ANNO TERTIO

GEORGII IV. REGIS.

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C A P. LXIII.

An Act to authorize the Sale of Quit Rents and other Rents, and the Sale and Demise of Lands, Tithes, Tenements, and Hereditaments, the Property of His Majesty in Right of the Crown, in *Ireland*. [15th *July* 1822.]

WHEREAS an Act was passed in the Parliament of *Ireland*, in the Thirty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Sale of* Irish Acts,
His Majesty's Quit Rents, Crown and other Rents, and of the Lands 38 G.3. c.72.
forfeited in the Years One thousand six hundred and forty-one and One thousand six hundred and eighty-eight, and other Lands yet remaining undisposed of, in such Manner and under such Provisions as are therein mentioned: And whereas another Act was passed in the Parliament Amended by
of *Ireland*, in the Thirty-ninth Year of the Reign of His said late 39 G.3. c.33.
Majesty, for amending the said recited Act passed in the said Thirty-eighth Year: And whereas Two Acts were passed in the Parliament Further
of the United Kingdom of *Great Britain* and *Ireland*, in the Forty- amended by
sixth and Forty-seventh Years of the Reign of His said late Majesty, 46 G.3. c.123.
for amending several Acts for the Sale of His Majesty's Quit Rents, 47 G.3. st.1. c.16.
Crown and other Rents, and certain Lands forfeited and undisposed of, in *Ireland*; and it is expedient that more effectual Provision should be made for carrying into Execution the Purposes intended by the said recited Acts: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords

Recited Acts repealed.

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the said several recited Acts shall be and the same are hereby repealed.

Treasury empowered to sell Quit Rents and Crown Lands in Ireland.

II. And be it further enacted, That from and after the Commencement of this Act, it shall and may be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them, from Time to Time, under the Rules and Regulations in this Act contained, to contract for the Sale and Disposal, and to sell or dispose of any Quit Rents, Crown Rents, or Composition Rents, payable to His Majesty arising in *Ireland*, and also to sell and dispose of any Lands, Tithes, Tenements, or Hereditaments, situate in *Ireland*, which are and shall be the Property of His Majesty, His Heirs or Successors, in Right of the Crown, under any Conviction, Attainder, Escheat, or Forfeiture, or under any Act or Acts in force in *Ireland*, or otherwise howsoever.

Fees under Irish Act, 9 W. 3. c. 6. shall be reckoned as Part of the Quit Rents.

III. Provided always, and be it enacted, That the Fees on the Payment of any such Rents, payable by the Persons subject to the same, established by an Act of the Parliament of *Ireland* made in the Ninth Year of the Reign of King *William* the Third, intituled *An Act for making the Collectors Receipts for Quit Rent, Crown Rent, and other Rents due to the Crown, full and legal Discharges for the same, and for limiting their Fees thereon*, shall be considered as Part of the Rent to be purchased, and shall be paid for at the same Rate as the Rents to be purchased.

All Persons, Trustees, Corporations, &c. empowered to purchase.

IV. And be it further enacted, That it shall and may be lawful for any Person or Persons, and for any Trustee or Trustees of any Person or Persons, and for any Guardian or Guardians of Infants, or Committee or Committees of Lunatics, and for any Body Politic, Corporate, or Collegiate, to purchase any Quit Rents, Crown Rents, or Composition Rents, or any Lands, Tithes, Tenements, or Hereditaments, by this Act authorized to be sold.

On Contract for Purchase, 1-4th shall be paid down, and the Remainder at 3, 6, and 9 Months.

V. Provided always, and be it enacted, That no Sale or Purchase shall be made of any such Quit Rents, Crown Rents, or Composition Rents, and the Fees payable thereon, nor of any such Lands, Tithes, Tenements, or Hereditaments, unless the Person or Persons contracting to purchase the same shall, upon the Contract or Agreement for such Sale and Purchase being made with the said Commissioners of His Majesty's Treasury, pay into the Receipt of His Majesty's Exchequer in *Ireland*, according to the Course of the said Exchequer, One-fourth Part at least of the Purchase Money contracted and agreed for, and the Remainder of such Purchase Money by Three equal Payments, at Periods not longer than Three, Six, and Nine Calendar Months from the Day of the making of such Deposit; and in case Default shall be made of or in any such Payments on the Day on which the same shall be payable, then the said Deposit of One-fourth Part of the Purchase Money, and so much of the said Purchase Money as shall have been paid, shall be for-

forfeited to His Majesty, His Heirs and Successors: Provided always, that it shall and may be lawful for any such Purchaser, with the Consent of the said Commissioners of the Treasury, to pay in the whole of the Purchase Money at One Payment, or at any such shorter Periods as may be agreed on for that Purpose. Purchase Money may be paid at once.

