SECOND SCHEDULE.

53 Geo. 3. c. 155. - - in part.	An Act for continuing in the East India Company for a further term the possession of the British territories in India, together with certain exclusive privileges; for establishing further regulations for the government of the said territories, and the better administration of justice within the same, and for regulating the trade to and from the places within the limits of the said company's charter. In part; namely— Section eighty-nine from "and the said Court of Directors" to the end of the section.
4 Geo. 4. c. 71. - - in part.	An Act for defraying the charge of retiring pay, pensions, and other expense of that nature of His Majesty's forces serving in India, for establishing the pensions of the bishop, archdeacons, and judges, for regulating ordinations, and for establishing a court of judicature at Bombay. In part; namely— In section three, the words "and to any such archdeacon who shall have "exercised in the East Indies or parts aforesaid for ten years the office "of archdeacon," and the words "or archdeacon" at the end of this section.
3 & 4 Will. 4. c. 85. - in part.	An Act for effecting an arrangement with the East India Company, and for the better government of His Majesty's Indian territories till the thirtieth day of April one thousand eight hundred and fifty-four. In part; namely— Section seventy-six, from "and the said Court of Directors" to the end of the section, and section ninety-one.

CHAPTER 4.

An Act to render valid certain proceedings taken for the Relief of Distress in Ireland, and to make further provision for such Relief; and for other purposes. [15th March 1880.]

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.

1. This Act may be cited as the Relief of Distress (Ireland) Act, 1880.

Interpretation.

2. In this Act, if not inconsistent with the context, the term "the Poor Law Acts" means the Act passed in the session of Parliament held in the first and second years of the reign of Her present Majesty, chapter fifty-six, and the Acts altering or amending the same.

The term "the Land Improvement Acts" means the Acts mentioned in the schedule to this Act, and the Acts altering or amending them.

The term "the Local Government Board" means the Local Government Board for Ireland.

The term "Lord Lieutenant" means the Lord Lieutenant or other chief governor or governors of Ireland for the time being.

Extension of power to grant out-door relief in food and fuel.

3. At any time after the passing of this Act and before the thirty-first day of December one thousand eight hundred and eighty, the Local Government Board may, from time to time, if and so far as they think fit, authorise by order under their seal the guardians of the poor of any union to administer relief in food and fuel, or either of them, out of the workhouse, to poor persons, whether such poor persons might, under the Poor Law Acts, have obtained relief out of the workhouse or not, in the union, or in any electoral division or divisions thereof, for any time not exceeding two calendar months from the date of such

order; and the Local Government Board may, from time to time, by an order under their seal for that purpose, revoke any such order either wholly or with reference to any particular person or class of persons in receipt of such relief; and on the receipt by the guardians of any union of any such order of the Local Government Board authorising such relief in food and fuel, or either of them, the guardians shall make provision for affording such relief accordingly for such time and on such conditions as may be specified in the order or until the said order is revoked; and the proviso at the end of the second section of the Act passed in the session of Parliament of the twenty-fifth and twenty-sixth years of the reign of Her present Majesty, chapter eighty-three, shall not apply to the relief to be afforded under this Act.

25 & 26 Vict. c. 83.

The expense of affording relief under this Act to each person so relieved shall be charged in the same manner as if such expense had been incurred in affording in-door relief to such person under the provisions of the Poor Law Acts.

Power to borrow.

4. In addition to any power of borrowing vested in boards of guardians under the Acts in force at the time of the passing of this Act, the board of guardians of any union may, with the sanction of the Local Government Board, for the purpose of defraying any costs, charges, or expenses incurred or to be incurred by them in the execution of this Act, or of the Poor Law Acts other than for building, borrow and take up at interest any sums of money necessary for defraying any such costs, charges, and expenses.

In the case of every such loan the following provisions shall take effect:—

1.) The Board of Guardians may borrow any such sums on the credit of the rates of such of the electoral divisions in the union as the guardians with the sanction of the Local Government Board may determine; and for securing the repayment of any sums so borrowed, with interest thereon, they may mortgage to the persons by or on behalf of whom such sums are advanced the rates leviable on such electoral division or divisions.

(2.) The money shall be borrowed for such time not exceeding ten years as the guardians with the consent of the Local Government Board determine in each case.

(3.) It shall not be lawful for the Local Government Board to sanction any such loan after the first day of March one thousand eight hundred and eighty-one.

(4.) All sums so borrowed shall be repaid by such instalments as may be agreed on with the sanction of the Local Government Board.

41 & 42 Vict. c. 52.

The several provisions of the Public Health (Ireland) Act, 1878, relative to loans to rural sanitary authorities, so far as they are consistent with the enactments contained in this Act, shall apply to all loans contracted by Boards of Guardians under this Act.

Power of Board of Works to lend.

5. The Commissioners of Public Works in Ireland may, with the consent of the Commissioners of Her Majesty's Treasury, on the application of any Board of Guardians and on the recommendation of the Local Government Board, make out of any moneys placed at their disposal by Parliament for the purpose of loans any loan to such Board of Guardians in pursuance of any power of borrowing conferred by this Act, on the security of any rate applicable to any of the purposes of the Poor Law Acts, and without requiring any further or other security, such loans to bear interest at the rate of three and a half per centum per annum.

Repayment of loans made by the Board of Works.

6. If at any time before the passing of this Act the Commissioners of Public Works in Ireland shall have advanced money to any Board of Guardians upon the faith of a resolution of the board agreeing to repay the advance in such manner as the Commissioners of the Treasury should prescribe, the sum so advanced, or any part thereof remaining unpaid from time to time, together with interest on such sum or part, shall be a charge upon the rates leviable on such electoral division or divisions in the union as the Local Government Board shall appoint; and such sum or part shall be repaid in such manner, within such time, and with such interest, as the Commissioners of the Treasury shall prescribe.

Orders for payment of loans may be made by Local Go-

7. If at any time the Commissioners of Public Works in Ireland certify that any sum remains due to them from the Board of Guardians of any union on account of any loan or advance made under this Act, or on the faith of any such resolution, and is then payable to

the Commissioners, the Local Government Board shall by order under their seal assess that sum on such of the several electoral divisions in the union as they think proper, and shall send copies of the order to the Board of Guardians and to the treasurer of the union; and thereupon the treasurer of the union shall, out of any money then in his hands to the credit of the guardians, or if such money is insufficient for the purpose then out of all moneys subsequently received by him on account of the guardians, pay over the amount mentioned in the order to the Commissioners of Public Works. The guardians of the union shall debit the several electoral divisions with such proportions of that sum as the said order of the Local Government Board shall have assessed upon such electoral divisions respectively. vernment Board.

8. If at any time before the passing of this Act any outlay shall have been made by any Board of Guardians for the purpose of providing out-door relief in food or fuel, such outlay, and all resolutions and proceedings of the board and of their officers in relation thereto, shall be ratified and confirmed and be as valid and effectual as if the outlay had been made and the resolutions and proceedings had been passed and taken under the authority and in compliance with the provisions of this Act: And all persons who have acted in any manner in making any such outlay or otherwise in providing such relief shall be released and indemnified from and against any penalties, and from and against all legal claims or proceedings in consequence thereof. Confirmation of expenditure by guardians, and indemnity.

9. Whereas under the provisions of the Land Improvement Acts, and under the provisions of the Public Health (Ireland) Act, 1878, and the Public Health (Ireland) Amendment Act, 1879, the Commissioners of Public Works in Ireland are empowered to lend money to owners of land and to sanitary authorities, but subject to the conditions prescribed by the above-mentioned Acts: Validation of loans. 41 & 42 Vict. c. 52. 42 & 43 Vict. c. 57.

And whereas by reason of the want of employment for the labouring classes, and the consequent distress in certain districts in Ireland, it became desirable to extend without delay the facilities and advantages in obtaining loans under the said Acts, and to dispense with some of the conditions prescribed by the said Acts:

And thereupon, for the purpose above stated, and with a view to enable owners of land and sanitary authorities to afford immediate employment to the labouring classes in such distressed districts, the Commissioners of Her Majesty's Treasury, on the application of His Grace the Lord Lieutenant of Ireland, authorised the Commissioners of Public Works in Ireland to lend to owners of land and sanitary authorities in such districts sums of money for some of the purposes of the said Acts, but upon terms more favourable to the borrowers than the terms prescribed by the said Acts:

And in pursuance of such authority the Commissioners of Public Works, by public notice dated the twenty-second day of November one thousand eight hundred and seventy-nine, and by a subsequent public notice dated the twelfth day of January one thousand eight hundred and eighty, amending the former notice and extending to all loans which had been applied for and obtained under the conditions of the said former notice, announced that they were authorised to make loans to owners of land and to sanitary authorities in certain districts under the said Acts, but upon the terms set forth in such notices, for the purposes therein specified:

And whereas a number of loans have been applied for by owners of land and sanitary authorities, and have been made to them by the Commissioners of Public Works, in accordance with the said public notices and upon the terms set forth therein, and it is necessary and expedient that all such loans, and the several proceedings taken or which shall be taken in reference to them, should be ratified and confirmed upon the terms set forth in such notices.

Therefore, all loans made by the Commissioners of Public Works in Ireland, in compliance with applications made under either of their public notices of the twenty-second day of November and the twelfth day of January last, and all advances of money made or hereafter to be made by the Commissioners on account of any such loan, and all contracts, express or implied by law, entered into between the Commissioners and any person or sanitary authority respecting any such loan, or any interest thereon, and all securities for the repayment of any such loan or interest, and all things done or to be done in the making or repaying of such loan, shall be ratified and confirmed and be as valid and effectual as if the terms set forth in the second of the said notices had been

enacted in the said Acts as the terms upon which any such loan might be made, and as if such loan had been made in other respects in strict accordance with the provisions of such Acts applicable to such loan; and it is hereby declared that the provisions of the second of the two notices aforesaid shall extend to loans applied for and obtained under the conditions of the notice dated the twenty-second of November; and in the case of any loan which would have been charged upon any special land or rate if made in strict accordance with the provisions of such Acts applicable to such loan, or with reference to which loan any of such Acts creates any legal right or liability, such land or rate shall be charged, and such legal right or liability shall be created, as fully as if such loan were made in strict accordance with the provisions of such Acts applicable to such loan: Provided always, that in any award for increase of rent to be made by the Commissioners of Public Works, Ireland, under the said Land Improvement Acts, the increase, if any, so awarded shall not exceed the yearly rentcharge payable by the owner for such loan.

Validation of baronial presentments.

10. And whereas further measures for the relief of some of such distressed districts became necessary, and the Commissioners of Her Majesty's Treasury accordingly authorised the Commissioners of Public Works to advance by way of loan, certain sums to be expended in such works as should be presented by extraordinary presentment sessions of certain baronies, which the Lord Lieutenant announced that he would convene, on the application of the guardians of the poor of unions situate either wholly or in part in those baronies, when such application was supported by the report of the Local Government Board; and for other purposes:

And whereas, on such applications being made, the Lord Lieutenant directe d extraordinary meetings of the baronial presentment sessions to be convened in certain baronies in Ireland, and issued certain instructions to the justices and the associated cess-payers assembled at such presentment sessions as to the works which they might present, and their proceedings in relation thereto, and as to the approval by the Commissioners of Public Works of such presentments, and the terms upon which loans would be made for such works by the Commissioners of Public Works, and as to other matters:

And whereas extraordinary meetings of the presentment sessions were held in some of such baronies, and the justices and associated cess-payers have made presentments for works in accordance with such instructions, and such presentments have been approved by the Commissioners of Public Works, and loans have been made for such works on the terms contained in such instructions:

And whereas it is necessary and expedient that all presentments made at any such presentment sessions before or after the passing of this Act which have been or shall be approved by the Commissioners of Public Works, and all loans and advances which have been made or shall be made thereon, and the several proceedings taken, or which shall be taken thereunder, should be ratified and confirmed, and that such loans should be repaid as is provided by this Act:

Therefore all presentments made or to be made at any such extraordinary presentment sessions in accordance with such instructions, and which have been or shall be approved by the Commissioners of Public Works, and all works consequent upon such presentments, and all advances of public money made or to be made, and all things done or to be done in execution of such presentments, shall be ratified and confirmed as if the same had been presented, made, and done strictly in accordance with the statutes under which such works may be presented for.

Future meetings of baronial sessions.

11. At any time after the passing of this Act, and before the thirty-first day of December one thousand eight hundred and eighty, the Lord Lieutenant may from time to time, if he thinks fit, convene extraordinary presentment sessions for any barony, and may issue instructions to the justices and the associated cess-payers assembled at such sessions, to which instructions they shall conform.

The Lord Lieutenant may from time to time, if he think fit, revoke, vary, or add to the instructions issued before the passing of this Act, or which may be issued by him to the justices, and associated cess-payers constituting any extraordinary presentment sessions, but in so far as such instructions relate to any loan or advance of money only with the consent of the Commissioners of Her Majesty's Treasury. All presentments made by such

essions, in accordance with the instructions from time to time in force, shall be as valid and effectual as if they had been duly presented by the grand jury, and fiated by the court at any assizes or presenting term.

The Commissioners of Public Works may, with the consent of the Commissioners of Her Majesty's Treasury, make loans or advances for the purposes of carrying into effect the presentments of any extraordinary presentment sessions convened under the authority of this Act, and for the other purposes mentioned in the instructions issued by the Lord Lieutenant, upon the terms herein-after stated.

All instructions issued by the Lord Lieutenant to the justices and associated cess-payers of any extraordinary presentment sessions shall be laid before Parliament within one month after they have been issued, if Parliament is then sitting, and if not, then within one month after the next meeting of Parliament.

Permanence of constitution of sessions.

12. The several persons entitled from time to time to attend as justices and as associated cess-payers respectively at the extraordinary presentment sessions in any barony, in accordance with the instructions issued by the Lord Lieutenant, and the persons appointed to serve on any Standing Committee of any such sessions, shall, notwithstanding that they may have ceased to be entitled to attend at the ordinary presentment sessions of the barony, continue to be exclusively entitled to constitute the extraordinary presentment sessions for a period of six months after the first meeting of the extraordinary presentment sessions at which they were respectively entitled to attend, or for such other period as the Lord Lieutenant by order, to be published in the Dublin Gazette, may appoint.

Repayment of advances.

13. The moneys advanced from time to time by the Commissioners of Public Works for the purpose of the presentments of any extraordinary presentment sessions shall be charged upon the several baronies for the use of which they were advanced. The moneys paid from time to time by the Commissioners of Public Works to the secretary of the grand jury of any county, or to any county surveyor, for expenses incurred by such secretary or surveyor, shall be charged upon the county at large. All such sums shall be repaid, with interest at the rate of one per centum per annum commencing from the expiration of two years after the making of the loan, by grand jury presentments, by thirty half-yearly instalments, the first of such instalments to be presented at the assizes next preceding the expiration of the said period of two years; and the Commissioners of Public Works shall, before each assizes, make out a certificate for each county in which such extraordinary presentment sessions have been held, specifying the amount properly chargeable upon each barony in the county or upon the county at large. Every such certificate shall be conclusive evidence of all facts and circumstances necessary to authorise the making of it. The Commissioners of Public Works shall transmit the certificate to the secretary of the grand jury, to be laid before the grand jury, and thereupon the grand jury shall, without any previous application to presentment sessions, make a presentment for the amount specified in such certificate as payable by each barony, or by the county at large, or, in default of such presentment, the amount shall be raised by an order of the judge of assize, which order shall have the force of a presentment. The amounts raised under such presentments shall be paid to the Commissioners of Public Works in such manner as the Commissioners of the Treasury may from time to time direct.

