providing, if necessary, for the interest of every person establishing the same out of the purchase money.

Disputed claims and interests of disabled persons.

3. If there be disputed claims to any interest in the said land, or if the person entitled to such interest be under legal disability, the Board shall direct that proceedings may be taken in the High Court of Justice, or, where the amount of the value in question shall not exceed fifty pounds, in the county court, for the settlement of such dispute, or for the proper disposal of such amount where there is no such dispute.

Right of pre-emption by adjoining owner.

4. When the Board shall see fit they may order that the land shall be offered to the owner or owners, as the case may be, of the adjoining land, at a price to be settled in such manner as the Board shall deem most expedient, and if such owner or owners shall be willing to purchase the same at such price the same shall be sold to such owner or owners, and not otherwise; and the declaration of such owner or owners as to their willingness to purchase shall be given within a time to be appointed by the said Board.

Mines how to be dealt with.

5. Where any right to mines or minerals under the land is claimed by the lord of the manor or other person, the Board may, if they see fit, reserve the same in their order for sale, or may order the sale subject to the right so claimed.

Appropriation of the interest of the parish in the produce of the sale.

6. The said Board, in dealing with the interest of the parish in the produce of the sale, shall cause such produce to be applied as far as practicable in the repair of the highways in the parish, or in some permanent improvement of the highways, or in an investment, so that the annual dividends may be applicable in aid of the highway rate until the Board shall otherwise order; and the said Board shall have the like power of dealing with the produce of the sale of lands under the Highway Acts, if applied to by the surveyor of highways or any authority exercising the powers of such surveyor, where such produce cannot be conveniently appropriated in the manner provided by those Acts.

Interpretation of the word "parish."

7. The word "parish" shall include every township or other place separately maintaining its own highways, except that where such township is not a parish within the operation of the above-mentioned Acts of the years 1835 and 1842 respectively, the proceedings to be taken under them shall be restricted to such township or place; provided that the churchwardens and overseers, or the overseers only, as the case may be, of the parish, as defined in the Poor Law Amendment Act of 1866, comprising such township or place shall discharge all the duties hereby rendered necessary for it in like manner as if it were co-extensive with such parish.

Short title.

8. This Act shall be termed "The Sale of Exhausted Parish Lands Act, 1876."

CHAPTER 63.

An Act to render necessary in Ireland a Year's Notice to Quit to determine a Tenancy from Year to Year, and otherwise to amend the Law as to Notices to Quit. [15th August 1876.]

WHEREAS it is expedient to require in Ireland a year's notice to quit to determine a tenancy from year to year, and otherwise to amend the law as to notices to quit:

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:

A year's notice to quit shall be necessary and sufficient to determine a tenancy from year to year.

1. In any letting which shall take place after the passing of this Act a year's notice to quit, expiring on any gale day of the calendar year on which the rent becomes due and payable in respect of the holding, irrespective of the period of the year when such tenancy commenced, shall in all cases be necessary and sufficient to determine a tenancy from year to year of any holding in Ireland, where a notice to quit is now by law necessary for the determination of the same, except in the case when a tenant shall be adjudged a bankrupt, or shall have filed a petition for a composition or arrangement with his

creditors, and in that case a half year's notice expiring on any gale day, irrespective of the period of the year when such tenancy commenced, shall be sufficient; but nothing in this section shall extend to the case of a tenancy from year to year where there is or may be an express agreement in writing as to the time and mode of determining such tenancy.

A year's notice to quit not necessary in certain tenancies.

2. No notice to quit, other than what was at the time of the passing of this Act required by law, shall be necessary to determine a tenancy at will, or a tenancy less than a tenancy from year to year.

Resumption for improvements.

3. Where on a tenancy from year to year a notice to quit is given by the landlord with a view to the use of land for any of the following purposes:

The providing of gardens for existing farm labourers cottages or other houses;
The allotment for labourers of land for gardens or other purposes;
The planting of trees;
Turbary;
The opening or working of any coal, ironstone, limestone, or other mineral, or of a stone quarry, clay, sand, or gravel pit, or the construction of any works or buildings to be used in connexion therewith;
The obtaining of brick earth, gravel, or sand;
The making of a watercourse or reservoir;
The making of any road, tramroad, siding, canal, or basin, or any wharf, pier, or other work connected therewith;

and the notice to quit so states, then it shall by virtue of this Act be no objection to the notice that it relates to part only of the holding.

In every such case the provisions of "The Landlord and Tenant (Ireland) Act, 1870," respecting compensation, shall apply to the extent of the premises mentioned in the notice to quit as on determination of a tenancy in respect of the entire holding.