VI. And be it further enacted, That every Person, Trustee, Guardian, and Committee, and Body Politic, Corporate, or Collegiate, who shall be desirous and shall offer to purchase any such Quit Rents, Crown Rents, or Composition Rents, shall deliver or cause to be delivered to the Commissioners of His Majesty's Treasury for the Time being, an Account of the Honors, Manors, Towns, Lands, Rectories, Tithes, Fairs, Markets, Ferries, Tenements, and Hereditaments, out of which the Rent or Rents proposed or desired to be purchased is or are payable, and of each particular Rent or Rents, and the Fees payable for the same, and the Price which any such Person or Corporation shall offer and be willing to give for the Purchase of the same, and shall at the same Time declare whether such Person or Corporation is or are desirous that the Rent or Rents so intended to be purchased shall be extinguished, or shall subsist for the Use of any Purchaser, and the Heirs or Assigns of such Purchaser. Particulars of Quit Rents to be stated by Persons desirous of contracting for Purchase.

VII. And be it further enacted, That in case any Purchaser shall desire that the Rent so to be purchased shall be extinguished, then upon Payment into the Receipt of His Majesty's Exchequer in *Ireland*, according to the Course of the said Exchequer, of such Sum as shall be approved of by the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, for the Purchase of such Rent or Rents and Fees, a Certificate shall be given by the proper Officer of the Receipt of His Majesty's said Exchequer, setting forth the Name or Names of the Honors, Manors, Towns, Lands, Rectories, Tithes, Fairs, Markets, Ferries, Tenements and Hereditaments, out of which the Rents purchased is or are payable, with such Description thereof, corresponding with the Record of such Rent or Rents in His Majesty's Exchequer in *Ireland*, as will be sufficient to ascertain the same, together with the several particular Rent or Rents and the Fees payable thereout, and declaring that the Rent or Rents so purchased, is or are purchased in order that the same shall cease and be extinguished, which Certificate shall be enrolled in the Office of the Auditor of the Exchequer in *Ireland*, after Payment of the whole of the Consideration Money agreed to be paid; and from the Time of such Enrolment, the Rent or Rents so purchased shall cease and be extinguished, and the Honors, Manors, Towns, Lands, Rectories, Tithes, Fairs, Markets, Ferries, Tenements and Hereditaments, out of which such Rent or Rents was or were payable, shall be exonerated and discharged therefrom. How Rents so purchased shall be extinguished.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of His Majesty's Treasury, or any Three of them, to make a Composition or Agreement with any Person or Persons for any Arrears of any such Quit Rents or Crown Rents Treasury may compound with Persons for Arrears of Quit Rents, &c.

Rents which may be due or owing from any such Person or Persons to His Majesty, His Heirs or Successors; and from and after the Payment of any Sum or Sums of Money so agreed upon, His Majesty, His Heirs and Successors, shall be barred from suing for or in any Manner recovering any such Arrears of Rent so compounded for as aforesaid; any thing in any Act or Acts in force in *Ireland* to the contrary notwithstanding.

All Arrears of Rents to be extinguished shall be paid up.

IX. Provided always, and be it further enacted, That no Sale shall be made of any such Rent for the Purpose of extinguishing the same, unless all Arrears thereof, up to the Time of Payment of the First Deposit of the Purchase Money, or the Sums for which the same shall be compounded under the Provisions of this Act, shall have been fully paid and satisfied to His Majesty, His Heirs or Successors.

Persons not seised in Fee Simple may raise Money by Mortgage for purchasing and extinguishing Quit Rents.

