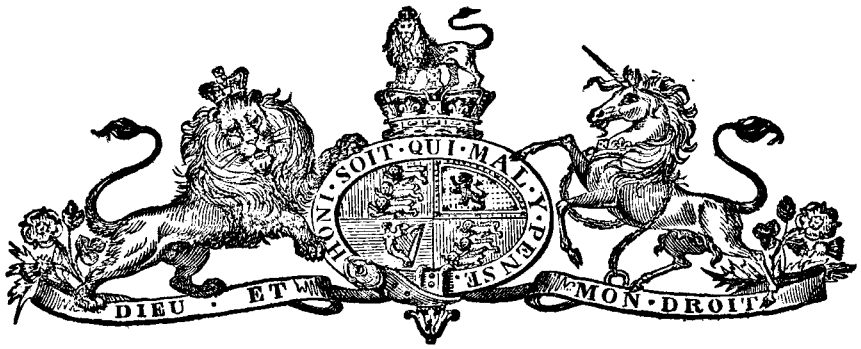


ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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CAP. CIV.

An Act to amend the Acts for the more effectual Relief of the destitute Poor in *Ireland*.

[1st *August* 1849.]

WHEREAS it is expedient to amend the Laws in force for the more effectual Relief of the destitute Poor in *Ireland*: 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, That for the Purpose of charging the Expense of Relief to any Electoral Division every Person making Application for Relief shall, after the passing of this Act, be deemed ~~to have been resident in such Electoral Division in which during~~ the Period of Three Years next immediately before his Application for Relief he shall have been longest usually resident, whether by usually occupying any Tenement situate or by usually sleeping within such District: Provided always, that where any such Person shall not have occupied a Tenement or slept within any such Electoral Division for at least Twelve Months in the whole during the said Period of Three Years, the Expense of the Relief of such Person shall in such Case be borne by and charged against the whole Union in which he or she is relieved; provided also, that where any Person chargeable to any

For charging Expense of Relief.

Electoral Division shall have received Relief, and shall cease to be relieved, and shall thereafter, within the Period of Twelve Months, again begin to receive Relief, such last-mentioned Relief shall be chargeable on the Electoral Division to which such Person was in the first instance chargeable; provided also, that the Cost for the Relief of destitute Poor who shall not have resided in the Union where such Relief is given for the last Three Years next previous to receiving such Relief shall be charged and chargeable according to the Provisions of an Act passed in the Tenth Year of Her present Majesty, intituled *An Act to make further Provision for the Relief of the destitute Poor in* Ireland.

10 & 11 Vict. c. 31.

Repeal of 1 & 2 Vict. c. 56. in part.

II. And be it enacted, That so much of an Act passed in the Second Year of Her present Majesty's Reign, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, as authorizes and empowers the Commissioners therein mentioned, in case of a total or partial Dissolution of any Union, or other Alteration of the Limits thereof, to ascertain the proportionate Value of any Property to any Townland, and the proportionate Amount of the Liabilities chargeable to any Townland affected by such Alteration, and to fix the Amount payable to or from any Townland so affected, and to direct the Manner of paying, securing, and applying the Sums so payable, and the raising of the same, be repealed, except as to anything heretofore done or now pending under the said Act; and that from and after the passing of this Act it shall be lawful for the Commissioners for administering the Laws for the Relief of the Poor in *Ireland*, and they are hereby required, in all Cases wherein any Change shall be made under the Provisions of the said Act in the Boundaries of any Union or Electoral Division, to make such Order under their Seal as to them shall appear necessary for the Adjustment of the Liabilities of such Union or Electoral Division existing at the Time of Change, and the proportionate Share thereof to be borne by any Townland or Townlands affected by such Change, and likewise for indemnifying any Union, Electoral Division, or Townland for any Loss or Exchange of Property occasioned by such Alteration of Boundaries, and for charging on any such Union, Electoral Division, or Townland the Value of any Property or Share thereof acquired or taken in exchange by reason of such Alteration, and the Expense of such Indemnification as aforesaid; and the said Commissioners shall be empowered to direct, if they shall see fit, the levying of any Sum which it shall be necessary to raise for such Adjustment, Charge, or Indemnification as aforesaid by special Rate or otherwise on any Union, Electoral Division, or Townland, as in the said Order shall be expressed; and every such special Rate shall be made by the Parties and in the Manner to be specified in the said Order, and shall be levied

Adjustment of the Accounts on any Alteration of the Limits of a Union or Electoral Division taking place.

levied by all the same Powers, Ways, and Means as are provided for the levying of Rates under the Provisions of the said Act, and of the several Acts amending the same, and of this Act.

As to new Unions.

III. And be it enacted, That if upon the Formation of any new Union it shall appear to the said Commissioners expedient that until sufficient Workhouse Accommodation shall be provided for such Union, either by the Erection of a new Workhouse or by the Adaptation of any existing Buildings for such Purpose, a Portion of the Workhouse Accommodation existing in the Union or Unions of which any Portion of such new Union shall have previously formed a Part should, for a limited Time, be reserved for such Portion of the new Union, it shall be lawful for the said Commissioners to make such Order under their Seal as to them shall appear necessary for appropriating any Part of the Workhouse Accommodation of such Union or Unions for the Use of such Portion of the new Union as aforesaid, and to make such Regulations for the Government of such Workhouses, and for the Admission and Discharge of Paupers therefrom, for any Period not exceeding Three Years from the Formation of such new Union, as under the Circumstances they may think proper; and it shall be lawful for the Guardians of such new Union to make Order for the Admission of any Paupers chargeable to such new Union, or to any Electoral Division thereof, into any Workhouses to which such Order of the said Commissioners shall apply, and for their Discharge therefrom, in such Numbers and according to such Regulations as shall or may from Time to Time be prescribed by the said Commissioners, and to provide for the Conveyance of such Paupers to or from such Workhouses; and such Orders of Admission or Discharge, made by such Guardians according to the Regulations prescribed as aforesaid, shall be binding on the Guardians of the Unions in which the Workhouses are situate, and on their Officers; and it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to fix and determine the Sum which shall be paid by such new Union or any Part thereof for the Maintenance and Clothing of the Paupers chargeable to such new Union or any Part thereof, and the Proportion of the Establishment Charges which shall be paid for the Accommodation reserved in such Workhouse, and, subject to the Provisions herein-before in this Act mentioned, shall make Order for the Payment of such Sum on the Guardians of such new Union, specifying the Periods at which such Payments shall be made, either wholly or in part; and the said Commissioners may, at their Discretion, from Time to Time suspend, alter, or rescind such Orders and Regulations aforesaid or any of them: Provided always, that if any Pauper who shall have been sent to any Workhouse as aforesaid situate out of the Union to which or to any Electoral Division of which such Pauper is chargeable

chargeable shall be discharged therefrom, either by Order of the Guardians or at his own Request, and shall become destitute in the Union in which such Workhouse is situate, within Twelve Calendar Months from his Discharge, the Expense of his Maintenance in such Workhouse shall be chargeable against the Union or Electoral Division from whence he was originally sent.

Enforcing Payment of Expenses of Unions.

IV. And be it enacted, That if the Guardians of any such new Union shall refuse or neglect to make the Payments according to the Terms and at the Periods prescribed by the said Commissioners as aforesaid, it shall be lawful for the said Commissioners to make an Order under their Seal, requiring such Payments to be made by the Treasurer of such new Union, and thereupon the Treasurer of such new Union shall pay to the Treasurer of the Union in whose Behalf such Order shall have been made the Sums specified in the Order of the Commissioners, at such Times and in such Portions as shall be prescribed by such Order, and the Receipt of the Treasurer appointed in such Order to receive the Payments prescribed shall be sufficient Discharge to the Treasurer of such new Union for so much Money paid by him, and shall be allowed in auditing and passing his Accounts.

8 & 9 Vict. c. 18. incorporated with this Act for Purchase of Lands for Workhouses.

V. And be it enacted, That in order to enable the said Commissioners for administering the Laws for the Relief of the Poor in *Ireland* to purchase and hire such Lands, Tenements, and Hereditaments as they are by Law authorized to purchase and hire for the Purpose of providing Workhouses in Unions, the Lands Clauses Consolidation Act, 1845, shall be incorporated with the said recited Act of the Second Year of the Reign of Her present Majesty, and the Acts amending the same, and this Act; provided always, that all Things by the said first-mentioned Act required or authorized to be done by the Promoters of the Undertaking may be done by any Two of the said Commissioners under their Hand and Seal.

Qualification of Guardians may be different in different Electoral Divisions.

VI. And whereas by the said recited Act the said Commissioners were empowered to fix the Value of the Qualification of Persons eligible to serve as Guardians of the Poor, but were not empowered to fix a different Qualification in Value for different Electoral Divisions in the same Union: Be it enacted, That it shall be lawful for the said Commissioners, in fixing the Qualification of Guardians as aforesaid, to fix a different Value, if they shall see fit, for different Electoral Divisions of the same Union, anything in the said recited Act to the contrary notwithstanding.

Non-resident Justices may act as Guar-

VII. And be it enacted, That from and after the passing of this Act, in any Union in which the Number of qualified Justices shall on

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the Twenty-ninth Day of *September* in any Year not be equal to the Number of elected Guardians, every Justice of the Peace acting for any County in *Ireland*, and otherwise qualified under the Laws now in force to be an *ex-officio* Guardian of any Union within such County, and who shall be seised, possessed, or entitled for his own Use and Benefit of or to any Lands, Tenements, or Hereditaments situate within such Union, or in the Rents and Profits thereof for any Life or Lives in being, or for any Term of Twenty-one Years at the least, such Estate being of the yearly Value of Fifty Pounds at the least, shall, for the Year next following such Twenty-ninth Day of *September* as aforesaid, be an *ex-officio* Guardian of such Union, notwithstanding that such Justice shall not be resident within the same; provided that when the Number of Justices so qualified as is herein-before provided shall make the entire Number of qualified Justices exceed the Number of elected Guardians, such only of the highest rated Justices, so qualified as aforesaid, shall be entitled to act as *ex-officio* Guardians for such Year as aforesaid as shall make the whole Number of *ex-officio* Guardians equal to the Number of elected Guardians; provided also, that any Justice becoming qualified to act as an *ex-officio* Guardian after the Twenty-ninth Day of *September* in any Year shall not be entitled so to act until the Twenty-ninth Day of *September* following, if by his so acting the Number of *ex-officio* be made to exceed the Number of elected Guardians in the Union, but otherwise he shall be at once entitled so to act.

dians in certain Cases.

VIII. And be it enacted, That it shall be lawful for the Poor Law Commissioners, as and when they shall see fit, by Order under their Seal, to combine Two or more Electoral Divisions of a Union into One District, for the Purpose of electing One Guardian for such District, anything in the said recited Act passed in the Second Year of the Reign of Her present Majesty to the contrary notwithstanding; and all the Provisions of the said Act, and of the said Acts amending the same, which relate to the Election of Guardians, shall apply to the Election of a Guardian for such District of Electoral Divisions, in the same Manner as if such District were a single Electoral Division formed under the Provisions of the said recited Act for the Election of a Guardian or Guardians; provided always, that no such District shall be formed for the Election of more than One Guardian.

Electoral Divisions may be united for the Purpose of electing a Guardian.

IX. And be it enacted, That it shall and may be lawful for the Poor Law Commissioners, if they shall think fit, upon the Request of the Board of Guardians of any Union, to appoint One fitting and proper Person to act as Assistant Guardian for the Union so applying, in the Execution of the Duty of Guardian for the Union

Appointment of Assistant Guardians.

to which he may be appointed, in the same Manner in all respects as if such Assistant Guardian were an *ex-officio* or elected Guardian for such Union; and the Poor Law Commissioners shall be authorized to remove such Assistant Guardian, and to appoint another from Time to Time, and, if they shall think fit, to discontinue such Appointment altogether whensoever they may consider it to be expedient to do so.

Rents arising out of exempted Property to be rated.

X. And whereas Doubts have arisen whether, under the Provisions of the said recited Act, Persons in the Receipt of Rent in respect of Hereditaments used for charitable or public Purposes are rateable in respect of the Profits derived from such Hereditaments: Be it enacted, That in every Rate which shall be made for the Relief of the Poor after the passing of this Act every Person receiving Rent in respect of any Hereditament exempt from rating under the Provisions of the said recited Act shall be liable to be rated in respect of such Rent to the Extent of One Half the Poundage of every Rate which shall be made in or for the Electoral Division in which such Hereditaments shall be situate, and the Amount thereof shall be recoverable from such Person by any of the Means by which the Rates in respect of Tenements rated under the yearly Value of Four Pounds may be recovered directly from the Lessors thereof under the Provisions of an Act passed in the Seventh Year of the Reign of Her Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in* Ireland, as amended by this Act.

6 & 7 Vict. c. 92.

Occupier not to deduct from Rent more than One Half the Amount of the Rate paid.

XI. And whereas by the said recited Act it is provided, that where the Person occupying any Property rated to the Relief of the Poor shall be liable to pay a Rent in respect of the same he may deduct from such Rent, for each Pound of the Rent which he shall be so liable to pay, One Half of the Sum which he shall have paid as Rate in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such annual Value), and so in proportion for any less Sum than a Pound; and it is expedient to amend the said Provision: Be it enacted, That in making a Deduction from such Rent on account of any Rate which shall be made after the passing of this Act it shall not be lawful for any Occupier of Property rated in or paying such Rate to deduct from the Rent payable in respect thereof a larger Sum than One Half the Amount of the Rate which he shall have paid in respect of such Property, anything in the said Act to the contrary notwithstanding.

Repeal of 1 & 2 Vict. c. 56. as to foregoing

XII. And be it enacted, That so much of an Act passed in the Second Year of Her present Majesty's Reign, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, as enacts

" that

" that any Covenant or Agreement whereby any Person liable to " pay Rent, and entitled under the Provisions of this Act to deduct " therefrom any Rate or Portion of Rate, shall have covenanted or " agreed, or shall hereafter covenant or agree, to forego such Deduction, " shall, so far as such Rate is concerned, be of no effect," be repealed, except as to any Covenant or Agreement entered into or made before the passing of this Act. Deductions from Rent.

XIII. And whereas Doubts have arisen, under the Provisions of an Act passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act for the further Amendment of an Act for the more effectual Relief of the destitute Poor in* Ireland, whether a Rate for the Relief of the Poor can legally be made in pursuance of a Valuation not signed and sealed by the Commissioners for administering the Laws for Relief of the Poor in *Ireland;* and it is expedient to remove such Doubts: Be it declared and enacted, That it is not and shall not be necessary for the said Commissioners to sign and seal any Valuation whatever, unless they shall see fit so to do; and any Valuation duly made and revised in pursuance of the Acts herein-before recited, whether it be signed and sealed by the said Commissioners or not, shall be deemed to be the Valuation in force for the Time being, anything in the said last-recited Act to the contrary notwithstanding. Valuation for Poor Rates need not be signed and sealed by the Commissioners. 6 & 7 Vict. c. 92.

XIV. And whereas it is expedient to encourage the Employment of Labour in improving the Value of Landed Property in *Ireland:* Be it enacted, That from and after the passing of this Act, in any Valuation or Revision of Valuation of rateable Property, it shall not be lawful for any Board of Guardians, Valuator or Revisor of Valuation, or for any Court of Quarter Sessions, to which Appeal in such Behalf may be made, to increase or to direct any Increase to be made in the Valuation of the net annual Value of any Land rateable to the Relief of the Poor by reason of any Increase of the Value thereof arising from any Drainage, Reclamation, or Embankment from the Sea or any Lake or River, or any Erection of Farm Buildings, or any permanent Agricultural Improvement as specified under the Provisions of an Act passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland, made or executed thereon within Seven Years next before the making of such Valuation or Revision. Valuation of Land not to be increased in respect of Improvements made under 10 & 11 Vict. c. 32. within Seven Years.

