CHAP. 100.

An Act to amend "The Glebe Loan (Ireland) Act, 1870." A.D. 1871.

[21st August 1871.]

WHEREAS by "The Glebe Loan (Ireland) Act, 1870," the Commissioners of Public Works in Ireland are authorised to make advances out of public money by way of loan for the several purposes in the said Act mentioned: 33 & 34 Vict. c. 112.

And whereas it is expedient to amend and extend the provisions of the said Act:

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:

1. This Act may be cited as "The Glebe Loan (Ireland) Amendment Act, 1871," and this Act and "The Glebe Loan (Ireland) Act, 1870," shall be read together and construed as one Act; and the said Acts may be cited as "The Glebe Loan (Ireland) Acts, 1870 and 1871." Short title.

2. The term "principal Act" in this Act shall mean "The Glebe Loan (Ireland) Act, 1870:" Interpretation of terms.

The term "the board" in this Act or in any proceedings or document under the same shall mean "The Commissioners of Public Works in Ireland:"

The term "work" in the principal Act used shall also include offices and inclosures.

3. The board for the purposes of the principal Act and of this Act shall be incorporated under the style of "The Commissioners of Public Works in Ireland," and by that name shall have succession, and shall have a common seal, to be by them made and from time to time altered, as they shall think fit; and all courts, judges, justices, and persons judicially acting, and other officers shall take judicial notice of such seal, and every order or other act of the Incorporation of Commissioners of Public Works in Ireland.

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board in reference to the principal Act or this Act, or copies of the same purporting to be sealed with such seal, shall be received in evidence without further proof.

Additional purposes for which loans may be granted.

4. In addition to the purposes for which loans may be made, as stated in section three of the principal Act, the board may also make loans in the manner and subject to the conditions therein mentioned for either of the purposes following; viz.,—

1. The purchase of any dwelling-house, with or without offices, deemed desirable for the dwelling-house of any ecclesiastical person, such loan not to exceed two thirds of the purchase money:
2. The discharge of any debt due and incurred before the tenth day of August one thousand eight hundred and seventy, in the erection, enlargement, or structural improvement of any such dwelling-house or offices thereto annexed, such loan not to exceed two thirds of the amount expended on such building.

Security for the repayment of loan.

5. Every such loan made under this Act shall be repaid by the payment of an annual rentcharge as in the principal Act mentioned, and all lands, buildings, and premises in respect of which any such loan shall be made shall be deemed to be and shall be well charged with the payment of such rentcharge, and that in priority to all charges and incumbrances whatsoever affecting such estate or interest, save and except quitrents and rentcharges in lieu of tithes, and except all charges prior in date (if any) existing under any of the Acts mentioned in the schedule to the principal Act: Provided always, that in case such lands, buildings, or premises shall be held under any grant or demise, nothing therein contained shall prejudice or affect the right of the grantor or lessor in any such grant or demise, or of any superior grantor or lessor; and every such rentcharge shall be recovered in like manner as any rentcharge under the principal Act.

Insurance of premises subject to loan.

6. When any loan shall be made under the principal Act or this Act, the board, if they think fit, may insure against damage by fire all buildings and erections then or thereafter standing or being on the lands, hereditaments, and premises charged with such loan, such insurance to be effected in such insurance office or company, and in such sum of money, not exceeding the amount of such loan, as the board shall from time to time direct; and the board shall keep on foot such insurance as aforesaid, and all premiums paid thereon by the board shall be deemed to be included in all charges

and securities whereby repayment of such loan shall be secured, and shall be forthwith recoverable in like manner as any instalment of the rentcharge payable in respect of such loan.

Commissioners to make an order under their seal.

7. In all cases of loans under the principal Act or this Act, the board shall make an order under their seal, declaring that such loan has been made, and setting forth the amount of such loan, the names of the persons to whom or on whose application the same has been made, and a description of the lands, hereditaments, or premises charged therewith, and such order may be in the form set forth in the schedule to this Act, or to a similar effect.

Commissioners to register order for loan.

