CHAP. 111.

An Act to make provision in relation to certain Beerhouses not duly qualified according to Law. [10th August 1870.]

WHEREAS in misapprehension of the provisions of an Act passed in the third and fourth years of the reign of Her present Majesty, chapter sixty-one, licenses and certificates for the sale of beer and cider have been granted in respect of houses not duly qualified as by the first section of the said Act is required:

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, as follows:

Rating qualification and closing hours of beerhouses within townships where separate poor rate is or can be made.

1. A dwelling-house, if situated within a township for which a separate poor rate is or can be made, or within a hamlet for which a separate poor rate is or can be made, shall, for the purpose of determining by reference to population, in accordance with the first and fifteenth sections respectively of the said Act, the rating qualification and the closing hour applicable to such house as a house for the sale of beer or cider, be deemed to be within such township or hamlet, as the case may be, and not within any larger area of which such township or hamlet forms a part.

Restricted application of Act.

2. This Act shall apply exclusively to houses in respect of which licenses under Acts to permit the general sale of beer and cider by retail in England are in force at the time of the passing of this Act, and to such houses so long only as such licenses or any renewal thereof shall remain in force.

Short title.

3. This Act may be cited for all purposes as "The Beerhouse Act, 1870."

CHAP. 112.

An Act to amend the Act of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, in part, and to afford facilities for obtaining Loans for the erection, enlargement, and improvement of Glebe Houses, and for the acquirement of lands for Glebes, in Ireland. [10th August 1870.]

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 the execution of the said Act to make loans or advances for works on security, by writing obligatory alone, upon the terms and conditions in the said Act mentioned:

And whereas it is expedient to afford facilities for obtaining loans for the erection, enlargement, and improvement of glebe houses, and for the acquirement of lands for glebes, in Ireland:

And whereas for the purposes aforesaid it is expedient to amend the said recited Act and to authorise the said Commissioners of Public Works in Ireland to make loans to the amount, upon the security, and in the manner by this Act authorised:

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:

Short title.

1. This Act may be cited for all purposes as "The Glebe Loan (Ireland) Act, 1870."

Interpretation of terms.

2. In this Act—

The term "ecclesiastical person" means and includes any archbishop, bishop, clergyman, priest, curate, or minister of any religious denomination whatsoever:

The term "work" means the erection, enlargement, or structural improvement of any dwelling-house for any ecclesiastical person having spiritual charge, as regards members of his own denomination, of any parish or district in which such work is executed, or permanently officiating in any church or chapel within such parish or district:

The term "glebe" means any piece or parcel of land, not exceeding in the whole ten acres, occupied or to be occupied by any ecclesiastical person while having spiritual charge of any parish or district in respect of which such glebe shall be purchased or acquired.

The Commissioners of Public Works may make advances to such amounts as may be sanctioned.

3. It shall be lawful for the Commissioners of Public Works in Ireland, during the continuance of this Act, with the sanction of the Commissioners of Her Majesty's Treasury, out of moneys issued to them or to be issued to them in pursuance of the provisions of the several Acts in the schedule to this Act annexed mentioned, to make loans to any person or persons of such sums as the said Commissioners of Public Works may think right and proper, upon the security and subject to the conditions by this Act authorised, for all or any of the purposes following; (that is to say,)

1. The execution of any work.
2. The purchase of any glebe.
3. The discharge of any debt due and incurred before the passing of this Act in the purchase of any dwelling-house for any ecclesiastical person having spiritual charge, as regards members of his own denomination, of the parish or district in which such dwelling-house is situate, or permanently officiating in any church or chapel within such parish or district, or in the purchase of any glebe.

One third of estimated cost of work to be secured.

Loan only to amount to two thirds of purchase money of glebe.

4. The person or persons to whom such loans shall be granted for the execution of any work shall previously expend, secure, or deposit, in such manner as the said Commissioners of Public Works shall direct, a sum equal to not less than one third of the estimated cost of the construction of the proposed work; and no person or persons shall, for the purpose of purchasing any glebe or discharging any debt incurred before the passing of this Act in the purchase of any glebe, be granted by way of loan a sum greater than two thirds of the purchase money to be paid or already paid for such glebe.

Security for repayment of loan for work.

5. The repayment of every loan which shall be made under the provisions of this Act for the purpose of executing any work, or discharging any debt incurred before the passing of this Act in the purchase of any dwelling-house for any ecclesiastical person as aforesaid, shall be secured by mortgage, bond, or otherwise, as the said Commissioners of Public Works, with the approval of the Commissioners of Her Majesty's Treasury, may think right; and every such security other than a mortgage shall be entered into by at least three persons, the sufficiency and solvency of which persons shall be made out to the satisfaction of the said Commissioners of Public Works, and shall be subject to such conditions as the said Commissioners of Public Works, with such approval as aforesaid, shall deem to be proper.

Security for repayment of loan for glebe.

6. Every loan which shall be made under the provisions of this Act for the purchase of any glebe or the discharge of any debt incurred before the passing of this Act in the purchase of any glebe shall be repaid by the payment of an annual rentcharge of the amount and for the time herein-after mentioned, and every such glebe shall be deemed to be and shall be well charged with the payment of such rentcharge, and that in priority of all charges and incumbrances whatsoever, save and except quitrents and rentcharges in lieu of tithes, and also save and except all charges prior in date, if any, existing under or by virtue of any of the Acts mentioned in the schedule to this Act annexed; and all the provisions of the Act passed in the tenth and eleventh years of the reign of Her present Majesty, chapter thirty-two, as to the recovery of rentcharges payable thereunder, shall extend and apply to the recovery of rentcharges charged under the provisions of this Act upon glebes.

7. Every loan which shall be made under the provisions of this Act shall be repaid by the payment to Her Majesty of an annual sum of five pounds for every one hundred pounds of such loan from time to time advanced, and so on in proportion for any lesser amount, and to be payable for the term of thirty-five years, to be computed from the date of the advance in respect of which the said annual sum shall be charged, such annual sum to be paid by equal half-yearly payments on the fifth day of April and tenth day of October in every year during the said term of thirty-five years, with such apportionment, if any, as may be necessary in respect of the first and last of such payments: Provided always, that the amount of such annual sum may, by agreement, and 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 thirty-five years hereinbefore appointed.

Loan to be repaid by annuity. 29 & 30 Vict. c. 40. s. 3.

Rentcharge may be increased so as to repay sum advanced sooner than time appointed.

8. No mortgage, bond, obligation, security, contract, agreement, or other instrument whatsoever executed under the provisions of this Act, nor any memorial thereof for registration, shall be liable to any stamp duty whatever.

Mortgages, &c. under this Act exempt from stamp duty.

9. From and after the passing of this Act sections thirty-seven and thirty-eight of the Act of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, shall be and the same are hereby repealed.

Sects. 37. and 38. of 1 & 2 Will. 4. c. 33. repealed.

10. The provisions of this Act, except the next preceding section, shall continue in operation until the first day of September one thousand eight hundred and seventy-five, and no longer.

Duration of Act.

SCHEDULE.

1 & 2 Will. 4. c. 33.
10 & 11 Vict. c. 32.
12 Vict. c. 23.
13 & 14 Vict. c. 31.
29 & 30 Vict. c. 40.