Repayment of loans made by the Board of Works.

12. If at any time before the passing of this Act the Commissioners of Public Works in Ireland shall have advanced money to any Board of Guardians for the purchase of seed, the sum so advanced, or any part thereof remaining unpaid from time to time, shall be a charge upon the rates leviable on such electoral division or divisions in the union as the Local Government Board shall appoint; and such sum or part shall be repaid in the same manner as sums lent by the Commissioners of Public Works to Boards of Guardians under the authority of this Act, and the provisions of this Act relative to the repayment of loans made under the authority of this Act shall apply to such loans made before the passing of this Act.

Confirmation of expenditure by Guardians, and indemnity.

13. If at any time before the passing of this Act any outlay shall have been made by any Board of Guardians, with the sanction of the Local Government Board, for the purchase of seed for sale to occupiers of land or other persons qualified to purchase such seed under this Act in the union, such outlay, and all resolutions and proceedings of the board and of their officers in relation thereto, shall be ratified and confirmed and be as valid and effectual as if the outlay had been made and the resolutions and proceedings had been passed and taken under the authority and in compliance with the provisions of this Act; and all persons who have acted in any manner in making any loan to any Board of Guardians, or in making any advance of money to the Commissioners of Public Works for the purpose of any such loan, or in making such outlay for seed, shall be released and indemnified from and against any penalties and surcharges in consequence thereof.

No electoral disability.

14. No electoral disability or loss of Parliamentary or other franchise shall be incurred by any voter who may be granted assistance under the provisions of this Act.

CHAPTER 2.

An Act to amend the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1875. [15th March 1880.]

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:

Short title and construction of Act.

38 & 39 Vict. c. 49.

1. This Act may be cited as the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1880.

This Act shall be construed as one with the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1875, (in this Act referred to as the principal Act,) and the principal Act and this Act may be cited together as the Artizans and Labourers Dwellings Improvement (Scotland) Acts, 1875 and 1880.

Amendment of schedule to principal Act.

2. The schedule to the principal Act shall be construed as if the schedule to this Act formed part thereof.

As to assessment of compensation.

3. On the occasion of assessing the compensation payable under any improvement scheme in respect of any house or premises situate within an unhealthy area, evidence shall be receivable by the arbitrator to prove that at the date of the confirming Act authorising such scheme, or at some previous date not earlier than the date of the official representation in which the scheme originated, such house or premises was by reason of its unhealthy state, or by reason of overcrowding or otherwise, in such a condition as to have been a nuisance within the meaning of the Acts relating to nuisances; and if the arbitrator is satisfied that, from either of such causes as aforesaid, such house or premises was, at such dates as aforesaid or either of them, a nuisance as aforesaid, he shall then determine what would have been the value of such house or premises supposing the nuisance to have been abated, and what would have been the expense of abating the nuisance; and the amount

of compensation payable in respect of such house or premises shall be an amount equal to the estimated value of the house or premises after the nuisance was abated, and after deducting the estimated expense of abating the nuisance.

Amendment of 38 & 39 Vict. c. 49. s. 5. as to the provision of accommodation for the working classes.

4. Whereas by the fifth section of the principal Act it is provided, amongst other things, that an improvement scheme of a local authority shall provide for the accommodation of at least as many persons of the working classes as may be displaced in the area with respect to which the scheme is proposed in suitable dwellings which, unless there are special reasons to the contrary, shall be situate within the limits of the same area or in the vicinity thereof;

And whereas it not unfrequently happens that, having due regard to the requirements of persons of the working classes displaced by an improvement scheme, equally convenient accommodation at a much less cost can be furnished to such persons or some of them at some place other than within the area or the immediate vicinity of the area from which they have been displaced: Be it enacted that—

Where it is proved to the satisfaction of the confirming authority on an application to authorise or modify an improvement scheme that equally convenient accommodation can be provided for any persons of the working class displaced by an improvement scheme at some place other than within the area or the immediate vicinity of the area comprised in the improvement scheme, and it is also proved to the satisfaction of such authority that the required accommodation has been or is about to be forthwith provided, it shall be lawful for the confirming authority accordingly to authorise any such improvement scheme or to permit a modification of any such scheme, and the requirements of the principal Act with respect to providing accommodation for persons of the working class shall, to the extent to which accommodation is provided in accordance with this section, be deemed to have been complied with.

A local authority may for the purpose of providing accommodation for persons of the working classes displaced by any improvement scheme, appropriate any lands for the time being belonging to them which are suitable for the purpose, or may purchase by agreement any such further lands as may be convenient.

Definition of "Acts relating to nuisances." 30 & 31 Vict. c. 101.

5. The Acts relating to nuisances mean as respects any place in Scotland, the Public Health (Scotland) Act, 1867, and any local Act which contains any provisions with respect to nuisances in that place.

SCHEDULE.

Notice of appointment of arbitrator.

1. The publication by the local authority of the appointment of the arbitrator, and the other particulars mentioned in article six of the schedule to the principal Act, shall be made not only by advertisement, but also by placards and handbills affixed in conspicuous places on or near the lands to be taken, and also by leaving a notice thereof at each house proposed to be taken, and also by sending a notice thereof by post to the persons interested in such lands as owners or reputed owners, lessees or reputed lessees, so far as they can be reasonably ascertained.

Power of arbitrator as to apportionment 8 & 9 Vict. c. 19.

2. The arbitrator shall have the same power of apportioning any feu duty, ground-annual, casualty of superiority, or any rent or other annual or recurring payment or incumbrance, or any rent payable in respect of lands comprised in a lease, as the sheriff has under the Lands Clauses Consolidation (Scotland) Act, 1845.

Amendment respecting severance of properties. 8 & 9 Vict. c. 19.

3. Notwithstanding anything in section ninety of the Lands Clauses Consolidation (Scotland) Act, 1845, the arbitrator may determine that such part of any house, building, or manufactory as is proposed to be taken by the local authority can be taken without material damage to such house, building, or manufactory, and if he so determine may award compensation in respect of the severance of the part so proposed to be taken, in addition to the value of that part, and thereupon the party interested shall be required to sell and convey to the local authority such part, without the local authority being obliged to purchase the greater part or the whole of such house, building, or manufactory.

The local authority, or any person interested, if dissatisfied with a determination under this enactment, may, in manner provided by article twenty-six of the schedule to the principal Act, submit the question of whether the said part can be taken without material damage, as well as the

question of the proper amount of compensation, to a jury; and the notice of intention to appeal shall be given within the same time as notice of intention to appeal against the amount of compensation awarded is required to be given.

Omitted interests. 8 & 9 Vict. c. 19.

4. The amount of purchase money or compensation to be paid in pursuance of section one hundred and seventeen of the Lands Clauses Consolidation (Scotland) Act, 1845, in respect of any estate, right, or interest in or charge affecting any of the scheduled lands which the local authority have through mistake or inadvertence failed or omitted duly to purchase or make compensation for, shall be awarded by the arbitrator and be paid in like manner, as near as may be, as the same would have been awarded and paid if the claim of such estate, right, interest, or charge had been delivered to the arbitrator before the day fixed for the delivery of statements of claims; with this qualification, that the first award of the arbitrator shall be final, and not provisional.

If the arbitrator is satisfied that the failure or omission to purchase the said estate, right, interest, or charge arose from any default on the part either of the claimant or of the local authority, he may direct the costs to be paid by the party so in default.

CHAPTER 3.

An Act to amend the Law relating to the Salaries and Allowances of certain Officers in India; and for other purposes relating thereto.

[15th March 1880.]

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:

Short title.

1. This Act may be cited as the Indian Salaries and Allowances Act, 1880.

Power to regulate certain allowances for equipment, &c.

2. It shall be lawful for the Secretary of State in Council of India from time to time to fix, alter, or abolish the allowances for equipment and voyage of the several officers specified in the First Schedule to this Act, or any of them.

Power to regulate certain ecclesiastical salaries.

3. It shall be lawful for the Secretary of State in Council of India from time to time to fix and alter the salaries, and to fix, alter, or abolish the allowances of the bishops and archdeacons of Calcutta, Madras, and Bombay, or any of them:

Provided that nothing in this section shall affect the salary or allowances of any person who is such bishop or archdeacon at the passing of this Act.

Charges on Indian revenues not to be increased.

4. Nothing in this Act shall authorise the imposition of any additional charge on the revenues of India.

Repeal of enactments in Second Schedule.

5. The enactments described in the Second Schedule to this Act are hereby repealed to the extent in that Schedule mentioned.

SCHEDULES.

FIRST SCHEDULE.

The Governor-General of India and the Members of his Council.
The Governors of Madras and Bombay and the Members of their Councils.
The Commander-in-Chief of the Forces in India.
The Commanders-in-Chief of Madras and Bombay.
The Bishops and Archdeacons of Calcutta, Madras, and Bombay.