X. And whereas Persons may be desirous of purchasing such Rents, in order that the same may cease or be extinguished, who may not be seised in Fee Simple of the Honors, Manors, Towns, Lands, Rectories, Tithes, Fairs, Markets, Ferries, Tenements, and Hereditaments out of which the Rent or Rents which they may be desirous of purchasing are payable; be it therefore enacted, That in such Case it shall and may be lawful for every such Person, by any Deed or Deeds in Writing, to raise any Sum or Sums of Money not exceeding the Amount of the Purchase Money paid for such Rent or Rents, and the said Fees thereon, and the Expence of such Purchase, by Mortgage of the Towns, Lands, Rectories, Tithes, Fairs, Markets, Ferries, Tenements, and Hereditaments, or by Sale of a sufficient Part thereof, or otherwise to charge and incumber the same with such Sum or Sums and the Interest thereof, and to dispose of the same in such Manner as he or they shall think proper; and every such Sale or Mortgage, Charge and Incumbrance, shall be good and valid in the Law against every Person in Remainder or Reversion in or to the Premises so sold, mortgaged, charged, or incumbered, and all other Persons entitled to or claiming any Debt, Charge, and Incumbrance affecting the Premises so sold, mortgaged, charged or incumbered, and shall have Priority thereto.

Certificate to be given where Rent is purchased for the Use of the Purchaser.

XI. And be it further enacted, That where any Person shall be desirous that any Rent so to be purchased shall subsist for the Use of the Purchaser, and the Heirs and Assigns of such Purchaser, then and in such Case, upon Payment into the Receipt of His Majesty's Exchequer in *Ireland*, according to the Course of the said Exchequer, of such Sums as shall be approved of by the Lord High Treasurer, or Commissioners of His Majesty's Treasury, for the Purchase of any such Rent or Rents and the Fees thereon, a Certificate shall be given by the proper Officer of the said Exchequer in Manner herein-before mentioned; save that such Certificate shall declare that the Rent or Rents so purchased, is or are so purchased, to the Use of the Purchaser and the Heirs and Assigns of such Purchaser; and such Certificate shall be enrolled in Manner hereby required with respect to any other Certificate; and from the Time of such Enrolment, the Rent or Rents so purchased, shall be vested in the Purchaser or Purchasers, and the Heirs and Assigns of such Purchaser or Purchasers.

XII. And

How such Rents shall be paid to and recoverable by the Purchaser.

XII. And be it further enacted, That all such Rents as shall be so purchased for the Use of the Purchaser, shall be paid and payable to such Purchaser, and the Heirs and Assigns of such Purchaser, by Two even Half-yearly Payments, on every Twenty-fifth Day of *March* and Twenty-ninth Day of *September* in every Year, together with the Fees payable on the same; and such Purchaser, and the Heirs and Assigns of such Purchaser, shall have the like Remedy for recovering such Rents by Distress or Re-entry, or by Action of Debt or in Covenant, as any Person may have on any Lease, demising Lands and reserving Rent, in which is contained any Clause of Distress or Re-entry, or any Covenant on the Part of the Lessee, his Heirs, Executors, Administrators, and Assigns, to pay Rent, and shall have the like Privileges and Advantages in taking a Distress for such Rent, and in proceeding for the Recovery of such Rent, as His Majesty, His Heirs or Successors, may by Law have.

Certificate of Payment of Purchase Money, shall be Evidence of Title.

XIII. And be it further enacted, That the Certificate of the Payment of the Purchase Money for any such Rent so enrolled as aforesaid in the Office of the Auditor of the said Exchequer of *Ireland*, or an attested Copy thereof, shall be admitted in all Courts of Law and Equity as Evidence of the Title of the Purchaser of such Rent, and all Persons deriving under any such Purchaser.

Proprietors of Parcels of several Lands comprized in the same Grant at several Quit Rents shall be liable only to their respective Rents.

XIV. And whereas in many Grants of Lands by Letters Patent from the Ancestors or Predecessors of His Majesty, reserving Quit Rents, several Denominations or Parcels of Land are granted by the same Grant, and the several Proportions of Rent for each Parcel of Land, according to the Number of Acres therein, and which compose the gross Rent reserved on such Grant, are set forth in such Grant; be it enacted, That whenever the Rent for any such Parcel of Land shall be purchased under this Act by the Proprietor of such Parcel of Land, then and in such Case the Purchaser of such Rent, and also the Parcel of Land for which such Rent shall be reserved, shall be, and every such Purchaser, and every such Parcel of Land is hereby exonerated and discharged of and from all Rents charged on the other Denominations or Parcels of Land comprized in the same Grant and reserved thereby; any Law, Custom, or Usage to the contrary in anywise notwithstanding.

