alter the Boundaries of the Lands of different Owners, and therefore that such Powers of Exchange should be given to the Commissioners as after mentioned; now therefore be it enacted, That it shall be lawful for the Commissioners, upon the Application in Writing of the Persons interested as Owners, as herein-before defined, except Owners under a Lease reserving Rent for a Life or Lives, or for

for a Term of Years, in any Lands which shall be drained or improved under the Provisions of this Act, or in any Lands adjacent to any such Lands, and who shall desire to effect an Exchange of Lands in which they respectively shall be so interested, to direct Inquiries whether such proposed Exchange would be beneficial to the Owners of such respective Lands, and has been rendered necessary or expedient by reason of any such Drainage or Improvement as aforesaid; and in case the Commissioners shall be of opinion that such Exchange would be beneficial, and that the Terms of the proposed Exchange are just and reasonable, they shall cause to be framed and confirmed, under the Hands and Seal of the Commissioners, an Order of Exchange, with a Map or Plan thereunto annexed, in which Order shall be specified and shown the Lands given and taken in exchange by each Person so interested respectively, and a Copy of such Order, under the Seal of the Commissioners, shall be delivered to each of the Parties on whose Application the Exchange shall have been made, and such Order of Exchange shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever, and shall be in nowise liable to be impeached by reason of any Infirmity of Estate or Defect of Title of the Persons on whose Application the same shall have been made; and the Land taken upon every such Exchange shall be and enure to, for, and upon the same Uses, Trusts, Intents, and Purposes, and subject to the same Conditions, Charges, and Incumbrances, as the Lands given on such Exchange would have stood limited or been subject to in case such Order had not been made; and all Expences with reference to such Order and Exchange, or the Inquiries in relation thereto, or to any proposed Exchange, shall be borne by the Persons on whose Application such Order shall have been made, or such Inquiries undertaken: Provided always, that no Exchange shall be made of any Land held in right of any Church or Chapel or other Ecclesiastical Benefice, without the Consent, testified in Writing, of the Bishop of the Diocese and the Patron of such Benefice: Provided also, that no One Lot or Parcel of Land given or taken in exchange shall ever exceed Ten Acres; and it shall be lawful for the said Commissioners to authorize the Payment of any Sum of Money by way of Equality of Exchange, or in respect of any such Exchange, and the Monies so given shall be paid and divided by the said Commissioners in such Manner as they shall think fit, and for the compensating the Parties interested in the Land given in exchange, and according to their respective Estates and Interests, and the Decision of the Commissioners in the Premises shall be binding.

Notices of such Exchanges to be given.

LXIII. Provided always, and be it enacted, That no such Order of Exchange as aforesaid shall be confirmed by the Commissioners until Notice shall have been given by Advertisement in Three successive Weeks of such proposed Exchange, and Three Calendar Months shall have elapsed from the Publication of the last of such Advertisements; and in case, before the Expiration of such Three Calendar Months, any Person entitled to any Estate in or to any Charge upon any Land included in such proposed Exchange shall give Notice in Writing to the Commissioners of his Dissent from such proposed Exchange, the Commissioners shall not confirm an Order for such Exchange unless

such Dissent shall be withdrawn, or it shall be shown to the Commissioners that the Estate or Charge of the Party so dissenting shall have ceased.

Expences of Exchanges.

LXIV. And be it enacted, That if any Difference shall arise touching the said Expences in relation to any Exchange, Orders, or Inquiries as aforesaid, or the Share thereof, to be paid by any Person, it shall be lawful for the Commissioners to certify under their Hands and Seal the Amount to be paid by such Person; and in case any Person shall neglect or refuse to pay his Share so certified to be payable by him, and upon the Production of such Certificate before any Two Justices of the Peace for the County or other Jurisdiction wherein the Land shall be situate, such Justices, upon the Nonpayment thereof, are hereby required, by Warrant under their Hands and Seals, to cause the same to be levied by Distress.

Saving Rights of the Crown.

