ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

C A P. XCV.

An Act to suspend, until the Sixth Day of *April* One thousand eight hundred and thirty-seven, Proceedings for recovering Payment of the Money advanced under the Acts for establishing Tithe Compositions in *Ireland*.

[19th *August* 1836.]

WHEREAS by an Act passed in the Third and Fourth Years of His present Majesty's Reign, intituled *An Act for the Relief of the Owners of Tithes in* Ireland, *and for the Amendment of an Act passed in the last Session of Parliament, intituled 'An Act to amend Three Acts passed respectively in the 'Fourth, Fifth, and in the Seventh and Eighth Years of the Reign 'of His late Majesty King* George *the Fourth, providing for the 'establishing of Compositions for Tithes in* Ireland, *and to make 'such Compositions permanent,'* it is amongst other Things enacted, that it should be lawful for any Person entitled to any Tithes arising out of Lands in *Ireland*, for the Years One thousand eight hundred and thirty-one, One thousand eight hundred and thirty-two, or One thousand eight hundred and thirty-three, to make Application to the Lord Lieutenant praying Relief under the said Act in respect of such Tithes; and it is further enacted, that such Application should be made by a Memorial, with a Schedule thereto annexed, setting forth such Particulars as in the said Act are in that Behalf mentioned; and it is by the said Act further enacted, 3 & 4 W. 4. c. 100.

that the said Memorial and Schedule amended as therein is mentioned should be transmitted in manner therein mentioned to the Lord Lieutenant, who should thereupon authorize and direct such Sum to be advanced to such Memorialist as should appear by the said Memorial and Schedule to be due and owing to him on account of the Tithes therein included; and it is thereby further enacted, that the said Lord Lieutenant should cause every such original Memorial and Schedule, together with a Certificate under his Hand of the Amount of the Advances so made to the Memorialist, to be lodged in the Office of the Remembrancer of the Court of Exchequer in *Ireland*, and that the Amount stated in each such Certificate to have been so advanced should be repaid by Five equal Instalments, the First thereof to be made on the First Day of *November* One thousand eight hundred and thirty-four, and One of the Four remaining Instalments on the First Day of *November* in each of the succeeding Four Years, in the Manner and subject to the Conditions recited in the said Act: And whereas, under the Powers contained in the said Act, Advances to a large Amount have been made to Parties entitled to Tithes arising out of Lands in *Ireland* for the said Years One thousand eight hundred and thirty-one, One thousand eight hundred and thirty-two, and One thousand eight hundred and thirty-three: And whereas it may be expedient not to enforce immediate Payment from the Parties to whom such Advances have been made of the several Instalments which became due from them on the First Day of *November* One thousand eight hundred and thirty-four and on the First Day of *November* One thousand eight hundred and thirty-five: And whereas by an Act passed in the Fifth and Sixth Years of His Majesty's Reign, intituled *An Act to suspend, until after the Sixth Day of* April *One thousand eight hundred and thirty-six, Proceedings for recovering Payment of certain Instalments of the Money advanced under the Acts for establishing Tithe Compositions in* Ireland, it was enacted, that it should be lawful for the Lords Commissioners of His Majesty's Treasury, if it should seem to them expedient so to do, to delay or suspend the Institution or Prosecution of any Proceedings for Recovery or enforcing Payment of any such Instalments as aforesaid until after the Sixth Day of *April* One thousand eight hundred and thirty-six: And whereas it is expedient to make further and other Provisions with respect to the Recovery of the said Instalments and of the Instalments which will become due and payable on the First Day of *November* One thousand eight hundred and thirty-six: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Powers and Authorities vested by the said last-recited Act in the Commissioners of His Majesty's Treasury shall be and the same are hereby revived and continued; and that it shall be lawful for the said Commissioners or any Three or more of them to delay or suspend the Institution or Prosecution of any Proceedings for Recovery or enforcing Payment of any of the said Instalments already become due or to become due on the First Day of *November* One thousand eight hundred and thirty-six until and after the Sixth Day of *April* One thousand eight hundred and thirty-seven: Provided always, that the Institution or Prosecution of such

5 & 6 W. 4. c. 79.

Powers vested in the Treasury by last-recited Act revived.

Repayment of Instalments postponed.

Proviso.

Proceedings

Proceedings shall not be delayed or suspended under the Authority of this Act in any Case in which the Parties applying for such Delay or Suspension have received the Whole or the greater Part of the Tithe due to them respectively for the Years One thousand eight hundred and thirty-four and One thousand eight hundred and thirty-five.

The Treasury not to stop Proceedings for Recovery of Instalments in certain Cases.

II. And be it further enacted, That it shall not be lawful for the Commissioners of His Majesty's Treasury to suspend or delay the Institution or Prosecution of any Proceedings for the Recovery of the said Instalments in any Case in which, either by Act of Law or the Undertaking of the Parties, the said Instalments have become due and payable by the Owner or Landlord, and have ceased to be payable to the Tithe Owner by the Tenant in Possession.

Act not to extend to Instalments due from Lay Impropriators.

III. Provided always, and be it further enacted, That the Provisions of this Act shall not extend or be construed to extend to the Case of any Instalment due by any Lay Impropriator, to whom Advances were made under the Authority of the Act of the Third and Fourth Years of His Majesty's Reign, in respect of Tithes chargeable upon Lands the Estate and Property of the said Impropriator.

Proceedings not to be stopped where Parties refuse Information.

IV. And be it further enacted, That the Institution or Proceedings for the Recovery of such Instalments shall not be delayed or suspended in any Case in which the Parties shall neglect or refuse to furnish to the Satisfaction of the Commissioners of His Majesty's Treasury such Information as the said Commissioners shall require for the Purpose of enabling them to decide how far it may be expedient to delay or suspend the Institution of such Proceedings.

Account and Statement to be laid before Parliament.

V. And be it further enacted, That an Account shall be laid before both Houses of Parliament, within Ten Days after the Fifth Day of *April* One thousand eight hundred and thirty-seven, of all Sums recovered in respect of any of the said Instalments, accompanied by a Statement of the several Cases in which, under the Power and Authority vested in them by this Act, the Commissioners of His Majesty's Treasury have delayed or suspended the Institution or Prosecution of Proceedings for the Recovery of the said Instalments, or any of them.

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