(*b*) that he is a person who persistently wanders abroad and, notwithstanding that a place of shelter is reasonably accessible, lodges or attempts to lodge as aforesaid; or

(*c*) that by, or in the course of, lodging as aforesaid he caused damage to property, infection with vermin, or other offensive consequence, or that he lodged as aforesaid in such circumstances as to appear to be likely so to do.

In this subsection the expression "a place of shelter" means a place where provision is regularly made for giving (free of charge) accommodation for the night to such persons as apply therefor.

(4) The reference in the said enactment to a person lodging under a tent or in a cart or waggon shall not be deemed to include a person lodging under a tent or in a cart or waggon with or in which he travels.

Short title and extent.

2.—(1) This Act may be cited as the Vagrancy Act, 1935.

(2) This Act shall not extend to Scotland or to Northern Ireland.

CHAPTER 21.

An Act to make provision for the winding up of the system of land purchase in Northern Ireland established by the Land Purchase Acts and other enactments in that behalf, for the abolition of the Land Purchase Commission, Northern Ireland, and the transfer of functions exercisable under the said Acts and other enactments, and for purposes incidental to the purposes aforesaid and consequential thereon. [6th June 1935.]

BE it enacted by the King'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 :—

Winding up of Land Purchase.

1.—(1) Subject to the provisions of the First Schedule to this Act—

(*a*) all powers to make advances for the purchase of land, or for the redemption of the rent of a holding, conferred on the Commission by the Acts relating to land purchase shall cease to be exercisable;

(*b*) all powers to purchase land conferred on the Commission by the Acts relating to land purchase shall cease to be exercisable, and section eight of the Act of 1925 shall cease to have effect; and

(*c*) the powers conferred on the Commission by section twelve of the Act of 1903, and by section thirty of the Act of 1909 (which sections respectively relate to the improvement of land and holdings) shall cease to be exercisable.

This subsection shall come into operation on the date of the passing of this Act.

(2) The provisions of this Act with respect to the transfer of functions exercisable, and property held, in connection with the execution of the Acts relating to land purchase shall have effect, and the Commission shall cease to exist.

(3) Subject to the provisions of the Second Schedule to this Act, the general subject-matter of the Acts relating to land purchase shall cease to be a reserved matter within the meaning of the Government of Ireland Act, 1920.

10 & 11 Geo. 5. c. 67.

Transfer of judicial functions to the Chancery Judge.

2.—(1) The functions of the Court of the Commission and of the Judicial Commissioner (except the functions of the Judicial Commissioner under section thirty-three of the Act of 1925 with respect to the making of rules under any of the powers thereby made exercisable by him) shall be transferred to and performed by the High Court, and all matters and proceedings which would have been within the cognisance of the Court of the Commission or of the Judicial Commissioner if this Act had not passed shall be assigned to the Chancery Judge.

(2) Appeals shall lie to His Majesty's Court of Appeal in Northern Ireland in respect of any matters or proceedings in respect of which immediately before the appointed day appeals lay to that Court from the Court of the Commission or from the Judicial Commissioner.

40 & 41 Vict. c. 57.

(3) Section fifty-five of the Supreme Court of Judicature (Ireland) Act, 1877, shall apply to the transaction of the business assigned to the Chancery Judge by this section, and subsections (4) and (5) of section twenty-eight of the Purchase of Land (Ireland) Act, 1891, shall cease to have effect.

54 & 55 Vict. c. 48.

(4) All matters and proceedings pending in the Court of the Commission, or before the Judicial Commissioner, at the appointed day shall be continued in the High Court and be assigned as aforesaid, and all appeals from the Court of the Commission, or from the Judicial Commissioner, pending at the appointed day shall be continued as if the determination to which the appeal relates had been given by the Chancery Judge, and the Chancery Judge or the Court of Appeal, as the case may be, may give any necessary directions as to the manner in which any such matters, proceedings or appeals are to be continued as aforesaid.

(5) Rules and orders required to be made in reference to the exercise of the functions transferred by virtue of this section shall be made and altered by the authorities in that behalf provided by the Supreme Court of Judicature (Ireland) Act, 1877, but, until they are superseded by rules or orders so made, the exercise of the functions transferred as aforesaid shall be regulated in accordance with the rules, orders and practice of the Commission in force immediately before the appointed day.

