38 & 39 Vict. c. 55. 30 & 31 Vict. c. 101. 41 & 42 Vict. c. 52.

"The Public Health Act" means, as regards England, the Public Health Act 1875; and as regards Scotland, the Public Health (Scotland) Act 1867; and as regards Ireland, the Public Health (Ireland) Act 1878.

"Person" includes a corporation.

Repeal of 26 & 27 Vict. c. 124., 31 & 32 Vict. c. 36., and 37 & 38 Vict. c. 43.

30. The following Acts, that is to say—

The Alkali Act 1863, (26 & 27 Vict. c. 124),

The Act to make perpetual the Alkali Act 1863, (31 & 32 Vict. c. 36), and

The Alkali Act 1874, (37 & 38 Vict. c. 43),

are hereby repealed without prejudice to anything done or suffered before the commencement of this Act, or to the recovery of any penalty incurred before or proceeding pending at the commencement of this Act; and any such penalty or proceeding may be recovered or continued as if this Act had not been passed.

Saving as to general law.

31. Nothing in this Act shall legalise any act or default that would, but for this Act, be deemed to be a nuisance, or otherwise be contrary to law, or deprive any person of any remedy by action indictment or otherwise, to which he would have been entitled if this Act had not passed.

SCHEDULE.

List of Works.

(1.) Sulphuric acid works, that is to say, any works in which the manufacture of sulphuric acid is carried on (not being alkali works within the meaning of the foregoing Act, and not being works in which the manufacture of sulphuric acid is carried on in conjunction with the extraction of copper or other metals from ore);

(2.) Chemical manure works, that is to say, any works in which the manufacture of chemical manure is carried on;

(3.) Gas liquor works, that is to say, any works in which gas liquor is used in any manufacturing process;

(4.) Nitric acid works, that is to say, any works in which the manufacture of nitric acid is carried on;

(5.) Sulphate of ammonia works and muriate of ammonia works, that is to say, any works in which the manufacture of sulphate of ammonia or of muriate of ammonia is carried on; and

(6.) Chlorine works or works in which chlorine, bleaching powder, or bleaching liquor is made.

CHAPTER 38.

An Act to grant Money for the purpose of Loans by the Public Works Loan Commissioners and the Commissioners of Public Works in Ireland; and for other purposes relating to Loans by those Commissioners.

[22nd August 1881.]

WHEREAS it is expedient to grant money for the purpose of loans by the Public Works Loan Commissioners and the Commissioners of Public Works in Ireland:

And whereas it is expedient to authorise the remission of certain sums due in respect of loans granted by the said Commissioners:

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 :

1. This Act may be cited as the Public Works Loans Act, 1881. Short title.

PART I.

Grant of Money for Public Works Loan Commissioners.

2. For the purpose of loans by the Public Works Loan Commissioners,— Grant of 4,000,000*l.* for Public Works loans during the period ending 30th June 1882. 38 & 39 Vict. c. 89. 42 & 43 Vict. c. 77.

(1.) Any sum or sums, not exceeding in the whole the sum of four million pounds, may be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, in manner provided by the Public Works Loans Act, 1875, as amended by the Public Works Loans Act, 1879 ; and

(2.) The Commissioners for the Reduction of the National Debt may advance any part or parts of the total sum above in this section mentioned in reduction of the amount which may be so issued out of the Consolidated Fund ;

and such sums may be issued and advanced during the period ending on the thirtieth day of June one thousand eight hundred and eighty-two, or on any earlier day at which a further Act granting money for the purpose of the said loans comes into operation.

The Treasury may, in the manner and subject to the limitations provided by the Public Works Loans Act, 1875, borrow the sum authorised by this section to be issued out of the Consolidated Fund, or any part of that sum. 38 & 39 Vict. c. 89.

PART II.

Grant of Money for Public Works Commissioners, Ireland.

3. For the purpose of loans by the Commissioners of Public Works in Ireland,— Grant of 1,100,000*l.* for loan by Commissioners of Public Works in Ireland during the period ending 30th June 1882. 40 & 41 Vict. c. 27. 42 & 43 Vict. c. 77.

(1.) Any sum or sums, not exceeding in the whole one million one hundred thousand pounds, may be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, in manner provided by Part Two of the Public Works Loans (Ireland) Act, 1877, as amended by the Public Works Loans Act, 1879 ; and

(2.) The Commissioners for the Reduction of the National Debt may advance any part or parts of the total sum above in this section mentioned in reduction of the amount which may be so issued out of the Consolidated Fund ;

and such sums may be issued and advanced during the period ending on the thirtieth day of June one thousand eight hundred and eighty-two, or on any earlier day on which a further Act authorising the issue of money for those loans comes into operation.

The Treasury may, in the manner and subject to the limitations provided by Part Two of the Public Works Loans (Ireland) Act, 1877, borrow the sum authorised by this section to be issued out of the Consolidated Fund, or any part of that sum. 40 & 41 Vict. c. 27.

PART III.

Remission, &c. of Loans.

Remission of certain interest on loan to Tralee Harbour and Canal Commissioners.

4. Whereas the Public Works Loan Commissioners in the year 1832 advanced to the Tralee Harbour and Canal Commissioners, on the security of the harbour and ship canal at Tralee, and the tolls thereof, a sum of six thousand pounds, to be repaid with interest at the rate of five per cent. per annum:

And whereas on account of such loan there remained due in the month of March one thousand eight hundred and eighty the sum of five thousand four hundred pounds in respect of principal and eleven thousand and fifty-four pounds nineteen shillings and twopence in respect of arrears of interest, and the net receipts from the said harbour and canal and tolls were insufficient to keep down the interest:

And whereas it was then proposed to make improvements in the harbour at Tralee and to make a railway to such harbour, and thereupon it was arranged by the divers persons interested, with the Public Works Loan Commissioners, and the Treasury, subject to the sanction of Parliament, that the Public Works Loan Commissioners should sell the said canal to the Tralee and Fenit Railway Company for the sum of eight thousand pounds whereof the sum of five thousand four hundred pounds should be forthwith paid to the Exchequer, and that there should be charged as a first charge upon the said canal and the proposed railway the remaining sum of two thousand six hundred pounds, with interest at five per cent. per annum, and that the residue of the said arrears of interest should be remitted:

And whereas in pursuance of the said arrangement the said sum of five thousand four hundred pounds was paid to the Exchequer:

43 & 44 Vict. c. lxxxv.

And whereas by the Pier and Harbour Orders Confirmation Act, 1880, provision was made for the said improvements in Tralee Harbour, and by an Act of the session of the forty-third and forty-fourth years of the reign of Her present Majesty, chapter one hundred and seventy-nine, intituled "An Act for making a railway from "Tralee to Fenit, in the county of Kerry, and for other purposes," the sum of two thousand six hundred pounds with interest at the rate of five per cent. per annum was charged upon the railway and canal therein mentioned in favour of the Public Works Loan Commissioners:

And whereas it is expedient to carry into effect the residue of the said agreement by authorising the Public Works Loan Commissioners to remit the residue of the said arrears of interest, be it therefore enacted that—

The Public Works Loan Commissioners may remit the arrears of interest amounting to the sum of eight thousand four hundred and fifty-four pounds nineteen shillings and twopence due in respect of the above-mentioned loan, and the amount so remitted shall be deemed to be a free grant by Parliament.

Remission of sum expended on the Monivea drainage works. 29 & 30 Vict. c. 49.

5. Whereas in pursuance of the Drainage Maintenance Act, 1866, the Commissioners of Public Works in Ireland were called upon by certain proprietors in the Monivea drainage district, in the county of Galway, to put the works of that district, which had

been neglected by the trustees, in repair, and executed the necessary works, but on the completion thereof it was found that a portion of the works so executed, namely, the underpinning of Chapel Field bridge and a certain work of excavation in connexion therewith, were not works of repair and maintenance, but were new works, and that therefore the sum of one hundred and fifty-five pounds expended on that portion of the works was not properly chargeable on the proprietors or owners of the land within the said drainage district:

And whereas it is expedient to authorise the remission of any claim by the Commissioners of Public Works for the repayment of the same sum, be it therefore enacted that—

The Commissioners of Public Works in Ireland, with the approval of the Treasury, may remit the said sum of one hundred and fifty-five pounds, and the sum so remitted shall be deemed to be a free grant by Parliament.

Provision as to loan to Wicklow Harbour Commissioners.

6. Whereas the Public Works Loan Commissioners advanced to the Wicklow Harbour Commissioners, on the security of Wicklow harbour and the revenue thereof, a loan of six thousand pounds, by two instalments of three thousand pounds each, on the twenty-seventh day of January one thousand eight hundred and seventy and the eighteenth day of March one thousand eight hundred and seventy-one respectively, and such loan was made repayable by eighteen annual instalments, commencing at the end of the third year from the date of the security, with interest at the rate of five per centum per annum on the principal from time to time remaining unpaid:

And whereas, on the advance of the said loan, the Town Commissioners of Wicklow consented that the said loan and the security for the same should have priority over a mortgage of Wicklow harbour and the revenue thereof to the said Town Commissioners to secure twelve thousand pounds:

And whereas, in consequence of the revenue of Wicklow harbour having been sufficient only for the annual expenses, no part of the principal of the said loan has been repaid to the Public Works Loan Commissioners, and no interest has been paid thereon since the month of March one thousand eight hundred and seventy-two an account of interest accrued due on the thirteenth day of February one thousand eight hundred and seventy-two, and the arrears of interest amount to upwards of two thousand eight hundred pounds:

And whereas an application has been made to the Commissioners of Public Works in Ireland to advance to the Wicklow Harbour Commissioners, for the purpose of improving and extending the harbour, under a baronial guarantee of certain baronies, a loan of forty thousand pounds, to be repayable in fifty annual instalments, with interest at the rate of four and a quarter per centum per annum, and to be a first charge on the revenue of Wicklow harbour:

And whereas, with a view to enable the Commissioners of Public Works to grant the said application, it is expedient to make such provision as herein-after appears with respect to the said loan, and arrears of interest thereon, due to the Public Works Loan Commissioners:

Be it therefore enacted as follows:—

The Commissioners of Public Works in Ireland, out of moneys in their hands for the purpose of loans, may pay to the Public Works Loan Commissioners the principal and interest due to those Commissioners in respect of the above-recited loan of six thousand pounds to the Wicklow Harbour Commissioners, and upon such payment the Public Works Loan Commissioners shall transfer the loan and arrears of interest thereon, and the securities for the same, to the Commissioners of Public Works in Ireland.

The Commissioners of Public Works in Ireland, in the event of their advancing, in accordance with the above-recited or any other application, any loan to the Wicklow Harbour Commissioners on a baronial guarantee, whether given before or after the passing of this Act, may, if the Town Commissioners of Wicklow consent to the postponement of their mortgage for twelve thousand pounds to such loan, make such loan a first charge on Wicklow harbour and the revenue thereof in priority to the principal and interest of the loan transferred in pursuance of this section. They may also convert the principal of the loan so transferred and the arrears of interest thereon due up to the date of the conversion into a consolidated debt to be repaid by a terminable annuity of such an amount as will repay the same within a period not exceeding twenty-eight years from the date of the conversion, if the rate of interest is taken at four per centum per annum; and so far as they have no further security for the consolidated debt and terminable annuity, the security given for the payment of the principal and interest of the loan shall be a security for the payment of such debt and annuity.

Amendment of Acts.

Amendment of 38 & 39 Vict. c. 89. s. 22. as to rate of interest for loan.

