CAP. XXXI.

An Act to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances. [15th *July* 1850.]

9 & 10 Vict. c. 101. 10 & 11 Vict. c. 11. 11 & 12 Vict. c. 119. 10 & 11 Vict. c. 32. 12 & 13 Vict. c. 59. 12 & 13 Vict. c. 23.

'WHEREAS an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to authorize the Advance of public Money to a limited Amount to promote the Improvement of Land in* Great Britain *and* Ireland *by Works of Drainage*, and the said Act was explained and amended by another Act passed in the Tenth Year of Her Majesty; and an Act was passed in the Twelfth Year of Her Majesty, to simplify the Forms of Certificates under the said first-mentioned Act: And whereas an Act was passed in the Tenth Year of Her Majesty, intituled *An Act to facilitate the Improvement of Landed Property in* Ireland; and the said Act was amended by an Act passed in the last Session of Parliament; and an Act was passed in the same Session, "to authorize further Advances of Money for the "Improvement of Landed Property, and the Extension and Promotion of Drainage and "other Works of public Utility, in *Ireland*:" And whereas it is expedient to authorize further Advances of Money for Drainage and the Improvement of Landed Property in the United Kingdom, and to amend the Acts relating to such Advances:' 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, That it shall be lawful for the Commissioners of Her Majesty's Treasury to issue and advance or cause to be issued and advanced out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, in addition to the Sums already authorized to be advanced for the Purposes hereinafter mentioned, such Sum or Sums of Money, not exceeding in the whole the Sum of Two million Pounds, as may be required for the Purposes of Loans for the Improvement of Landed Property in *Great Britain*, and such Sum or Sums of Money, not exceeding in the whole the Sum of Two hundred thousand Pounds, as may be required for the Purposes of Loans for the Improvement of Landed Property in *Ireland*, or, if the Commissioners of Her Majesty's Treasury so think fit, it shall be lawful for them to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sums of Money not exceeding in the whole the said Sums of Two million Pounds for *Great Britain*, and Two hundred thousand Pounds for *Ireland*, as they shall think fit to direct for the Purposes aforesaid, but provided that the whole Amount of such Advances out of the Consolidated Fund and by Exchequer Bills shall not together exceed the said Sums of Two million Pounds for *Great Britain* and Two hundred thousand Pounds for *Ireland*.

Treasury may advance 2,000,000*l.* for Improvement of Landed Property in Great Britain, and 200,000*l.* for Ireland.

The Sums to be advanced for Great Britain to be applied to Loans under 9 & 10 Vict. c. 101. and the Acts amending the same.

II. And be it enacted, That the Money to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Great Britain* shall be applied for the Purposes and under the Provisions of the said firstly-recited Act, as amended by the said secondly and thirdly recited Acts and this Act, save so far as the same relate to Lands in *Ireland*, and all the Powers, Authorities, Provisions, Matters, and Things contained in the said firstly, secondly, and thirdly recited Acts, and applicable to Loans out of the Money authorized to be advanced for *Great Britain* under the said firstly-recited Act, shall extend to the Loans to be made out of the Money authorized to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Great Britain*.

The Money to be advanced for Ireland to be applied to Loans under 10 & 11 Vict. c. 32. and the amending Act.

III. And be it enacted, That the Money to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Ireland* shall be applied for the Purposes and under the Provisions of the said Act of the Tenth Year of Her Majesty "to "facilitate the Improvement of Landed Property in *Ireland*," as amended by the said firstly-recited Act of the last Session of Parliament and this Act, and all the Powers, Authorities, Provisions, Matters, and Things contained in the said last-mentioned Act of the Tenth Year of Her Majesty, and the said Act amending the same, applicable to the Loans authorized to be made by the said Act for the Improvement of Landed Property in *Ireland*, shall extend to the Loans to be made out of the Money authorized to be advanced under this Act for the Purposes of Loans for the Improvement of Landed Property in *Ireland*.

IV. And

Inclosure Commissioners may authorize Application of Advances to other Works than those mentioned in Provisional Certificate.