Transfer of certain administrative functions to the Ministry.

3. The following functions of the Commission shall be transferred to and performed by the Ministry, that is to say—

(*a*) functions under schemes framed under section twenty of the Act of 1903, and the powers to make regulations conferred by section four of the Turbary (Ireland) Act, 1891, and by section twenty-one of the Act of 1903, as extended by section twenty-six of the Act of 1925, and subsection (2) of section four of the Act of 1929;

54 & 55 Vict. c. 45.

(*b*) the power to determine questions conferred by section twenty-two of the Act of 1903;

(*c*) functions with respect to sporting rights and to rights to, or in relation to, mines or minerals;

(*d*) functions under subsection (2) of section twenty-seven of the Act of 1925;

(*e*) functions in respect of sums lodged with the Irish Land Commission and transferred to the Commission and set apart for the cleansing or maintenance of watercourses, drains, embankments, roads or other works;

(*f*) functions under section two of the Irish Land (Provision for Sailors and Soldiers) Act, 1919; 9 & 10 Geo. 5. c. 82.

(*g*) such other functions as may be specified in any Order in Council under this Act.

Transfer of certain functions of the Governor and of the Land Purchase Trustee to the Ministry.

4. There shall be transferred to and performed by the Ministry—

(*a*) the functions of the Governor of Northern Ireland under section twenty of the Act of 1903; and

(*b*) the functions of the Land Purchase Trustee for Northern Ireland in respect of sums transferred to him under section twenty-seven of the Act of 1925 and of any sums which before the passing of that Act had been set apart as a fund for purposes in Northern Ireland similar to the purposes mentioned in that section.

Transfer of power to make rules under s. 33 of the Act of 1925.

5. The functions of the Judicial Commissioner under section thirty-three of the Act of 1925 with respect to the making of rules under any of the powers thereby made exercisable by him shall be transferred and performed—

(*a*) in the case of rules for purposes relating or incidental to functions transferred to the Ministry by virtue of this Act, to and by the Ministry; and

(*b*) in the case of rules for purposes relating or incidental to functions transferred to the Treasury by virtue of this Act, to and by the Treasury.

Transfer of residue of administrative functions to the Treasury.

6.—(1) Any functions of the Commission, for the performance of which provision is not made by the foregoing provisions of this Act, shall be transferred to and performed by the Treasury, subject to such provisions as may be made by any Order in Council under this Act.

(2) Arrangements may be made by the Treasury for the performance of any of the said functions by any other Department of the Government of the United Kingdom, or by the Land Purchase Trustee for Northern Ireland, or by any officers of the Supreme Court, on such terms and conditions as may be agreed between the Treasury and that Department, or between the Treasury and the Lord Chief Justice of Northern Ireland, as the case may be.

(3) For the purposes of section seventy-six of the Supreme Court of Judicature (Ireland) Act, 1877 (which confers a right to pension or compensation on an officer appointed in pursuance of that Act whose whole time is devoted to the duties of his office), time devoted by an officer of the Supreme Court to the performance of any functions in accordance with arrangements made under the last foregoing subsection shall be deemed to be time devoted to the duties of his office in the Supreme Court.

(4) The provisions of this section shall be without prejudice to the power to make arrangements for the performance of functions by officers of a Department of the Government of Northern Ireland conferred by section sixty-three of the Government of Ireland Act, 1920.

Transfer of property.

7.—(1) Subject to the provisions of this section all property belonging to, or vested in, or held in trust for, the Commission at the appointed day shall, by virtue of this Act and without any transfer, vest, subject to all debts and liabilities affecting the property,—

(*a*) in the case of property so belonging, vested or held for the purposes, or by virtue of, functions transferred by virtue of this Act to the High Court, in the Accountant-General of the Supreme Court; and

(*b*) in the case of property so belonging, vested or held for the purposes, or by virtue of, functions transferred by virtue of this Act to the Ministry or to the Treasury, in the Ministry or in the Treasury, as the case may be.

(2) Any land which, if this Act had not passed, would have revested in the Commission by virtue of subsection (1) of section two of the Irish Land (Provision for Sailors and Soldiers) Act, 1919, shall vest in the Ministry.