Tax to be divided like poor rate.

14. Any person who is liable to pay a rent in respect of any premises in any barony chargeable with any such repayment may deduct from such rent, for each pound of the rent which he is liable to pay, one half of the sum which he has paid under any such grand jury presentment in respect of each pound of the net annual value of such premises as valued under the Acts relating to the valuation of rateable property in Ireland, and so in proportion for any less sum than a pound: Provided always, that it shall not be lawful under this Act for any such person to deduct from the rent payable by him for such premises a larger sum than one half of the amount of the cess which has been paid by him in respect of the same. Any person receiving rent in respect of any premises liable to such payment under grand jury presentment, who also pays a rent in respect of the same, shall be entitled to deduct from the rent so paid by him a sum bearing such a proportion to the amount of the sum deducted from the rent received by him as the rent paid by him bears to the rent received by him.

Provided always, whenever the net annual value of the whole of the rateable hereditaments occupied by any person having no greater estate or interest therein than a tenancy from year to year, or holding under any lease or other contract of tenancy, shall not exceed four pounds, the cess payable in respect of such hereditaments under any presentment pursuant to this Act shall be applotted on the immediate lessor of such person; and, if at the time of applotting any such cess the name of such immediate lessor shall not be accurately known to the person applotting the cess, it shall be sufficient to describe him as "the immediate lessor," with or without any name or further addition; and such cess shall be held to be duly applotted on him by such description, and shall be recoverable from him accordingly, and all the provisions contained in the sixty-sixth section of the Landlord and Tenant (Ireland) Act, 1870, relative to the payment of grand jury cess in certain cases, and to the making of deductions from rent on account of such payment, shall apply to the cess payable in respect of such hereditaments under any presentment made pursuant to this Act, whether such hereditaments are held under a tenancy created before or after the passing of the said Landlord and Tenant (Ireland,) Act, 1870.

33 & 34 Vict. c. 46.

33 & 34 Vict. c. 46.

In the baronies chargeable under this Act receipts for grand jury cess shall be given by the collectors, distinguishing the amount paid under presentments pursuant to this Act from the rest of the cess payable for the half year.

Remuneration for county officers.

15. The Commissioners of Public Works may pay to the secretary of the grand jury of any county, and to the county surveyor, such sums as they consider to have been properly and necessarily expended by such secretary or surveyor in publishing notices or advertisements, or in attendance at such presentment sessions, or otherwise in relation to such presentment sessions, and for the remuneration of such clerks or assistants as the Commissioners may sanction. The sums so paid by the Commissioners, and any sums paid by them before the passing of this Act to any such secretary or county surveyor for such purposes, shall be repaid to the Commissioners by grand jury presentment in the manner provided by this Act.

The grand jury shall present to every collector remuneration for the collection of all assessments made for the purposes mentioned in this Act, at the same rate as they present to him for collecting grand jury cess; and the grand jury may, if they think fit, also present to the secretary of the grand jury, and the county surveyor, and his assistants, and to the treasurer of any county who was in office as such treasurer prior to the passing of the Act of the session of Parliament held in the thirtieth and thirty-first years of the reign of Her present Majesty, chapter forty-six, such reasonable sum, to be levied off the county at large, as remuneration for the trouble incurred by each such person in respect to such presentment sessions, as, having regard to the other duties of such person and the rate at which he is remunerated for them, the grand jury thinks fit.

30 & 31 Vict. c. 46.

Where any presentment has been made at extraordinary presentment sessions for the making of a new road or the widening of an old road, the grand jury may, without previous application to presentment sessions, present to any owner or occupier of the ground through which the new road is to be made or into which the old road is to be widened, as compensation for the loss sustained by such owner or occupier, such sums as they think fit, chargeable upon the barony or baronies in which the land is situate. All such owners and occupiers shall be entitled to traverse for damages.