The tenant shall also be entitled to a proportionate reduction of rent in respect of the land comprised in the notice to quit and in respect of any depreciation of the value to him of the residue of the holding caused by the withdrawal of that land from the holding or by the use to be made thereof, and the amount of that reduction shall be ascertained by agreement or settled under "The Landlord and Tenant (Ireland) Act, 1870," as in case of compensation. The forms already in use under the Land Act may be used so far as the same may be applicable.

In any case where the land comprised in a notice to quit under the provisions of this section shall exceed in the whole one twenty-fifth part of any individual holding, or shall seriously interfere with the dwelling-house or farm buildings of such holding, the tenant shall further be entitled at any time within twenty-eight days after the service of the notice to quit to serve on the landlord a notice in writing to the effect that he (the tenant) accepts the same as a notice to quit the entire holding, and the notice to quit shall have effect accordingly; but such notice to quit shall not be deemed a disturbance of the tenant within the meaning of "The Landlord and Tenant (Ireland) Act, 1870," if the Court shall be of opinion that the tenant was unreasonable in giving such notice in writing.

Provided always, that nothing contained in this section shall interfere in any respect with the rights and privileges of the landlord under the fourteenth section of "The Landlord and Tenant (Ireland) Act, 1870."

Service of notice to quit in case of tenant's intestacy.

4. In any case where a tenant has died or shall die intestate, and no administration has been taken out to his estate, or in case a tenant has died or shall die leaving a will which has not been proved, it shall be sufficient to address a notice to quit "to the "representatives of, and all persons claiming to represent (naming the tenant), deceased," and it shall not be necessary to otherwise set out or describe who such representatives are; and such notice to quit so addressed shall be deemed to be sufficiently served by leaving one copy of such notice at the former dwelling-house of the deceased tenant, or posting it on some conspicuous part of the holding, and sending another copy of such notice in a prepaid registered post letter addressed in manner above mentioned and

directed to the townland and county in which the holding, or any part thereof, is situated, and such notice shall be good and effectual notwithstanding any subsequent administration or probate granted to any person or persons whatsoever.

Agricultural or pastoral holdings only subject to this Act.

5. This Act shall not apply to any holding which is not agricultural or pastoral in its character, or partly agricultural and partly pastoral, and the term "holding" shall include all land of the same character held by the same tenant of the same landlord for the same term, and under the same contract of tenancy.

Repeal of portion of the 58th section of the Landlord and Tenant (Ireland) Act, 1870.

6. So much of the fifty-eighth section of "The Landlord and Tenant (Ireland) Act, 1870," as enacts that "a notice to quit shall not, in the case of a tenant from year to "year, take effect until after the expiration of a period of not less than six calendar "months from the date of the service of the notice, such period of six calendar months, "in the absence of agreement to the contrary, to terminate on the last gale day of the "calendar year," shall be and the same is hereby repealed, save and except as to notices to quit served before the passing of this Act. In lieu of the words so repealed, it is hereby enacted that in all cases of tenancies from year to year existing at the time of the passing of this Act, unless there be a special agreement in writing as to the time and mode of determining such tenancy, the tenancy shall only be determinable by a notice to quit expiring on the last gale day of any year, and served six calendar months previously; and every notice to quit so served and requiring the tenant to give up possession on such gale day shall be sufficient to determine the tenancy, irrespective of the period of the year at which such tenancy commenced, and such tenancy shall be determined on the day named in such notice in the same manner as if the tenancy had originally commenced upon a day of the year corresponding to such day.

Not to affect pending notices.

7. Nothing in this Act shall affect or invalidate notices to quit served before the passing of this Act.

Short title.

8. This Act may be cited as "The Notices to Quit (Ireland) Act, 1876," and shall be construed as one Act with "The Landlord and Tenant (Ireland) Act, 1870," save so far as it repeals or is inconsistent with said Act.

CHAPTER 64.

An Act to continue for one year the Police (Expenses) Act, 1875.

[15th August 1876.]

38 & 39 Vict. c. 48.

WHEREAS by the Police (Expenses) Act, 1875, it is enacted that so much of any Act as limits the amount authorised to be contributed by the Commissioners of Her Majesty's Treasury out of moneys provided by Parliament towards the expenses of any police force in Great Britain to a particular amount, or a particular proportion of any annual sum or charge specified in such Act, shall, during the continuance of that Act, be repealed, and it is further enacted that that Act shall continue in force until the first day of September one thousand eight hundred and seventy-six:

And whereas it is expedient that the said Act should be continued for a period of one year:

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; (that is to say,)

Short title.

1. This Act may be cited as The Police (Expenses) Continuance Act, 1876.

Continuance of Act till 1st Sept. 1877.

2. The Police (Expenses) Act, 1875, shall continue in force till the first day of September one thousand eight hundred and seventy-seven.