How Crown Lands shall be sold and conveyed to Purchasers.

XV. And be it further enacted, That every Person, Trustee, Guardian, and Committee, and Body Politic, Corporate, or Collegiate, who shall be desirous and shall offer to purchase under this Act any Lands, Tithes, Tenements, or Hereditaments in *Ireland*, being the Property of His Majesty, His Heirs or Successors, in Right of the Crown, shall deliver or cause to be delivered, to the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being, an Account of the Lands, Tithes, Tenements or Hereditaments, which such Person or Corporation shall be desirous of purchasing, and the Price which every such Person or Corporation shall offer and be willing to give for the Purchase of the same; and upon Payment into the Receipt of the Exchequer in *Ireland*, in Manner herein-before directed, of such Sum or Sums of Money as shall be approved of by the said Lord High

Treasurer or Commissioners of the Treasury, for the Purchase of such Lands, Tithes, Tenements, or Hereditaments, a Certificate shall be given by the proper Officer of the Receipt of His Majesty's Exchequer in *Ireland*, setting forth the Name or Names of the Lands, Tithes, Tenements, or Hereditaments so purchased, with such Description thereof, corresponding with any Record thereof in His Majesty's Exchequer in *Ireland*, as will be sufficient to ascertain the same, which Certificate shall be enrolled in the Office of the Auditor of the Exchequer in *Ireland*; and from and after Payment of the whole of the Purchase Money for such Lands, Tithes, Tenements, or Hereditaments, by the Purchaser or Purchasers thereof, it shall and may be lawful for the Commissioners of His Majesty's Treasury, or any Three or more of them, to convey such Lands, Tithes, Tenements, or Hereditaments, to such Purchaser or Purchasers, by Deed of Bargain and Sale, signed and sealed by the said Lord High Treasurer, or the Commissioners of the Treasury, or any Three of them, and the said Deed of Bargain and Sale shall be enrolled in the Office of the Auditor of the said Exchequer; and from the Time of the Enrolment of such Deed of Bargain and Sale, the Lands, Tithes, Tenements, or Hereditaments so purchased, shall be divested out of the Crown, and shall be vested in the Purchaser or Purchasers, and his or their Heirs and Assigns or Successors respectively; and such Deed of Bargain and Sale so enrolled, shall be admitted in all Courts of Law and Equity as Evidence of the Title of the Purchaser of such Lands, Tithes, Tenements, or Hereditaments, and of all Persons deriving under such Purchaser.

Persons, &c. in actual Possession, or entitled to Rents of Premises, shall be preferred in the Purchase of Quit Rents.

XVI. Provided always, and be it enacted, That all such Persons and their Trustees, Guardians, and Committees, and all such Bodies Corporate or Collegiate, who shall be in the actual Possession of, or immediately entitled to the Rents and Profits of any Manors, Messuages, Lands, Tenements, or Hereditaments, whereon any such Quit Rents, Crown Rents, or Composition Rents shall be charged, or out of which they shall be issuable (other than and except Tenants for Years absolute, or Tenants for Lives, or for Years determinable upon Lives, on any Demise whereon any Rent was or shall be reserved, or a Fine or Premium was or shall be paid), shall be preferred in the Purchase of such Quit Rents, Crown Rents, or Composition Rents, or any Part thereof, to any Person or Corporation having any Estate or Interest in Remainder, Reversion, or Expectancy, in such Manors, Messuages, Lands, Tenements, or Hereditaments, and to any Person or Corporation not having any Interest therein; provided such Persons or Corporations so to be preferred shall contract for the Purchase of such Rents before the Twenty-fifth Day of *December* One thousand eight hundred and twenty-three; and in case no Contract shall be entered into by such Persons or Corporations before the said Twenty-fifth Day of *December* One thousand eight hundred and twenty-three, then the Persons or Corporations having such Estates or Interests in Reversion, Remainder, or Expectancy, or the Trustees, Guardians, or Committees of any such Persons, shall be entitled to purchase such Rents, or any Part thereof, in Preference to any other Person or Corporation not having any Estate or Interest therein, until the Twenty-fifth Day of *December* One thousand eight hundred and twenty-four, according to the Priority of such respective Estates or

Interests, such Priority to be settled by the Commissioners of His Majesty's Treasury, in case the Parties shall differ about the same.