(3) Any sporting rights, and rights to, or in relation to, mines or minerals which, if this Act had not passed, would on a sale under the Acts, relating to land purchase have been required to be vested in and reserved to the Commission, shall on a sale under those Acts, be vested in and reserved to the Ministry.

(4) Subject to the provisions of this section, any other property which, if this Act had not passed, would have been required to be transferred to, or vested in, the Commission shall be transferred or vested, subject to all debts and liabilities affecting the property,—

(*a*) in the case of property which would have been required to be so transferred or vested for the purposes, or by virtue, of functions transferred by virtue of this Act to the High Court, to or in the Accountant-General of the Supreme Court; and

(*b*) in the case of property which would have been required to be so transferred or vested for the purposes, or by virtue, of functions transferred by virtue of this Act to the Ministry or to the Treasury, to or in the Ministry or the Treasury, as the case may be.

(5) All property representing sums transferred to the Land Purchase Trustee for Northern Ireland under section twenty-seven of the Act of 1925, or representing sums which, before the passing of that Act, had been set apart as mentioned in the said section twenty-seven (being property the income of which is at the appointed day applicable to the purposes mentioned in the said section twenty-seven or to similar purposes in Northern Ireland), shall, by virtue of this Act and without any

transfer, vest in the Ministry, subject to all debts and liabilities affecting the property, and any sums which, if this Act had not passed, would have been required to be transferred to the Land Purchase Trustee for Northern Ireland under section twenty-seven of the Act of 1925 shall be transferred to the Ministry subject as aforesaid.

(6) Any land which by virtue of the foregoing provisions of this section would vest in the Treasury shall, in lieu of vesting in them, vest in the Land Purchase Trustee for Northern Ireland.

(7) All property transferred or vested by virtue of this section, shall be so transferred or vested, and be held, for the estate, interest and purposes and subject to the covenants, conditions and restrictions for and subject to which the property would have been transferred, vested and held if this Act had not passed, so far as not modified by virtue of this Act.

Transfer of officers.

8.—(1) There shall be transferred to the Supreme Court such of the officers of the Commission employed in or about the execution of the functions transferred by virtue of this Act to the High Court as the Secretary of State and Lord Chief Justice of Northern Ireland, after consultation with the Chancery Judge, may determine:

Provided that no officer so transferred shall be in a worse position as respects tenure of office, remuneration or superannuation rights than he would have been in if he had not been so transferred.

(2) An officer transferred under the foregoing subsection shall be deemed to have been appointed in pursuance of the Supreme Court of Judicature (Ireland) Act, 1877.

Office of Land Purchase Trustee.

9.—(1) The office of Land Purchase Trustee for Northern Ireland shall be held by such officer of the Supreme Court as may be designated by the Lord Chief Justice of Northern Ireland:

Provided that the person who at the appointed day holds the said office shall, if he is then an officer of the Supreme Court, be entitled to continue in office and shall be deemed to have been designated to hold the said office under this subsection.

(2) The salary of the person designated to hold the said office in respect of the period whilst he is the holder thereof shall be such as the Treasury may determine.

(3) The provisions of subsections (3) and (4) of section fifty-two of the Act of 1903, as adapted and modified by the provisions of Articles 4 and 5 of the Land Purchase (Northern Ireland) Order, 1923 (being provisions relating to the appointment, tenure, remuneration and superannuation rights of the holder of the said office) shall cease to have effect.

(4) For the purposes of section seventy-six of the Supreme Court of Judicature (Ireland) Act, 1877, time devoted by the holder of the said office, or by any other officer of the Supreme Court, to the duties of the said office shall be deemed to be time devoted to the duties of his office in the Supreme Court.

(5) The expenses of and incidental to the said office shall be paid as part of the expenses of the Supreme Court.

(6) The power to make rules conferred by subsection (15) of section fifty-two of the Act of 1903 shall be transferred to, and be exercisable by, the Chancery Judge, acting with the consent of the Treasury.

Transfer of records.