7. Where the Public Works Loan Commissioners have, either before or after the passing of this Act, in pursuance of the Public Works Loans Act, 1875, or of any enactment repealed by that Act, taken possession of any mortgaged property, and after the passing of this Act advance any sum for the completion, repair, improvement, or security of that property, the rate of interest on such sum shall, notwithstanding anything in section twenty-two of the Public Works Loans Act, 1875, or any like enactment repealed by that Act, be not less than five per cent. per annum.

Expenses of ascertaining (under 38 & 39 Vict. c. 89. s. 36.) that loans advanced by the Public Works Loan Commissioners have been properly applied.

8. The Local Government Board may make orders as to the expenses incurred by them or by any officer appointed by them in making or conducting any examination in pursuance of section thirty-six of the Public Works Loans Act, 1875, for the purpose of ascertaining that any loan or part of a loan advanced by the Public Works Loan Commissioners either before or after the passing of this Act, on the security of a rate, has been applied to the purpose for which the same was advanced.

Any such order may contain directions as to the parties by whom, and the rates out of which such expenses shall be borne, and on the application of the Local Government Board may be made a

rule of the High Court of Justice in England, or of the High Court of Session in either division of the Inner House thereof in Scotland.

Application of surplus balances of loans made by the Public Works Loan Commissioners.

9. The unapplied balance of any loan advanced by the Public Works Loan Commissioners, either before or after the passing of this Act, on the security of a rate, may, with the consent of the said Commissioners, and of the central authority or department, if any, with whose sanction or consent such loan was authorised to be raised, be applied to any purpose to which moneys borrowed on the security of such rate are properly applicable; and in construing section thirty-six of the Public Works Loans Act, 1875, and section four of the Public Works Loans Act, 1878, the purpose to which any such unapplied balance as aforesaid is so applied, shall be deemed to be the purpose for which that portion of the loan was advanced.

41 Vict. c. 18.

Loan of 20,000*l.* for erecting a lighthouse on Minicoy Island.

10. Whereas by the Merchant Shipping Amendment Act, 1855, provision is made for the levying and recovery of dues to be paid by any ship which passes or derives benefit from a lighthouse erected on or near the coast of any British possession, and the Public Works Loan Commissioners are authorised to advance loans for the purpose of constructing such lighthouse:

18 & 19 Vict. c. 91.

And whereas by the Basses Lights Act, 1869, and the Basses Lights Act, 1872, the Public Works Loan Commissioners were directed to advance sums not exceeding in the whole one hundred and forty-five thousand pounds, repayable in fifty years as therein mentioned, for the purpose of constructing the Great Basses Lighthouse and the Little Basses Lighthouse, and the dues levied in respect of that lighthouse are declared to form one fund (in this section referred to as the Basses Lights fund), to be applied for the purpose of paying the expenses incurred in erecting and maintaining such lighthouses, and for no other purpose whatever, and the priority of the charges on such fund is declared by section six of the Basses Lights Act, 1872:

32 & 33 Vict. c. 77.
35 & 36 Vict. c. 55.

And whereas sums amounting in the whole to one hundred and twenty thousand pounds have been advanced in pursuance of the said Acts, of which thirteen thousand pounds have been repaid, and the annual receipts of the Basses Lights fund during the year ending on the thirty-first day of March one thousand eight hundred and eighty exceeded the annual charges thereon by upwards of three thousand two hundred pounds:

And whereas it is expedient to provide for the remainder of the loan authorised by the said Acts being applied towards the erection of a lighthouse on the Island of Minicoy between the Maldive and Laccadive Islands: Be it therefore enacted as follows:

(1.) The existing power of the Public Works Loan Commissioners to advance a further loan of twenty-five thousand pounds under the Basses Lights Act, 1872, shall cease:

(2.) In the event of provision being made by Order in Council and otherwise for the levy of dues in respect of any lighthouse to be erected on the said Island of Minicoy, the Public Works Loan Commissioners may, in lieu of the loan before in this section declared to cease, and in pursuance of the Merchant Shipping Act, 1854, and the Merchant Shipping Amendment

17 & 18 Vict. c. 104.