XV. And be it enacted, That when any Action or Suit shall be brought by the Guardians of the Poor of any Union for Poor Rates in any of the Superior Courts of Law in *Dublin*, such Action or Suit shall Short Form of Declaration in an Action for Poor Rates.

shall be an Action of Assumpsit or Debt, and it shall be a sufficient Statement of the Cause of Action in the Declaration to declare for the Amount of such Poor Rate as due by the Defendant to the Plaintiffs, according to the Form, as near as may be, of the usual common Indebitatus Counts in Assumpsit, or the common Counts in an Action of Debt, or as near as may be to the like Effect, without further setting forth the Cause of Action; and if the Declaration in any such Action or Suit shall exceed the Length necessary for declaring in such Manner or Form as aforesaid, no Costs of the Excess shall be allowed to the Plaintiffs if they succeed in the Cause, and such Costs of the Excess as have been incurred by the Defendant or Defendants shall be taxed and allowed to the Defendant or Defendants, and be deducted from the Costs allowed to the Plaintiffs.

The Judges may make Rules and Orders relating thereto.

XVI. And be it enacted, That it shall be lawful for the Judges of the Courts of Queen's Bench, Common Pleas, and Exchequer in *Ireland*, jointly, or any Nine or more of them, including the Chief of each such Court, to make General Rules and Orders for regulating the Practice and Proceedings of all the said Courts relating to the Pleadings and Costs in such Actions and Suits for Poor Rate as aforesaid, which said Rules and Orders so made shall be observed in all the said Courts: Provided always, that until the making of any such Rules or Orders, or so far as the same may not extend, the Declaration in any such Action for Poor Rates may be framed in manner herein-before provided, or to the like Effect.

Civil Bill Decree for Poor Rates may be filed as Judgment of Superior Court, and have Force as such.

XVII. And whereas it is expedient to make a further and more secure Provision for the Recovery of Poor Rates in *Ireland*: Be it therefore enacted, That all Civil Bill Decrees for the Recovery of Poor Rate pronounced or made by any Assistant Barrister in *Ireland*, or by the Chairman of the Sessions of the Peace of the County of *Dublin*, or by the Recorder of the City of *Dublin*, shall, from and after the passing of this Act, be removable into any of Her Majesty's Superior Courts of Law in *Dublin*, without any Writ of Certiorari or other Writ or Process for that Purpose; and that upon the Production of such Civil Bill Decree to the Master of any such Superior Court of Law, and upon Production of an Affidavit made by an Attorney of such Superior Court, verifying the Signature of such Assistant Barrister, Chairman, or Recorder to such Civil Bill Decree, and upon Payment of a Fee of Two Shillings to such Master, he shall receive and file the said Decree upon a File to be kept for that Purpose, and shall enter the same in a Book to be kept for that Purpose, which shall be open to Inspection; and that immediately upon the filing of such Decree as aforesaid such Decree shall, with respect to all Lands of the Person against whom such Judgment or Civil Bill Decree shall have

have been obtained situate within the Union where such Poor Rate shall have accrued, be deemed a Record of such Superior Court, and shall be of the same Force and Effect as a Judgment recovered in such Superior Court, and Execution and all other Proceedings shall and may be had and taken thereupon, or by reason or in consequence thereof, as if such Decree had been originally a Judgment of such Superior Court; and such Decree may be registered in the Office of the Registrar of Judgments in like Manner as a Judgment of any such Superior Court.

Judgments for Poor Rates to have Priority, except in certain Cases.