10.—(1) All records, deeds and other documents which are lodged in the Record Office of the Commission at the appointed day, or which would have been required to be lodged therein if this Act had not passed (all which records, deeds and other documents are in this section referred to as " the records "), shall be transferred to and lodged in the central office of the Land Registry of Northern Ireland:

Provided that the Secretary of State may, at any time within six months after the coming into operation of the provisions of section three of this Act, make provision for the transfer from the said Record Office to the office of the Ministry of such of the records as in his opinion ought to be in the custody of the Ministry for the purpose of the performance of any functions transferred to the Ministry by virtue of this Act or of the Government of Ireland Act, 1920.

(2) Without prejudice to the proviso to subsection (1) of this section, the Ministry may inspect, or have

the temporary custody of, any of the records where such inspection or custody is required for the purpose of the performance of any functions transferred to the Ministry as aforesaid.

(3) The Accountant-General of the Supreme Court may inspect, or have the temporary custody of, any of the records where such inspection or custody is required in connection with the distribution of any property vested in him by virtue of this Act.

(4) The Deputy Keeper of the Records of Northern Ireland may inspect any of the records and, where the Deputy Keeper is satisfied that any of the records are copies or counterparts of records relating to Northern Ireland formerly preserved in the Public Record Office of Ireland, it shall be lawful for the Deputy Keeper to make copies thereof for the use of the Public Record Office of Northern Ireland.

(5) Any right to inspect, or have delivery or obtain copies of, any of the records shall be exercisable against the person having the custody thereof by virtue of this section to the like extent and in the like manner as it would have been exercisable against the person who would have had the custody thereof if this Act had not passed.

Financial provisions.

11.—(1) Any sums which are required by any of the Acts relating to land purchase to be treated as expenses of the Commission and to be paid out of moneys provided by Parliament shall, to the extent to which they are payable under the said Acts as amended by this Act, be paid out of moneys so provided notwithstanding the cesser of the existence of the Commission.

(2) There shall be deemed to be included in the sums referred to in the foregoing subsection any sum which a person is entitled to be paid by virtue of subsection (3) of section four of the Northern Ireland (Miscellaneous Provisions) Act, 1928, and which is paid to him by the Treasury in performance of the duty in that behalf transferred to the Treasury by virtue of section six of this Act.

18 & 19 Geo. 5. c. 24.

(3) Notwithstanding that any service ceases by virtue of this Act to be a reserved service within the meaning

of the Government of Ireland Act, 1920, deduction shall be made from the Northern Ireland share of reserved taxes in respect of any sum paid out of the Exchequer of the United Kingdom which, if that service had remained a reserved service, would, for the purposes of paragraph (*b*) of subsection (1) of section twenty-four of that Act, have been treated as part of the net cost to the Exchequer of the United Kingdom of services remaining reserved services.

(4) The duties of the Joint Exchequer Board under subsection (3) of section thirty-two of the Government of Ireland Act, 1920, shall include the duty of determining any question in connection with finance arising by reason of the provisions of this Act which may be referred to the Board by the Treasury, or by the Ministry, for determination by the Board.

(5) The power of making rules conferred on the Treasury by the Acts relating to land purchase shall extend to the making of rules for carrying the financial provisions of this Act into effect and for adapting to the requirements of this Act such provisions of any enactment in operation before the passing of this Act as relate to land purchase finance.

Power to make Orders in Council.

12.—(1) His Majesty may by Orders in Council make such provision as seems necessary or proper for giving full effect to any provisions of this Act, and in particular, His Majesty may by any such Order in Council—

(*a*) make such modifications and adaptations of the Acts relating to land purchase as may appear to him necessary or proper in order to give effect to the provisions of this Act, or as may appear to him necessary or proper as a consequence of any change effected by the provisions of this Act;

(*b*) make provision with respect to the performance of any functions transferred to the Treasury by virtue of this Act, including, in particular, but without prejudice to the generality of the foregoing words, the performance of the duty imposed on the Commission by section twelve of the Act of 1925 to take steps to secure

the vesting in the tenants of holdings vested by virtue of Part II of that Act;

(*c*) make provision with respect to the transfer of any property, rights and liabilities and the closing of any accounts, where any such transfer or closing is necessary by reason of the provisions of this Act.