8. In all cases where the board shall have made any such order they shall execute under their common seal a duplicate thereof, and forthwith cause the said duplicate order to be lodged with the registrar of deeds in the office for registry of deeds in the city of Dublin, and the registrar of the said registry office, his and their assistants, deputies, and other officers, shall register the same in the same manner as any deeds or instruments are registered in said office, and shall enter a memorial thereof in the abstract books and indexes of or relating to memorials registered and kept in the said office, and shall return such registry in any search made in such registry office: Provided always, that no fees shall be payable in respect of such registration.

The premises to become chargeable with the payment of rentcharge.

9. From the date of such order, the lands, hereditaments, and premises therein mentioned shall become charged with the rentcharge to be payable in respect of any loan under the principal Act or this Act, and every such order shall be conclusive evidence of all facts stated therein in pursuance of the provisions of this Act.

Rentcharge to be paid to the board.

10. The rentcharge reserved to Her Majesty under the principal Act or this Act shall be paid to the board, and the receipt of the accountant of the board for the time being shall be a sufficient discharge for the same.

Ecclesiastical person in occupation, &c. to pay rentcharge.

11. The ecclesiastical person for the time being occupying or entitled to occupy the lands, buildings, or premises in respect of which any loan shall have been made under the principal Act or this Act shall be deemed personally liable to pay and discharge the annual rentcharge and arrears thereof, premiums of insurance, and other moneys on account of such loan accruing due during the term or interest of such person.

All the powers and provisions contained in the Acts mentioned in the schedule to the principal Act, and relating to the recovery of rentcharges under the provisions of the said Acts, shall apply to

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the recovery of rentcharges under the provisions of the principal Act and of this Act.

Certificate of amount due to be evidence.

12. In any proceedings which shall be taken for recovery of any rentcharge aforesaid or premium of insurance, a certificate under the seal of the board certifying that a loan has been made under the principal Act or this Act, and the amount thereof, and the annual amount of rentcharge payable in respect thereof, and the lands, hereditaments, and premises charged therewith, and the annual amount of fire insurance premiums or other moneys payable in respect of the premises the subject of such loan, and the amount due in respect of such rentcharge, premiums, and moneys respectively, shall be conclusive evidence in all judicial proceedings of the matters therein certified.

Power to redeem rentcharge.

13. Any ecclesiastical person entitled to occupy any lands, buildings, or premises in respect of which any loan may have been made subject to any such rentcharge as aforesaid shall be at liberty, at any time before the expiration of the period for which such rentcharge shall be payable, to redeem the same, on payment to the board of the arrears, if any, thereof, and of such sum as shall be equal to the value of such rentcharge, to be ascertained by the said board, and upon the expiration or redemption of such rentcharge, and on payment of all premiums or other moneys payable in connexion therewith, and of all costs, charges, and expenses (if any) incurred in any proceedings to recover the same, the board shall execute under their seal and deliver to such ecclesiastical person a certificate stating that all moneys chargeable upon such lands, buildings, and premises have been paid, and the board shall also execute a duplicate certificate to the like effect, and the board shall cause such duplicate certificate to be registered in the like manner as the order herein-before mentioned in the office for the registry of deeds in the city of Dublin, and for which registration no fee shall be payable, and upon the execution and delivery of such certificate the lands, buildings, and premises so mentioned therein shall be released from all liability in respect of such loan.

Sect. 10. of principal Act repealed.

14. The tenth section of the principal Act is hereby repealed, and in lieu thereof it is hereby enacted, that no loan under the provisions of the principal Act or this Act shall be made after the thirty-first day of August which will be in the year one thousand eight hundred and seventy-five.

SCHEDULE.

"The Glebe Loan (Ireland) Acts, 1870 and 1871."

Charging Order.

Whereas under the provisions of the above-mentioned Acts the Commissioners of Public Works in Ireland have made a loan of the sum of £ upon the application of in the county of for the purpose of :

Now we the said Commissioners do hereby order and declare that the lands, hereditaments, and premises to be charged with the said loan are as follow; that is to say, situate in the parish of barony of in the county or county of the city of .

In witness whereof we the said Commissioners of Public Works in Ireland have hereunto and to a duplicate hereof affixed our common seal, this day of in the year of our Lord 187 .

LONDON: Printed by George Edward Eyre and William Spottiswoode, Printers to the Queen's most Excellent Majesty. 1871.