XVIII. And be it enacted, That every Judgment obtained in any Action or Suit in any Superior Court of Law against any Person or Persons for Poor Rates, and every Civil Bill Decree for Poor Rates filed in a Superior Court as herein-before provided, shall, when the same shall have been registered in the Office of the Registrar of Judgments, be a Charge, and take Priority as a Charge, on all the Estate and Interest in any Lands of the Person against whom such Judgment or Civil Bill Decree shall have been obtained situate within the Union wherein such Poor Rates shall have accrued, before all Charges and Incumbrances whatsoever, and wheresoever made, save and except Crown Rents and Quit Rents, Rent-charges in lieu of Tithes, and all Charges (if any) existing under and by virtue of an Act passed in the Sixth Year of the Reign of Her present Majesty, intituled *An Act to promote the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, and Two other Acts since passed amending the same, and all Charges (if any) existing under and by virtue of an Act passed in the Eleventh Year of the Reign of Her present Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland. 5 & 6 Vict. c. 89. 10 & 11 Vict. c. 32.

Recovery of Arrears of Rates.

XIX. And be it enacted, That when any Rate for the Relief of the Poor shall be made after the passing of this Act, it shall not be lawful to commence any Proceeding for the Recovery of any Arrear thereof against any Person not primarily liable to pay the same, unless within the Period of Two Years next after the making and publishing of the said Rate.

Audit.

XX. And for the Purpose of giving better Effect to the Audit of the Accounts of the several Guardians of the Poor throughout *Ireland*, be it enacted, That to the annual Reports required to be laid before Parliament there shall be appended a Statement of the Date up to which the several Accounts of the Unions shall have been closed and audited, together with a Statement of all such Charges and Payments disallowed, struck out, reduced, or inserted by such Auditor, and of the

Steps taken at Law for the Recovery of the same, or the Enforcement of any Disallowance, Surcharge, or other Demand founded on the Auditor's Report, from any Guardian, Treasurer, or other Person having the Control of the Poor Rate, or any Part thereof, or being accountable for any Balances or any Sums applicable for the Relief of the Poor, and the Amount of such Disallowances, Surcharges, or Balances which have been recovered and paid into the Hands of the Treasurer of the Union.

Rate Books to be open for Inspection: whose Names to be inserted therein.

XXI. And be it enacted, That the Guardians of the Poor of the several Unions shall, before the making of every Rate, leave the Rate Books open for the Inspection of any Rate-payer between the Hours of Ten in the Forenoon and Four in the Afternoon during Fourteen Days at the least before the making of every such Rate, and that such Guardians shall give the same public Notice of the Deposit of such Rate Books for Inspection as they are now required to give in relation to the making of such Rates, and that in all Cases the Names of Occupiers for whom the immediate Lessor is primarily liable for the Payment of Rate shall be inserted in the Rate Book.

Appeal against Rates.

XXII. And be it enacted, That for the Purpose of giving due Facility of Appeal against the said Rates it shall and may be lawful for the known Agent of any Appellant, appointed in like Manner as a Proxy is appointed for voting in the Election of Guardians, to sign the Notices and enter into the Recognizances required by Law in Cases of Appeal, which Notices and Recognizances, so signed as aforesaid, shall be in all respects as good and effectual in Law as if signed by the Appellant in Person.

Recognizances to try Appeals under recited Act.

XXIII. And whereas by the said recited Act passed in the Second Year of the Reign of Her present Majesty it is, amongst other things, enacted, that within Five Days after Notice given of an Appeal to the Quarter Sessions the Person or Persons appealing shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the then next Sessions of the Peace to be held in the Presence of the Assistant Barrister, and to abide the Order of and pay such Costs as shall be awarded by the Justices and Assistant Barrister at such Sessions: And whereas it is expedient to repeal the said Provision, and to substitute another Provision in lieu thereof: Be it therefore enacted, That within Five Days after Notice given of any such Appeal as in the said recited Act or any Act amending the same provided, the Person or Persons appealing shall enter into a Recognizance before some Justice of the Peace, with sufficient Securities, conditioned to try such Appeal at the Sessions of the Peace to which such Person or Persons shall have so appealed, and to abide the Order

Order of and to pay such Costs as shall be awarded by the Court at such Sessions.

Account of Persons relieved to be kept.

XXIV. And be it enacted, That the Board of Guardians of each Union shall cause the Names of all Persons relieved out of the Poor Rates to be duly entered in Books to be kept, One for the Union at large and One for each Electoral Division, and under the Heads of the Townlands in which they are stated to have last resided, and such Books shall be open to the Inspection of all Persons assessed to the Poor Rate within the Union from Ten o'Clock in the Forenoon until Four o'Clock in the Afternoon on One Day at least in each Week.

Numbers relieved to be published.

XXV. And be it enacted, That on each *Saturday* the Board of Guardians of every Union shall cause a Statement to be prepared and posted on the Door of the Poorhouse, showing the Number of Persons who shall have received Relief in such Union during the Seven Days then next preceding, and further showing the Number of Persons chargeable against the Union at large and against each separate Electoral Division.

Expenses of Emigration.

XXVI. And be it enacted, That, for the Purposes of defraying or assisting to defray the Expenses of the Emigration of poor Persons resident within any Union or Electoral Division, it shall be lawful for the Guardians of such Union, with the Consent of the Commissioners, to be testified under their Seal, or for the Persons for the Time being appointed or authorized to act as Guardians of such Union, with such Consent and so testified as aforesaid, to apply any Monies in their Hands arising from any Rate or Rates on any Electoral Division or Divisions in defraying or assisting to defray the Expenses of the Emigration of poor Persons resident therein respectively, or to borrow and obtain from Time to Time any Sums or Sum of Money from any Person or Persons willing to advance the same, or from the Exchequer Bill Loan Commissioners, upon the Security of the Rates of such Union, or of any Electoral Division or Divisions thereof, on the Terms and subject to the Provisions herein-after mentioned: Provided always, that no such Sums or Sum of Money shall be advanced by the said Exchequer Bill Loan Commissioners unless with the Consent of the Commissioners of Her Majesty's Treasury: Provided also, that it shall not be lawful for any paid Officers appointed to act as Guardians by the said Commissioners to exercise the said Power of applying or borrowing Money for the Purpose of Emigration without the Consent of a Majority in Value of the Rate-payers of the Electoral Division or Divisions to be charged therewith, assembled in the Manner provided

vided by the said recited Act of the Second Year of the Reign of Her present Majesty, for the Purpose of agreeing to and signing an Application to the said Commissioners for the raising of a Rate to assist Emigration.

Security for Repayment of Money borrowed for Emigration, and restricting Amount to be borrowed.

XXVII. And be it enacted, That the Repayment of all and every such Sums and Sum of Money so borrowed shall be from Time to Time secured by a Charge on the said Rates respectively by a Debenture, made out in such Form as the Poor Law Commissioners shall direct, under the Seal of such Guardians or Persons, as the Case shall require, which shall carry Interest after such Rate or Rates as in every such Charge shall be specified; and that every Person having any Right or Interest to, in, or under any such Charge (save only and except the said Exchequer Bill Loan Commissioners) may from Time to Time, by Endorsement thereon or otherwise, assign his or her said Right or Interest therein to any other Person or Persons, upon first giving Notice in Writing of such Assignment to the Guardians or Persons appointed or authorized to act as Guardians of the said Union, and that thereupon such Assignee or Assignees, and his or their Representatives or Assigns, shall be entitled to stand in the Place of the Person assigning the same, and in respect of such Right or Interest: Provided always, that the Sums or Sum of Money so to be borrowed and charged upon any Electoral Division or Divisions as aforesaid, and remaining outstanding and unpaid in respect of the Emigration of poor Persons resident or relievable within any such Electoral Division or Electoral Divisions respectively, shall never exceed in the whole the Amount or Proportion of Eleven Shillings and Eight-pence in the Pound of the clear yearly Value of the rateable Property situate or arising within the Electoral Division or respective Divisions the Rates whereof shall have been so charged with the Repayment thereof, and that any Sum or Sums of Money so borrowed and charged upon the Union at large as aforesaid, and remaining outstanding and unpaid in respect of the Emigration of poor Persons resident in and relievable by the Union at large, shall never exceed in the whole the Amount or Proportion of Two Shillings and Four-pence in the Pound of the clear yearly Value of the rateable Property situate or arising within such Union; and the Sums or Sum of Money so to be borrowed shall be repaid by annual Instalments, each Instalment being not less than One Seventh Part of such Sums or Sum respectively, and the first of such Instalments to be so repaid at or before the End of One Twelvemonth next after the Day whereon such Sums or Sum shall have been first advanced, and that for the Purposes aforesaid it shall be lawful for the Guardians or Persons appointed or authorized to act as Guar-

dians of such Union to provide for the Repayment of such annual Instalments out of the Rate or Rates levied in the said Union under the Authority of the Acts for the Relief of the Poor in *Ireland*.

Application of Money raised for Emigration.

XXVIII. And be it enacted, That all and every the Sums and Sum of Money so to be borrowed and charged as aforesaid shall be from Time to Time applied, under the Direction of the said Commissioners, by the Guardians or Persons appointed or authorized to act as Guardians of the Union borrowing the same, in defraying or assisting to defray the Expenses connected with the Emigration of poor Persons resident or relievable within the respective Electoral Divisions or Division on the Rates whereof the same respectively shall have been so charged, or resident in and relievable by the Union at large on the Rates whereof any such Charge on the Union at large shall have been so charged, to any of the Colonies or Possessions of this Realm, or to any Foreign State, and that it shall not be lawful for any Person acting in the Execution of this Act to apply or expend any such Sums or Sum, or any Part thereof, in any other Manner or for any other Purpose whatsoever.

In Proceedings at Quarter Sessions, Assistant Barrister may correct Errors, &c.

XXIX. And be it enacted, That for the Purpose of facilitating and rendering more effectual all legal Proceedings of Quarter Sessions or before any Assistant Barrister in *Ireland*, or before the Chairman of the Sessions of the Peace of the County of *Dublin*, or before the Recorder of the City of *Dublin*, in anyways relating to the Collection or Recovery of Poor's Rate, or relating to Appeals or other Proceedings respecting rating, it shall and may be lawful for such Assistant Barrister, Chairman, or Recorder, if he shall so think fit, to correct or amend any Variance, clerical Error, or Irregularity not affecting the substantial Merits of the Question to be tried, and which may be found in the Notices, Recognizances, Processes, Decrees, or other Forms or Instruments of a like Kind brought before him in relation to this Act or the Acts herein-before recited.

Superior Courts.

XXX. And be it enacted, That in any Case in which it may be necessary to institute Proceedings by Civil Bill before any Assistant Barrister in *Ireland*, or before the Chairman of the Sessions of the Peace of the County of *Dublin*, or before the Recorder of the City of *Dublin*, against any immediate Lessor primarily liable to the Payment of Rates for Premises the Occupier of which is exempted from such Payment, it shall be lawful for the Guardians of the Poor to institute such Proceedings before the Assistant Barrister for the County wherein the rated Premises are situated, and in the Division thereof wherein the same are situate; and in case the said rated Premises are situated within the County of *Dublin*, or within the City

of *Dublin*, then before the Chairman of the Sessions of the Peace of the County of *Dublin*, or the Recorder of the City of *Dublin*, (as the Case may be,) first giving to such immediate Lessor, or to his known Agent or Receiver of his Rents, Fourteen Days Notice of the Proceeding about to be taken against him as aforesaid, by Service of Process; and the Service of Process in such Civil Bill on such immediate Lessor, his known Agent or Receiver, at any Place out of such Division and County, or at any Place out of the said County of *Dublin* or City of *Dublin*, shall be as effectual as a Service of the same upon such Lessor within such Division or within the said County of *Dublin* or City of *Dublin*.

Recited Act 1 & 2 Vict. c. 56. &c. and this Act to be construed together.

XXXI. And be it enacted, That the said recited Act of the Second Year of Her Majesty's Reign, and the Acts amending the same, and this Act, shall be construed as One Act.

Act may be amended, &c.

XXXII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

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