IV. And be it enacted, That where a Provisional Certificate has been or may be issued under the said firstly, secondly, and thirdly recited Acts or any of them, or this Act, and no Advance shall have been made in respect of the Works to which such Provisional Certificate relates, or the whole of the Sum in such Provisional Certificate expressed as the Limit of the Advance to be made under the same shall not have been issued, it shall be lawful for the Inclosure Commissioners for *England* and *Wales*, where they think fit, upon the Application of the Owner of the Land to which such Provisional Certificate relates, by Order under the Seal of the said Inclosure Commissioners, to authorize the Alteration or Modification of any Works to which such Provisional Certificate relates, or to authorize any other Works in respect of which an Advance might be made under the said Acts or this Act to be executed on the Land to which such Provisional Certificate relates, or on any other Land of the same Owner, in substitution in whole or in part for the Works referred to in such Provisional Certificate, and all Proceedings, Advances, and Acts shall and may be thenceforth had, made, and done upon such Provisional Certificate as varied by such Order, in the same Manner as if the Works altered or modified or substituted under such Order had been originally authorized or referred to in such Provisional Certificate: Provided always, that the said Commissioners shall not authorize the Execution of Works on Land other than that to which the Provisional Certificate relates in substitution as aforesaid for Works mentioned in such Certificate, until the like Notice of the Application shall have been given as is required by the said Acts in the Case of an Application for an Advance; and the Provisions of the said Acts concerning Notice of such last-mentioned Application, and concerning Dissents and Consents, and Proceedings consequent upon Dissent, shall be applicable where Notice is required under this Act.

Loans to the same Owner in Great Britain restricted to 5,000*l*.

V. 'And whereas by the said secondly-recited Act it is enacted, that no Provisional 'Certificate shall be issued upon any Application or Applications by the same Owner for a 'larger Sum than Ten thousand Pounds:' Be it enacted, That the said recited Provision shall, as respects Provisional Certificates to be issued upon Application made after the passing of this Act, be repealed; and no Provisional Certificate shall be issued upon any such Application or Applications by the same Owner for a larger Sum than Five thousand Pounds; or if any previous Provisional Certificate or Certificates have been issued to such Owner in respect of the same or any other Land, or have been issued in respect of the same Land to any previous Owner thereof, no Provisional Certificate shall upon such Application or Applications be issued for any larger Sum than will, with the Sum which has been or may be issued under such previous Certificate or Certificates, make up Five thousand Pounds.

Persons under Disabilities.

VI. And be it enacted, That when the Owner of any Lands in *England* or *Wales*, or the Person who under the Act of the Seventh Year of King *William* the Fourth, for the Commutation of Tithes in *England* and *Wales*, would be deemed the Owner of any Lands in *England* or *Wales*, shall be a Minor, Idiot, Lunatic, Feme Covert, beyond the Seas, or under any other legal Disability, the Guardian, Trustee, Committee of the Estate, Husband, or Attorney respectively shall be substituted in the Place of such Owner or Person deemed to be Owner for all the Purposes of the said several herein-before recited Acts and of this Act.

Act to be construed with 9 & 10 Vict. c. 101.

VII. And be it enacted, That so much of this Act as amends the said firstly-recited Act shall be construed with such Act and the said secondly and thirdly recited Acts as One Act.

Loans may be made for the Erection of Farm Buildings in Ireland.

VIII. And be it enacted, That out of any Money authorized to be advanced for facilitating the Improvement of Landed Property in *Ireland*, under the said Act of the Tenth Year of Her Majesty, "to facilitate the Improvement of Landed Property in *Ireland*," or the said secondly-recited Act of the last Session of Parliament, or this Act, Loans may be made for the Erection of Farm Buildings; and all the Provisions of the said last-mentioned Act of the Tenth Year of Her Majesty, and the said Act amending the same, shall be construed in like Manner as if the Erection of Farm Buildings had been enumerated in such last-mentioned Act of the Tenth Year of Her Majesty among the Purposes for which Loans might be made under that Act.

