2. Provided always, that in every case in which the equity of redemption of the premises comprised in any such security shall become liable to foreclosure, or otherwise barred or released, the same shall be thenceforth held in trust to be sold and converted into money, and shall be sold accordingly; and if any decree shall be made in any suit for the purpose of redeeming or enforcing such security, such decree shall direct a sale (in default of redemption) and not a foreclosure of such premises. Proviso for cases in which the equity of redemption of the premises may be barred or released.

3. The words "real security" in this Act shall include all mortgages or charges, legal or equitable, of or upon lands or hereditaments of any tenure, or of or upon any estate or interest therein or any charge or encumbrance thereon; and the word "conveyance" shall include all grants, releases, transfers, assignments, appointments, assurances, orders, surrenders, and admissions whatsoever operating to pass or vest any estate or interest, at law or in equity, in the premises comprised in any real security. Interpretation of Terms.

CHAP. 35.

An Act for the better Apportionment of Rents and other periodical Payments. [1st August 1870.]

WHEREAS rents and some other periodical payments are not at common law apportionable (like interest on money lent) in respect of time, and for remedy of some of the mischiefs and inconveniences thereby arising divers statutes have been passed in the eleventh year of the reign of His late Majesty King George the Second (chapter nineteen), and in the session of Parliament holden in the fourth and fifth years of His late Majesty King William the Fourth (chapter twenty-two), and in the session of Parliament held in the sixth and seventh years of His late Majesty King William the Fourth (chapter seventy-one), and in the session of Parliament held in the fourteenth and fifteenth years of Her present Majesty (chapter twenty-five), and in the session of Parliament held in the twenty-third and twenty-fourth years of Her present Majesty (chapter one hundred and fifty-four):

And whereas it is expedient to make provision for the remedy of all such mischiefs and inconveniences:

Be it therefore 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, as follows:

1. This Act may be cited for all purposes as "The Apportionment Act, 1870." Short title.

2. From and after the passing of this Act all rents, annuities, dividends, and other periodical payments in the nature of income (whether reserved or made payable under an instrument in writing or otherwise) shall, like interest on money lent, be considered as accruing from day to day, and shall be apportionable in respect of time accordingly. Rents, &c. to accrue from day to day and be apportionable in respect of time.

3. The apportioned part of any such rent, annuity, dividend, or other payment shall be payable or recoverable in the case of a continuing rent, annuity, or other such payment when the entire portion of which such apportioned part shall form part shall become due and payable, and not before, and in the case of a rent, annuity, or other such payment determined by re-entry, death, or otherwise when the next entire portion of the same would have been payable if the same had not so determined, and not before. Apportioned part of rent, &c. to be payable when the next entire portion shall have become due.

4. All persons and their respective heirs, executors, administrators, and assigns, and also the executors, administrators, and assigns respectively of persons whose interests determine with their own deaths, shall have such or the same remedies at law and in equity for recovering such apportioned parts as aforesaid when payable (allowing proportionate parts of all just allowances) as they respectively would have had for recovering Persons shall have the same remedies for recovering apportioned parts as for entire portions.

Proviso as to rents reserved in certain cases.

such entire portions as aforesaid if entitled thereto respectively; provided that persons liable to pay rents reserved out of or charged on lands or other hereditaments of any tenure, and the same lands or other hereditaments, shall not be resorted to for any such apportioned part forming part of an entire or continuing rent as aforesaid specifically, but the entire or continuing rent, including such apportioned part, shall be recovered and received by the heir or other person who, if the rent had not been apportionable under this Act, or otherwise, would have been entitled to such entire or continuing rent, and such apportioned part shall be recoverable from such heir or other person by the executors or other parties entitled under this Act to the same by action at law or suit in equity.

Interpretation of terms.

5. In the construction of this Act—

The word "rents" includes rent service, rentcharge, and rent seck, and also tithes and all periodical payments or renderings in lieu of or in the nature of rent or tithe.

The word "annuities" includes salaries and pensions.

The word "dividends" includes (besides dividends strictly so called) all payments made by the name of dividend, bonus, or otherwise out of the revenue of trading or other public companies, divisible between all or any of the members of such respective companies, whether such payments shall be usually made or declared at any fixed times or otherwise; and all such divisible revenue shall, for the purposes of this Act, be deemed to have accrued by equal daily increment during and within the period for or in respect of which the payment of the same revenue shall be declared or expressed to be made, but the said word "dividend" does not include payments in the nature of a return or reimbursement of capital.

Act not to apply to policies of assurance;

6. Nothing in this Act contained shall render apportionable any annual sums made payable in policies of assurance of any description.

nor where stipulation made to the contrary.

7. The provisions of this Act shall not extend to any case in which it is or shall be expressly stipulated that no apportionment shall take place.

CHAP. 36.

An Act to amend "The Cattle Disease Act (Ireland), 1866."

[1st August 1870.]

WHEREAS it is expedient to amend "The Cattle Disease Act (Ireland), 1866:"

Be it therefore 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, as follows; (that is to say,)

Extending provisions of 29 & 30 Vict. c. 4. relating to providing and applying fund for extinguishing Rinderpest to all cases of contagious or infectious Cattle Disease.

1. The provisions of sections ten, eleven, and twelve of the said "Cattle Disease Act (Ireland), 1866," relating to the providing a fund for the purposes in section ten of the said Act mentioned, in case the Cattle Disease known as the Rinderpest should appear in Ireland, and to the application of such fund, shall extend and apply to the providing and application of a fund for all or any of the additional purposes following; (that is to say,)

(1.) For preventing the introduction into Ireland of the cattle disease known as the "cattle plague," or "rinderpest;" and,

(2.) For preventing the introduction into Ireland, the occurrence or the spreading therein, of any infectious or contagious disease of cattle, sheep, swine, or other animals.

Power to Lord Lieutenant and Privy Council to make rules to carry Act into effect.

2. The Lord Lieutenant, by and with the advice of Her Majesty's Privy Council in Ireland, may, from time to time, make such orders as they may think expedient for all and any of the purposes following; (that is to say,)

For insuring for animals brought by sea to ports in Ireland, or shipped from any port in Ireland to any part of England, Wales, or Scotland, a proper supply of food and water during the passage and on landing: