any Regulation of the said Commissioners to be inserted in such Requisition; and he shall also correctly fill up the Counterfoil of such Requisition with all such Particulars as aforesaid, and retain such Counterfoil, and produce and deliver the same to any Officer of Excise who may require to inspect the same, under the Penalty of Fifty Pounds for any Neglect, Omission, or Refusal in respect of any Matter or Thing in this Cause enjoined or required to be done. and Counterfoil, and produce the latter to Officer when required.

XIII. It shall be lawful for any Officer of Excise, in the Daytime, to enter and inspect the Premises where Methylated Spirit is or may be used by any Person licensed or authorized as aforesaid to use the same; and it shall also be lawful for any such Officer to inspect, examine, and take Samples from all such Methylated Spirit as he may there find, paying a reasonable Compensation for such Samples; and if any Person shall refuse to allow such Officer to enter any such Premises, or to make such Inspection or Examination, or to take any such Sample as aforesaid, such Person so refusing shall forfeit the Sum of Fifty Pounds. Officers of Excise may enter Premises where Methylated Spirit is used, and inspect and take Samples.

XIV. Provided always, That it shall be lawful for the Commissioners of Inland Revenue, if they shall think fit, at any Time, to revoke their Licence or Authority granted to any Person to make or to receive or use Duty-free Methylated Spirit, under the Provisions of this Act, and also to revoke their Approval of any Warehouse, Building, or Room as a Place for mixing, making, or storing any such Spirit. Commissioners may revoke Authority to make or use Methylated Spirit, &c.

XV. Provided always, That no Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to any Person respecting whom Notice in Writing shall have been given to such Maker by any Supervisor or other Superior Officer of Excise, that the Licence or Authority granted to such Person to receive or use Methylated Spirit has been revoked, or that such Person is otherwise disqualified to receive or use such Spirit, notwithstanding that such Person may produce and deliver to such Maker of Methylated Spirit a proper Form of Requisition for such Spirit, accompanied by such Certificate as herein-before mentioned; and if any Maker of Methylated Spirit shall sell, supply, or deliver any such Spirit to or for the Use of any Person respecting whom he shall have received any such Notice as aforesaid, such Maker shall be charged with and shall pay for and upon such Spirit the Rate of Duty chargeable upon Spirits distilled in that Part of the United Kingdom where he shall make Methylated Spirit. Makers not to supply Methylated Spirit to Persons whose Authority to use the same is revoked.

XVI. No Person other than a Distiller or Rectifier or licensed Person authorized respectively to make Mythelated Spirit, or a Person licensed or authorized, under the Provisions of this Act, to receive and use Mythelated Spirit, shall have any such Spirit in his Possession; and if any Mythelated Spirit shall be found in the Possession of any Distiller or Rectifier or Person licensed to make such Spirit, otherwise than in a Room or Place duly entered for making, mixing, or storing such Spirit, or if any Methylated Spirit shall be found in the Possession of any Person not licensed or authorized as aforesaid, except on the Removal thereof accompanied by a proper Permit or Certificate in that Behalf, all such Methylated Spirit so found as aforesaid shall be forfeited, and may be seized by any Officer of Excise, and the Person in whose Possession the same shall be found shall forfeit the Sum of One hundred Pounds. Methylated Spirit found in the Possession of a Person not entitled to have same, or in an unentered Place, forfeited, and Penalty incurred.

XVII. This Act shall commence and take effect on the First Day of *October* One thousand eight hundred and fifty-five. Commencement of Act.

CAP. XXXIX.

An Act to facilitate Grants of Lands and Tenements for the Purpose of Religious Worship and other Purposes connected therewith. [26th *June* 1855.]

'WHEREAS many Congregations of Persons not belonging to the Established Church in *Ireland* have been and are in many Cases prevented from erecting suitable Buildings for Religious Worship, and for the Residence of their Clergymen, Ministers, and Pastors, and Schoolhouses for the Education of their Children, and from providing suitable Burial

'Grounds, by the Difficulty of obtaining Leases of Land of sufficient Duration for such 'Purposes, and in many Cases have been obliged to use for the Purposes aforesaid Lands 'granted or demised for Terms of short or uncertain Duration, and it is expedient that 'Tenants for Life and other Persons having limited Interests in Lands should be enabled 'for the Purposes aforesaid to make Grants or Leases for any Period not exceeding the 'Estate or Interest out of which such limited Interest is created, and to accept Surrenders 'of and convert into Leases for such extended Period any Leases of short or uncertain 'Duration already made for such Purposes or any of them:' 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:

Interpretation of Terms.

I. In the Construction of this Act the Words "Grantor" or "Lessor" shall extend to a Body Politic, Corporate, or Collegiate, making Grants or Leases:

The Word "Lessee" shall include the personal Representatives of any Lessee and his lawful Assigns:

The Word "Person" shall include any Body Politic, Corporate, or Collegiate:

The Expression "Perpetual Interest" shall comprehend, in addition to any greater Interest, any Estate for One or more than One Life, with or without a Term for Years, or for Years, whether absolute or determinable on One or more than One Life, with a Covenant or Agreement by a Party competent thereto for perpetual Renewal:

The Expression "Successors in Estate" shall extend to and include the Persons entitled for the Time being after the Lessor to the actual Receipt of the Rents and Profits of the Lands comprised in the Lease, under the same Title, Settlement, or Will with the Lessor, or under the Exercise of any Power affecting such Title or continued in such Settlement or Will, and who but for the making of the said Lease would be entitled to Possession of the Lands, or to the Possession subject to any other existing Lease or Tenancy:

The Word "entitled" shall mean entitled either legally or equitably:

The Word "Settlement" shall include every Assurance or connected Set or Series of Assurances, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be limited in a Course of Settlement, or agreed so to be.

Short Title.

II. In citing this Act in any Instrument, Document, Proceeding, or Act of Parliament, it shall be sufficient Designation to use the Expression "The Leasing Powers Act for Religious Worship in (*Ireland*), 1855."

With respect to the Persons hereby empowered to make Leases:

Power to make Leases of Land of not more than Five Acres for religious Purposes.

III. Every Person herein-after described entitled in possession to any Estate or Interest herein-after named in Lands in *Ireland*, or to the Receipt of any Rents and Profits thereof, whether or not such Estate shall be subject to any Mortgage or other Incumbrance (provided the Incumbrancer shall not be in possession), shall have Power to make Leases of any Part of the said Lands, (other than the Mansion House and Demesne Lands or Parks, Plantations, Gardens, Orchards, or Pleasure Grounds and Appurtenances belonging to or usually occupied with such Mansion House,) and not exceeding in the whole Five Acres, for the Purposes and Periods of Time, and subject to the Rents, Rights of Apportionment of Rent, Covenants, and Conditions herein stated; (that is say,)

(1.) Her Majesty the Queen and Her Successors; the Commissioners of Her Majesty's Woods and Forests in respect of Lands situate in the Kingdom of *Ireland*:

(2.) Tenants in Fee Simple or Fee Farm or seised of any other perpetual Estate subject to any Mortgage or Incumbrance:

(3.) Tenants in Tail or Quasi-Entail of an Estate of Inheritance or perpetual Interest:

(4.) Tenants for the Term of their own Lives, not being Jointresses, or for the Life or Lives of any other Person or Persons, or for so many Years as they may live, or any partial Owner, for an unexpired Term of Years not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by any Settlement, and not in consideration of or subject to any Rent reserved thereby:

(5.) Married

(5.) Married Women entitled to any Estate specified in Numbers (2.), (3.), or (4.), for their separate Use, and whether restrained or not from Anticipation:

(6.) Tenants by the Courtesy of *England*:

(7.) Husbands seised in right of their Wives, or by Entireties with their Wives, provided that the Wife is entitled to any such Estate as is specified in Number (2.), but whether subject to any Incumbrance or not, or in Numbers (3.) or (4.), and shall be a consenting and executing Party to the Lease, not being under Age:

(9.) Corporations Lay, Eleemosynary, and Collegiate, whether aggregate or sole: Provided, that no Lease made by any Municipal Corporation or Board of Guardians of the Poor shall be valid without the Licence in Writing in the Case of a Municipal Corporation of the Commissioners of Her Majesty's Treasury, and in the Case of such Board of Guardians of the Poor of the Poor Law Commissioners for *Ireland*, such Licence to be written on or annexed to the said Lease:

(10.) Trustees and Feoffees of charitable Uses of a public Nature, and seised or possessed of an Estate in Fee Simple, Fee Farm, or other perpetual Interest:

(11.) Trustees under any Will or Settlement entitled in Fee Simple or for a perpetual Interest or to any Estate specified in Number (4.), and having a Power to sell the same: Provided, however, that when such Power is to be exercised with the Consent of any Person no such Lease shall be valid without such Consent.

And with respect to Cases of Disability of Parties otherwise entitled to make Leases:

In Cases of Disability of Parties, Guardians, &c. may make Leases.

IV. In case any Person (not being a Trustee or Feoffee of charitable Uses of a public Nature) who would be entitled to make Leases under this Act or otherwise shall happen to be under any of the following Disabilities or Incapacities, the Power shall be exercised in his or her Name and on his or her Behalf in the following Manner: If under the Age of Twenty-one Years, by his or her Guardian appointed by Will or Settlement, or by the Court of Chancery; and if such Person have no Guardian, it shall be lawful for the Court of Chancery in *Ireland*, on Petition in a summary Way, to appoint a Guardian of such Person under Age, for the Purpose of executing any Lease under this Act, in the Manner aforesaid, and to change him from Time to Time, and the Power shall be executed by the Guardian so appointed: If lunatic or idiot, or *non compos mentis*, by the Committee of the Estate; and if there shall be no Committee of the Estate, or no Inquisition finding such Person idiot or lunatic, it shall be lawful for the Court of Chancery in *Ireland*, by Petition in a summary Way, to appoint a Guardian of such Person, for the Purpose of executing any Lease under this Act, and to change such Guardian from Time to Time, and the Power shall be executed as aforesaid by the Guardian so appointed: Provided always, that no Lease made under this Act of the Estate of any Person under Age or of unsound Mind or *non compos mentis* shall be valid without the Consent of the Court of Chancery, to be obtained in a summary Manner by Petition to the said Court of Chancery by any Party interested thereon.

The Purposes and Periods of Time for which Leases may be made under this Act shall be as follows:

Forms of Leases under this Act.

V. A Lease made by a Person empowered by this Act may be made of any Quantity of Land, not exceeding in the whole Five Acres, for a Site for a Place of Worship for such Congregation, and for the Residence of their Clergymen, Ministers, or Pastors, and for the Erection of a School or Schools and School Accommodation in connexion therewith, and for a Burial Ground for the Interment of its deceased Members, or for any One or more of such Purposes, and such Leases may be made in Fee Farm, or for any Term not exceeding Nine hundred and ninety-nine Years.

Provisions as to Leases made previous to the Act.

VI. Where any Lease or Grant shall have been made before the passing of this Act for any of the Purposes aforesaid, and for a Period less than the Term for which a Lease may be made under this Act, it shall be lawful for the Person enabled to make a Lease of such Land under this Act to accept a Surrender of such existing Lease or Grant, and make a new Lease under this Act of the same Land, or of the same Land and any other Land in conjunction therewith, provided that the entire Quantity comprised in such new Lease shall not exceed Five Acres.

VII. The

Rent reserved in any Lease to be the best improved Rent.

VII. The Rent reserved in any Lease made under this Act shall be the best improved Rent that at the Time of making such Lease can be obtained or reasonably expected from a solvent Tenant without Fine or Consideration of any Kind: Provided always, that in case of the Surrender of an existing Lease, and the Grant of a new Lease, of the same Land, under Section Six, the Value of any Buildings, Erections, or Improvements on said Lands theretofore made for any of the Purposes aforesaid shall not be taken into account in estimating the Rent to be reserved in such new Lease.

Conditions, &c. of Leases to be specified.

VIII. Every Lease made under this Act shall specify the Purposes for which it shall be made, and shall imply the following Covenants, Conditions, and Agreements on the Part of the Lessee, his Heirs, Executors, and Administrators, with the Lessor, his Executors, Administrators, and Successors in Estate, and the same shall be as effectual and binding as if they were expressly inserted in such Lease:

That the Lessee shall pay, when due, the Rent reserved, and all Taxes and Impositions payable by the Tenant:

That the Lessee shall repair, maintain, and keep the demised Premises during the Term in good and substantial Repair, with all Buildings, Fixtures, and Improvements:

That the demised Premises shall be applied for no other Purposes than those expressed in the Lease, or of the like Nature, and in default thereof it shall be lawful for the Lessor and his Successors in Estate to re-enter:

That in case the said Lands shall not be used for any of the Purposes expressed in said Lease for a Period of Three Years, it shall be lawful for the Lessor and his Successors in Estate to re-enter:

That it shall be lawful for the Landlord and his Agent at all reasonable Times to enter on and inspect the Premises:

Also to re-enter in case of any unlawful Assignment or Subletting.

Reserved Rent and Covenants of Lease to enure to proper Owner.

IX. The Rents reserved and the Covenants and Conditions contained or implied in any Lease made under this Act shall enure to the Persons who for the Time being would, if such Lease had not been made, be entitled to the actual Possession of the Lands comprised in the said Lease, or to the Receipt of the Rents and Profits thereof, according to their Estates and Interests therein.

Lease to be by Indenture.

X. Every Lease made under this Act shall be by Indenture sealed and delivered by or on behalf of the Lessor in the Presence of One or more than One Witness, and a Counterpart of every such Lease shall be executed by the Lessee thereof.

And with respect to the Force and Efficacy of Leases to be made pursuant to this Act, be it enacted as follows:

Lease to be binding on Lessor, his Heirs and Successors in Estate.

XI. Every Lease made pursuant to the Provisions of this Act shall be valid and effectual to bind the Lessor, his Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor derives, and notwithstanding any Entail, Law, or Custom to the contrary, and whether there be any leasing Power annexed or belonging to the Estate of such Lessor, but so as not to prejudice or interfere with any other Power of leasing to him belonging.

Informality in Proceedings not to affect the Lease.

XII. Where any Lease made in the intended Exercise of any supposed leasing Power conferred by this or any other Act of Parliament, or by any Settlement, shall be invalid by reason of the Lessor not having at the Time Power to make such Lease, and the Estate of such Lessor in the Lands comprised in such Lease shall have continued or shall have accrued and continued until after such Lease might have been lawfully granted, such Lease shall take effect out of such Estate, and be as valid as if it had been granted at such last-mentioned Time, provided such Lease had not been then already surrendered or relinquished.

Lease, in virtue of Power, valid though not expressed.

XIII. Where any Lease shall be made by a Lessor having a Power of leasing the Lands comprised in such Lease, and such Lease cannot take effect or have Continuance independently of such leasing Power, every such Lease shall take effect and be as valid as if the same were intended and had been expressed to have been granted in exercise of the said Power, although such Power be not referred to.