IX. 'And

Commissioners may fix a Time for Completion of Works, not exceeding 5 Years from First Advance.

IX. 'And whereas by the said Act "to facilitate the Improvement of Landed Property '"in *Ireland*" it is provided that all the Works for which any Loan is made under such 'Act shall be completed within such Period as may, previously to making any such Loan 'or Advance as therein mentioned, be fixed by the Commissioners of Public Works in '*Ireland*, or within such further Period as they may fix from Time to Time, such Periods 'not exceeding in the whole Three Years from the Date of the First Advance on account 'of any such Loan:' Be it enacted, That so much of the said recited Enactment as requires the said Commissioners to fix a Period for the Completion of any Works within Three Years from the Date of such First Advance shall be repealed; and it shall be lawful for the said Commissioners to fix, for the Completion of any such Works, such Period, and from Time to Time such further Period, within Five Years from the Date of the First Advance on account of any such Loan, as the said Commissioners may think fit.

Loans to the same Owner in Ireland restricted to 5,000*l*.

X. And be it enacted, That the Commissioners of Public Works in *Ireland* shall not make any Order for any Loan under the said Act of the Tenth Year of Her Majesty, "to "facilitate the Improvement of Landed Property in *Ireland*," the said secondly-recited Act of the last Session of Parliament, and this Act, or any of them, to the same Owner to a larger Amount than Five thousand Pounds; or if any previous Order or Orders have been made under such Acts or any of them for a Loan or Loans to the same Owner in respect of the same or any other Land, or to any previous Owner of the same Land in respect of such Land, the said Commissioners shall not make such Order for a Loan to a larger Amount than will, with the Sum which has been or may be issued under such previous Order or Orders, make up Five thousand Pounds.

Treasury may advance 800,000*l*. for Drainage and Works of public Utility in Ireland.

XI. 'And whereas it is expedient to authorize the Advance of a further Sum of Money 'for the Extension and Promotion of Works of Drainage and other Works of public Utility 'in *Ireland*:' Be it therefore enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and advance out of the growing Produce of the said Consolidated Fund, in addition to the Sums already authorized to be advanced for the Purposes herein-after mentioned, such further Sum or Sums of Money, not exceeding in the whole the Sum of Eight hundred thousand Pounds, as may from Time to Time be required for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*; or if the Commissioners of Her Majesty's Treasury so think fit, it shall be lawful for them to cause any Number of Exchequer Bills to be made out at the Receipt of the Exchequer at *Westminster* for any Sums of Money not exceeding in the whole the Sum of Eight hundred thousand Pounds, as they shall think fit to direct, for the Purposes last aforesaid; but provided that the whole Amount of such Advances out of the Consolidated Fund and by Exchequer Bills shall not together exceed the said Sum of Eight hundred thousand Pounds; and the Advances to be so made shall be applied for the Purpose of the Loans which the Commissioners of Public Works in *Ireland* may be called upon to make under the Provisions of the Acts now in force authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*.

Provisions of existing Acts extended to this Act. 12 & 13 Vict. c. 23.

XII. And be it enacted, That all the Powers, Authorities, Provisions, Matters, and Things, of what Nature or Kind soever, contained in or referred to by the said Act of the last Session of Parliament "to authorize further Advances of Money for the Improve- "ment of Landed Property, and the Extension and Promotion of Drainage, and other "Works of public Utility, in *Ireland*," so far as such Act relates to Loans for the Purposes last aforesaid, or in any Act authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of public Utility in *Ireland*, shall extend to this Act, and to Loans hereby authorized to be made for those Purposes.

Provisions of 9 & 10 Vict. c. 101. extended to this Act.

XIII. And be it enacted, That all the Provisions of the said firstly-recited Act applicable to the Exchequer Bills to be made out and issued under that Act shall extend and be applicable to the Exchequer Bills to be made out and issued under this Act.

Act may be amended, &c.

XIV. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.