Act, 1855, advance for the purpose of constructing such Minicoy Lighthouse any sum or sums not exceeding in the whole twenty thousand pounds, which shall be repayable as to each portion thereof within a period not exceeding fifty years from the date of the advance of such portion, and shall bear interest at the rate of four and a quarter per centum per annum:

(3.) The sums advanced in pursuance of this section shall be advanced in accordance with the Public Works Loans Act, 1875, and be secured on the Basses Lights fund:

(4.) So long as any money is due to the Public Works Loan Commissioners on account of any loan under this section the dues payable in respect of the Great Basses Lighthouse and the Little Basses Lighthouse or the Minicoy Lighthouse shall be altered only with the consent of the Commissioners of Her Majesty's Treasury:

(5.) The dues received in respect of the Minicoy Lighthouse shall be carried to and form part of the Basses Light funds, and section six of the Basses Lights Act, 1872, shall be construed as if the Minicoy Lighthouse were one of the lighthouses therein mentioned, and the expense of maintaining the Minicoy Lighthouse shall be defrayed accordingly, and the principal and interest of any loan under this section shall be charged on the said fund next after the sums charged thereon by the said section six.

Explanation of Acts as to loans for houses for labouring classes in Ireland. 29 & 30 Vict. c. 28. 29 & 30 Vict. c. 44.

11. Whereas by the Labouring Classes Dwelling Houses Act, 1866, and the Labouring Classes Lodging Houses and Dwellings (Ireland) Act, 1866, the Public Works Loan Commissioners and the Commissioners of Public Works in Ireland respectively, are authorised to lend to the public bodies, companies, societies, associations, and persons therein mentioned loans for the purchase of lands or buildings, and the erection, alteration, and adaptation of buildings to be used as dwellings for the labouring classes:

And whereas it is expedient to remove certain doubts which have arisen with respect to such loans: Be it therefore enacted as follows:

Any company, society, or association established for the purpose of constructing or improving dwellings for the labouring classes shall be deemed to be and always to have been a company, society, or association to which a loan may be made in pursuance of the Labouring Classes Dwelling Houses Act, 1866, and the Labouring Classes Lodging Houses and Dwellings (Ireland) Act, 1866, and any loan heretofore made to any such company, society, or association shall be deemed to have been validly made, and the security given for the same shall be valid and effectual to all intents.

The period and rate of interest of any loan made in pursuance of either of the above-mentioned Acts may be such as is mentioned either in the Act or in section six of the Public Works Loans Act, 1879, with respect to the like loans by the Public Works Loans Commissioners, and the said section six shall be deemed to have been and this section shall be deemed to be in addition to and not in derogation of the powers under the above-mentioned Acts.

Explanation of Acts relating

12. Whereas under the provisions of divers Acts of Parliament authorising the Commissioners of Public Works in Ireland to make

loans for public and other purposes, it is provided that the repayment of the loans thereunder shall be completed, and the first instalment of such repayment made within the periods respectively therein mentioned from the date of the advance, or from the time when the first advance is made, and doubts have arisen with respect to the construction of such provisions in the case where a loan is advanced by instalments, and it is expedient to remove such doubts: Be it therefore enacted as follows:

to Commissioners of Public Works in Ireland as to date of advance.

The period of years mentioned in any of the recited Acts as the period within which advances made thereunder by the Commissioners of Public Works are to be repaid shall, as regards each instalment of any loan advanced by the said Commissioners, either before or after the passing of this Act, be reckoned from the date of the advance of the instalment by the Commissioners.

Removal of doubt as to construction of 43 & 44 Vict. c. ccvi. respecting Mulkear drainage district board.