(2) Any Order in Council made under this section shall be laid before both Houses of Parliament as soon as may be after it is made, and if an address is presented to His Majesty by either of those Houses within twenty-one days on which that House has sat next after any such Order is laid before it, praying that the Order may be annulled, His Majesty may thereupon by Order in Council annul the same, and the Order so annulled shall forthwith become void, but without prejudice to the validity of anything which in the meantime may have been done thereunder.

(3) A rule or regulation contained in an Order in Council made under this section shall not be deemed to be a statutory rule within the meaning of section one of the Rules Publication Act, 1893.

56 & 57 Vict. c. 66.

Transitory provisions.

13.—(1) In the construction and for the purposes of any Act of Parliament, judgment, decree, order, award, deed, contract, regulation, byelaw, or other document passed or made before the transfer by virtue of this Act from one authority to another authority of any functions, but so far only as may be necessary for the purpose of the transfer, the name of the latter authority shall be substituted for the name of the former authority.

(2) Where anything has been commenced by or under the direction of an authority from whom any functions are transferred by virtue of this Act and that thing is in relation to those functions, that thing may be carried on and completed by or under the direction of the authority to whom those functions are transferred.

(3) Where at the time of the transfer of any functions by virtue of this Act any legal proceeding is pending in which any authority from whom functions are transferred by virtue of this Act is a party, and the proceeding has reference to those functions, the authority to whom those functions are transferred shall be substituted in

the proceeding for the former authority and the proceeding shall not abate by reason of the substitution.

Interpretation.

14.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

"The Acts relating to land purchase" means the Land Purchase Acts and any other Acts relating to land purchase in Northern Ireland;

"The Act of 1903" means the Irish Land Act, 1903; 3 Edw. 7. c. 37.

"The Act of 1909" means the Irish Land Act, 1909; 9 Edw. 7. c. 42.

"The Act of 1925" means the Northern Ireland Land Act, 1925; 15 & 16 Geo. 5. c. 34.

"The Act of 1929" means the Northern Ireland Land Act, 1929; 19 & 20 Geo. 5. c. 14.

"The Chancery Judge" means the Judge of the High Court to whom the business and matters arising in the Chancery jurisdiction of that court are for the time being assigned;

"The Commission" means the Land Purchase Commission, Northern Ireland;

"The Court of the Commission" means the Commission acting in the performance of such functions of the Commission as, in accordance with the rules, orders and practice of the Commission, are, immediately before the appointed day, exercisable by the Judicial Commissioner sitting alone or with one or more other commissioners;

"Functions" includes jurisdiction, powers and duties;

"High Court" means His Majesty's High Court of Justice in Northern Ireland;

"Judicial Commissioner" means the commissioner of the Commission by whom the functions of the Judicial Commissioner under the Land Purchase Acts are, as respects Northern Ireland, to be performed pursuant to the Land Purchase (Northern Ireland) Order, 1923, as amended by subsequent Orders in Council and by section five of the Northern Ireland (Miscellaneous Provisions) Act, 1932; 22 & 23 Geo. 5. c. 11.

"Land" includes an interest in, and a right to or over, land;

"Ministry" means the Ministry of Finance for Northern Ireland;

"Supreme Court" means the Supreme Court of Judicature of Northern Ireland.

(2) References in this Act to any enactment shall be construed as references to that enactment as in force in Northern Ireland.

Short title citation, commencement and construction.

15.—(1) This Act may be cited as the Northern Ireland Land Purchase (Winding Up) Act, 1935.

(2) This Act shall be construed as one with the Land Purchase Acts and may be cited with those Acts.

(3) Except as is otherwise expressly provided in this Act, this Act shall come into operation on the appointed day, and the appointed day for the purposes of this Act shall be such day as His Majesty may by Order in Council appoint, and different days may be appointed for different provisions and different purposes of this Act, and in this Act the expression "the appointed day" means a day appointed under this section.

(4) For the purposes of section six of the Government of Ireland Act, 1920, this Act shall, so far as it relates to matters within the powers of the Parliament of Northern Ireland, be deemed to be an Act passed before the appointed day within the meaning of that section.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

PART I.

CONTINUANCE OF CERTAIN POWERS TO MAKE ADVANCES.

Advances under the Acts relating to land purchase may be made after the passing of this Act in the cases specified

in the first column of the following Table for the purposes respectively specified in the second column of that Table. 1ST SCH. —*cont.*

TABLE.