Treasury may demise Crown Lands at Rack Rent, or on Fine.

XVII. And be it further enacted, That it shall and may be lawful to and for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, from Time to Time, by Deed under their Hands and Seals, or the Hands and Seals of any Three or more of them, to demise and lease any Lands, Tithes, Tenements, or Hereditaments belonging to His Majesty, His Heirs or Successors, in Right of the Crown as aforesaid, for any Term not exceeding Twenty-one Years, at the best improved yearly Rent that can be reasonably had for the same, or upon Payment of any Sum or Sums of Money by way of Fine in Reduction of such Rent; and all and every Sum and Sums so received by way of Fine on any such Demise shall be paid into the Receipt of His Majesty's Treasury in *Ireland*, according to the Course of the said Exchequer, and shall be applied in manner directed by this Act.

Leases shall be enrolled and Rents put in charge and paid to Collector of Excise.

XVIII. And be it further enacted, That all Demises and Leases so made shall be enrolled in the Office of the Auditor General of the Exchequer in *Ireland*, and the Rents thereof put in charge in the Excise Districts in which such Lands are situate; and the Rents thereof shall be paid to the Collector of Excise of such District, and shall be accounted for in like Manner as other Monies received by such Collector.

All Money paid into Exchequer of Ireland under this Act shall be laid out in Stock at the Bank of Ireland in the Name of the Treasury, not transferable but by Authority of Parliament; and the Interest applicable as Land Revenue.

XIX. And be it further enacted, That all and every Sum and Sums of Money which shall be paid into the Receipt of His Majesty's Exchequer in *Ireland*, according to the Course of the said Exchequer, under and by virtue of this Act, on account of the Sale of any Quit Rent, Crown Rent, or other Rent, or of any Lands, Tithes, Tenements, or Hereditaments, shall from Time to Time be laid out by the Vice Treasurer of *Ireland* for the Time being, in the Purchase of Stocks, Funds, or Annuities transferable at the Bank of *Ireland*, in the Name of the Lord High Treasurer, or the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being; and the Governor and Company of the Bank of *Ireland* are hereby authorized and required to permit Transfers to be made into the Name of the Lord High Treasurer or Commissioners of the Treasury, of the Stock, Funds, or Annuities to be purchased accordingly, and such Transfer to be accepted by the said Vice Treasurer of *Ireland* for and in the Name of the said Lord High Treasurer or Commissioners of the Treasury; and the said Vice Treasurer is hereby authorized and required to accept the same accordingly; and all and singular the Stock, Funds, and Annuities so to be purchased shall remain invested in the Names of the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being; and no Part of such Stock, Funds, or Annuities shall be transferred or transferable at any Time without the Authority of Parliament; but all the Interest or Dividends on such Stock, Funds, or Annuities, shall be from Time to Time paid by the Governor and Company of the Bank of *Ireland*, into the Hands of such

such Person or Persons as shall be appointed to receive such Interest or Dividends, by Warrant under the Hand and Seal of the Lord High Treasurer, or of the Commissioners of His Majesty's Treasury, or any Three of them, for the Time being, and shall by force and virtue of this Act be deemed and taken in Law to be Part of the said Land Revenue of the Crown in *Ireland*, and shall be from Time to Time answered, accounted for, and appropriated to such and the same Uses and Purposes as the Land Revenue of the Crown in *Ireland* now is or would hereafter be liable to be applied and appropriated to in case this Act had not been made.

Conveyance made under this Act, of Lands under the Crown, not to affect any Claim of Commonage.

XX. Provided always, and be it enacted, That this Act or any thing herein contained, or any Conveyance made under this Act, of any Lands the Property of His Majesty, His Heirs or Successors, in Right of the Crown, shall not extend or be construed to extend in any way to affect any Claim of Commonage, or any other Claim of any Person or Persons, other than His Majesty, His Heirs or Successors, over or upon any such Lands; but any such Claim of Commonage, or other Claim, shall be and continue in all Respects as if this Act had not been made.

Act may be amended.

XXI. And be it further enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be made in this present Session of Parliament.

Commencement of Act.

XXII. And be it further enacted, That this Act shall commence and take effect from and after the Expiration of Ten Days next after the passing thereof.

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