13. Whereas by the Mulkear Drainage District Act, 1880, the Commissioners of Public Works in Ireland were authorised to advance to the Mulkear drainage district board such sum as they might think proper, not exceeding the sum of one thousand pounds, to be applied for the purpose of discharging and paying a certain judgment debt recovered in an action therein mentioned, and the costs; and whereas doubts have arisen as to whether the costs include costs incurred by the board as well as the costs due to the judgment creditor; and it is expedient to remove such doubts, be it therefore enacted that—

The costs referred to in the said Act shall be deemed to include all costs properly incurred by the said drainage board in or incidental to the said action, as well as the costs due to the judgment creditor.

Confirmation of loans mentioned in 43 Vict. c. 4.

14. Whereas by the ninth section of the Relief of Distress (Ireland) Act, 1880, certain loans made to owners of land by the Commissioners of Public Works in Ireland in accordance with the public notices specified in that section were ratified and confirmed; but such ratification and confirmation does not apply to any loan of which a second instalment was not paid by the Commissioners of Public Works before the thirty-first day of July one thousand eight hundred and eighty; and it is expedient now to confirm such last-mentioned loans in cases in which the non-payment of the second instalment before the said date was caused by unavoidable oversight on the part of the said Commissioners at a time of unusual pressure on their offices;

Therefore, where a loan has been made by the Commissioners of Public Works to an owner of land under the public notices mentioned in section nine of the Relief of Distress (Ireland) Act, 1880, and a second instalment of such loan though not paid by the Commissioners of Public Works before the thirty-first day of July one thousand eight hundred and eighty, was paid by them, with the sanction of the Treasury, before the thirtieth day of April one thousand eight hundred and eighty-one, and the Commissioners of Public Works certify to the Treasury that the above-mentioned non-payment of the second instalment before the thirty-first day of July was caused without any delay or default on the part of the borrower, that loan is hereby ratified and confirmed; and all the provisions of the said Relief of Distress (Ireland) Act, 1880, and of any Act amending the same, relative to loans made to owners of

land under the said public notices, shall apply to such loan as if the second instalment thereof had been paid before the said thirty-first day of July one thousand eight hundred and eighty.

PART IV.

Grant of Money for Irish Land Commission.

Grant of 1,400,000*l.* to Land Commission.

15. For the purpose of advances or of purchases of estates by the Land Commission in Ireland under any Act passed during the present session amending the law relating to the occupation and ownership of land in Ireland, any sum or sums not exceeding in the whole the sum of one million four hundred thousand pounds may be issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof, in manner provided by the said Act, and such sums may be issued during the period ending on the thirtieth day of June one thousand eight hundred and eighty-two, or on any earlier day on which a further Act providing money for the purpose of such advances or purchases comes into operation.

The Treasury may, in the manner and subject to the limitations provided by the said Act, borrow the sum authorised by this section to be issued out of the Consolidated Fund, or any part of that sum.

CHAPTER 39.

An Act to provide for uniform Terms of entry to and removal from Houses within Burghs in Scotland.

[22nd August 1881.]

WHEREAS in many burghs in Scotland a custom exists whereby for the purpose of tenants entry to or removal from houses, a period beyond the date as fixed by law of the term of entry or removal is allowed, within which such entry or removal may take place:

And whereas the period so allowed is not uniform, but varies according to the usage of the particular burgh:

And whereas such want of uniformity is productive of great inconvenience, and it is expedient that uniform terms for such entry and removal should be provided:

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:

Short title and extent of Act.

1. This Act may be cited as the Removal Terms (Burghs) (Scotland) Act, 1881, and shall extend to Scotland only.

Definition of terms.

2. In this Act the expression "houses" shall mean and include dwelling-houses, shops, and other buildings and their appurtenances, excepting such dwelling-houses or buildings as shall be let along with land for agricultural purposes; the expression "burgh" shall mean and include royal burghs, parliamentary burghs, or any populous place, the boundaries whereof have been fixed and ascertained under the provisions of the General Police and Improvement (Scotland) Act, 1862, or of the Act first therein recited; the

25 & 26 Vict. c. 101.