1. Where an agreement for the purchase of land by a tenant has been lodged with the Commission before the date of the passing of this Act and proceedings in respect thereof are pending at that date.	For the purchase of the land pursuant to the agreement.
2. Where under any provision of the Acts relating to land purchase land has been purchased by the Commission before the date of the passing of this Act, or is thereafter purchased by them, and the Acts relating to land purchase confer a power to make an advance for any purpose in a case where land is purchased by the Commission under that provision.	For effectuating that purpose as respects the land purchased by the Commission or any part thereof.
3. Where by virtue of Part II of the Act of 1925 any land has become vested in the Commission before the date of the passing of this Act, or becomes vested in the Commission or in the Land Purchase Trustee for Northern Ireland on or after that date.	For the purchase of any holding comprised in the land pursuant either— (i) to the agreement deemed by virtue of Part II of the Act of 1925 to have been entered into by the tenant; or (ii) to any agreement entered into under subsection (2) of section twelve of that Act.
4. Where an application for the redemption of the rent of a holding pursuant to section one of the Redemption of Rent (Ireland) Act, 1891, has been lodged with the Commission before the date of the passing of this Act and proceedings in respect thereof are pending at that date.	For the redemption of the rent.

O

1ST SCH. —*cont.*

PART II.

CONTINUANCE FOR CERTAIN PURPOSES OF POWERS TO PURCHASE LAND AND OF S. 8 OF THE ACT OF 1925 AS RESPECTS CERTAIN LAND.

1. The powers to purchase land conferred by the Acts relating to land purchase shall continue to be exercisable so far as is requisite for the purpose of enabling effect to be given to any agreement entered into before the date of the passing of this Act.

2. Section eight of the Act of 1925 shall continue to have effect so far as regards land with respect to which particulars required by the Commission for the purposes of section seventeen of that Act have been furnished or given to, or ascertained by, the Commission under that section before the expiration of three months from the date of the passing of this Act.

Section 1.

SECOND SCHEDULE.

RESERVED MATTERS.

The following matters, so far as they are reserved matters within the meaning of the Government of Ireland Act, 1920, at the appointed day, shall continue so to be, that is to say :—

(*a*) the Irish Land Purchase Fund (including the Land Purchase Aid Fund), the Land Purchase Account and any other fund or account relating to land purchase in Northern Ireland existing at the appointed day, and the administration thereof;

(*b*) the making of advances in the cases specified in Part I of the First Schedule to this Act and the completion of the purchase and sale and vesting of land and the distribution of purchase money (including the percentage or bonus and interest thereon payable under section forty-eight of the Act of 1903) under the Acts relating to land purchase;

(*c*) the repayment of advances and the payment and redemption of purchase annuities to which section twenty-six of the Government of Ireland Act, 1920, applies, and functions in respect thereof;

(*d*) bonds, stock and other securities (including interest thereon) created under the Acts relating to land purchase, the creation thereof and the service and redemption thereof whether created before or after the passing of this Act; and 2ND SCH. —*cont.*

(*e*) property for the time being vested in the Land Purchase Trustee for Northern Ireland and functions in respect thereof:

Provided that where a purchase annuity has been redeemed in whole or in part under the Acts relating to land purchase and it becomes necessary that a deed or other instrument should be executed for the purpose of releasing any land from the charge to which it was subject in respect of the annuity, the reservation of the matters referred to in paragraph (*c*) of this Schedule shall not be deemed to render execution by a department of the Government of the United Kingdom requisite to the validity of the deed or instrument.

CHAPTER 22.

An Act to make temporary provision for the financial adjustments necessary by reason of the second appointed day for the purposes of the Unemployment Act, 1934, having been postponed from the first day of March, nineteen hundred and thirty-five; and to authorise the borrowing by public assistance authorities of sums required for the purpose of meeting expenditure incurred by them for the year ended on the thirty-first day of March, nineteen hundred and thirty-five, in excess of their estimates for that year. [6th June 1935.]

BE it enacted by the King'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:—

Grants to local authorities in

1.—(1) For the purpose of making the financial adjustments necessitated by the delay in relieving local