LXV. And be it enacted, That, notwithstanding any thing in this Act or in the Acts herein recited or referred to contained or implied to the contrary, it shall not be lawful for any Person or Persons to embank or reclaim from the Sea or Tidal Waters or Rivers, any Shore, Mud Bank, or Slobs belonging to Her Majesty in right of the Crown, or to reclaim Waste or other Lands belonging to Her Majesty in right of Her Crown, or to construct Works on any such Lands, nor shall it be lawful for the said Commissioners to make Loans to any Person or Persons for the Purposes aforesaid, without the previous Consent of Her Majesty, Her Heirs and Successors, to be signified in Writing under the Hands of Two of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and as far as regards the Embankment or Reclamation of Lands from the Sea or Tidal Waters or Rivers, or the Construction of Works below High-water Mark, without the previous Consent also of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of the United Kingdom, to be signified in Writing under the Hand of the Secretary of the Admiralty for the Time being, except in those Cases wherein the Soil and Bed of the Tidal Waters and Rivers and Rights of Vice Admiralty and Conservancy have been granted by the Crown to and are now vested in any other Body.

Construction of Terms in this Act.

LXVI. And be it enacted, That in the Construction of this Act, except where the Nature of the Provision or the Context of this Act shall exclude such Construction, the Word "Land" shall extend to all Hereditaments corporeal or incorporeal, and any Estate or Interest therein, and any undivided Part thereof, or any Charge or Incumbrance thereon; and the Words "Person or Persons" shall extend to all Bodies Politic, Corporate, or Collegiate, and also to all Archbishops, Bishops, Parsons, and other Ecclesiastical Persons, and to any Number of Persons associated together as a Company or Partnership; and the Word "Lease" shall include an Agreement for a Lease; and the Word "Benefice" shall include any Rectory, Vicarage, Perpetual Curacy, Donation, endowed public Chapel, Parochial Chapelry, and District Chapelry, the Incumbent whereof in right thereof shall be a Corporation sole; and the Word "Owner" shall

shall include the reputed Owner; the Expression "Chief Rent" shall include all Rents reserved upon or payable out of or in respect of the Estate or Interest of any Person being an Owner within the Meaning of this Act, or any Estate or Interest paramount thereto; and every Word importing the Singular Number only shall extend to several Persons or Things as well as to one Person or Thing; and every Word importing the Plural Number shall extend to one Person or Thing as well as to several Persons and Things; and every Word importing the Masculine Gender only shall extend to a Female as well as to a Male; the Word "Commissioners" or the Words "the said Commissioners" shall mean the Commissioners of Public Works in *Ireland* for the Time being, or any Two of them, except where otherwise expressed; the Words "Commissioners of the Treasury" shall mean the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Two of them; and the Words "Paymaster of Civil Services" shall mean the Paymaster of Civil Services in *Ireland* for the Time being.

LXVII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

SCHE-

SCHEDULES referred to in this Act.

SCHEDULE (A.)

Form of Memorial, under Vict. Cap.

To the Commissioners of Public Works in Ireland.

The Memorial of the undersigned,

Showeth,

THAT your Memorialist is, within the Meaning of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled An Act [*here set forth the Title of this Act*], Owner of the Lands mentioned in the Schedule hereunto annexed.

That your Memorialist proposes to increase the Value of the said Lands by * as mentioned in or to be inferred from the annexed Report, Plan, Estimate, and Specification, which your Memorialist prays may be respectively considered as Part of this his Memorial.

* Here state the proposed Works.

That he is desirous of obtaining a Loan for that Purpose, to be secured by a Rent-charge on the Lands mentioned in the said Schedule, under the Provisions of the above-mentioned Act.

That the present annual Value of the Lands is the Sum of Pounds, and that the Quit Rent[s] and Rent-charge[s] in lieu of Tithes now charged upon the same Lands amount together to the annual Sum of Pounds, as more particularly set forth in the said Schedule.

That the Expence of effecting such in manner aforesaid is estimated at the Sum of Pounds Sterling, as more particularly mentioned and set forth in the Estimate annexed; and that the estimated Increase in the annual Value expected to arise to the said Lands in said Schedule, the Subject of such proposed Improvements, amounts to Pounds, as set forth in the annexed Report.

† State what Estate or Interest the Memorialist has in the Lands, and the Particulars of the Title by which the Memorialist is constituted an Owner within the Meaning of the Act, having regard to the provisions of the Act. Also state whether the whole of said Lands are held under one and the same Interests or Title, and what Extent is held thereby, and if under different Interests or Titles, how much under each.

And this Memorialist further states and specifies, that his Estate and Interest in the said Lands and Premises is as follows: †

And this Memorialist now applies and asks for the Advance of the Sum of Pounds by way of Loan, under the Provisions of the said Act, for defraying the Expence of the proposed Works, with such Alterations and Modifications as the Commissioners of Public Works may approve of.

Dated at this Day of 18 .

Witness of Signature of Owner.‡

‡ State the Occupation, Residence, and Post Town of Applicant and Witness.

SCHE-

SCHEDULE.

Owner.	Occupier.	Townland, with the Denomination or reputed Name or Names by which the Lands are known.	Barony or Parish, distinguishing which.	County.	Probable Quantity of Land.	Quit Rents.	Rent-charges in lieu of Tithes.

SCHEDULE (B.)

TABLE for calculating RENT-CHARGES to be paid off in less Time than Twenty-two Years.

Reduced Period.		Annual Rent-charge for such Period for each £6 10s. of Rent-charge.			
		£. Decimals.		£	s.	d.
Annual Rent-charge, if it is to last	21 Years	6·7091	In Sterling Money	6	14	2¼
	20 —	6·9398	—	6	18	9½
	19 —	7·1958	—	7	3	11
	18 —	7·4812	—	7	9	7½
	17 —	7·8013	—	7	16	0¼
	16 —	8·1626	—	8	3	3
	15 —	8·5734	—	8	11	5½
	14 —	9·0441	—	9	0	10½
	13 —	9·5887	—	9	11	9¼
	12 —	10·2256	—	10	4	6¼
	11 —	10·9801	—	10	19	7¼
	10 —	11·8874	—	11	17	9
	9 —	12·9984	—	12	19	11½
	8 —	14·3895	—	14	7	9½
	7 —	16·1808	—	16	3	7½
	6 —	18·5724	—	18	11	5½
	5 —	21·9244	—	21	18	5¾
	4 —	26·9574	—	26	19	1¾
	3 —	35·3520	—	35	7	0½
	2 —	52·1508	—	52	3	0¼
	1 —	102·5666	—	102	11	4

Note.—This Table is calculated on the Assumption that a yearly Rent-charge of £6 10s. continuing for a Term of 22 Years (but payable half-yearly) is equivalent to the Sum of £100 in ready Money.

SCHEDULE (C.)

TABLE for the REDEMPTION of RENT-CHARGES.

Term unexpired.	Redemption Money to be paid in respect of each £10 of Rent-charge.			
	£. Decimals.			£ s. d.
½ Year	4·91612	In Sterling Money		4 18 4
1 —	9·74976	—		9 15 0
1½ —	14·50232	—		14 10 0½
2 —	19·17514	—		19 3 6
2½ —	23·76957	—		23 15 4¾
3 —	28·28693	—		28 5 8¾
3½ —	32·72850	—		32 14 6¾
4 —	37·09555	—		37 1 11
4½ —	41·38935	—		41 7 9½
5 —	45·61111	—		45 12 2¾
5½ —	49·76204	—		49 15 3
6 —	53·84334	—		53 16 10½
6½ —	57·85617	—		57 17 1½
7 —	61·80168	—		61 16 0¾
7½ —	65·68100	—		65 13 7½
8 —	69·49524	—		69 9 10¾
8½ —	73·24548	—		73 4 11
9 —	76·93282	—		76 18 7¾
9½ —	80·55829	—		80 11 2
10 —	84·12295	—		84 2 5½
10½ —	87·62780	—		87 12 6¾
11 —	91·07385	—		91 1 5¾
11½ —	94·46209	—		94 9 3
12 —	97·79349	—		97 15 10½
12½ —	101·06900	—		101 1 4½
13 —	104·28956	—		104 5 9½
13½ —	107·45609	—		107 9 1½
14 —	110·56950	—		110 11 4¾
14½ —	113·63067	—		113 12 7¼
15 —	116·64049	—		116 12 9¾
15½ —	119·59980	—		119 12 0
16 —	122·50948	—		122 10 2¼
16½ —	125·37035	—		125 7 5
17 —	128·18322	—		128 3 8
17½ —	130·94891	—		130 18 11¾
18 —	133·66818	—		133 13 4¼
18½ —	136·34188	—		136 6 10
19 —	138·97065	—		138 19 5
19½ —	141·55536	—		141 11 1¼
20 —	144·09673	—		144 1 11¼
20½ —	146·59544	—		146 11 11
21 —	149·05229	—		149 1 0½

Note.—This Table is calculated on the Assumption that a yearly Rent-charge of £6 10*s.* continuing for a Term of 22 Years (but payable half-yearly) is equivalent to the Sum of £100 in ready Money.

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