The Commissioners of Public Works may, if they think fit, lend to any grand jury the amounts presented by the grand jury under the authority of this section. Every such loan shall be chargeable upon the county at large, or upon the barony specified in the presentment, and shall be repayable on the same terms as the loans for other presentments validated by this Act.

Audit of accounts.

16. The accounts of every extraordinary presentment sessions shall be audited in the same manner as county accounts are audited; and the provisions of all Acts relative to the auditing of county accounts in Ireland shall apply to the auditing of the accounts of such presentment sessions.

Repayment to the Treasury.

17. Whereas the Commissioners of Public Works have, by the authority of the Commissioners of the Treasury, advanced to owners of land, and to sanitary authorities, and to county officers, and for the purposes of the extraordinary presentment sessions, certain moneys for the time being in their hands or under their control for purposes other

than those, or on terms different from those, for which the said moneys were voted by Parliament:

And whereas it is expedient to make good the same and to provide for further advances under this Act:

Therefore, the Commissioners of Church Temporalities in Ireland shall advance to the Commissioners of Public Works out of any moneys at their disposal, or which they may raise on the security of their annual income, such sum or sums not exceeding in the whole the sum of seven hundred and fifty thousand pounds, as the Commissioners of the Treasury may from time to time direct.

Extension of borrowing powers of Commissioners of Church Temporalities.

18. The several provisions of the Irish Church Act, 1869, with respect to the raising of money by the Commissioners of Church Temporalities in Ireland, and the giving of security for the repayment thereof, and of interest thereon, and with respect to the power of the Commissioners for the Reduction of the National Debt to make advances to the said Commissioners of Church Temporalities, and with respect to the powers of the Commissioners of Her Majesty's Treasury in relation to the money so to be raised, shall be extended and shall apply to the purposes of this Act as fully as such provisions apply to the purposes of the Irish Church Act, 1869. 32 & 33 Vict. c. 42. 32 & 33 Vict. c. 42.

Any advance made by the Commissioners for the Reduction of the National Debt to the Commissioners of Church Temporalities for the purposes of this Act, shall be charged upon the property accruing to and shall be payable by the Commissioners of Church Temporalities under the said Irish Church Act, 1869, as if it were part of the debt already owing by the Commissioners of Church Temporalities to the Commissioners for the Reduction of the National Debt, and shall be paid to the latter in priority of all debts due from the said Church Temporalities Commissioners under any statutes except the said Irish Church Act, 1869. 32 & 33 Vict. c. 42. 32 & 33 Vict. c. 42.

Repayment to Church Commissioners.

19. The amounts presented from time to time by grand juries, and the amounts paid from time to time by sanitary authorities and owners of land, in repayment of loans made by the Commissioners of Public Works, shall be paid by the Commissioners of Public Works, subject to such directions as the Commissioners of the Treasury may give from time to time, to the Commissioners of Church Temporalities.

Indemnity and saving.

20. All persons who shall have acted in any manner in making any such loan as is mentioned in this Act, or in any proceeding for giving effect to the notices or instructions mentioned in this Act, or to the presentments of the extraordinary presentment sessions, or in making any advance of money to the Commissioners of Public Works or to any other person or authority for the purposes of such loans, shall be released and indemnified from and against all penalties in consequence thereof.

Nothing contained in this Act shall be taken to prejudice or affect any proceeding for the recovery of any debt from any grand jury, or board of guardians, or sanitary authority, or person which the Commissioners of Public Works would have been entitled to take if this Act had not been passed.

Out-door relief not to involve electoral disability.

21. And whereas by reason of exceptional distress in Ireland persons entitled to the parliamentary or other franchise may be compelled to accept temporary relief under the provisions of this Act, and it is reasonable that under the special circumstances they should not suffer any disability: Be it therefore enacted, that no electoral disability or loss of such franchise shall be incurred by any voter who may be granted out-door relief or assistance under the provisions of this Act.

SCHEDULE of Acts referred to in Section 2.

10 & 11 Vict. c. 32.	23 & 24 Vict. c. 19.
12 & 13 Vict. c. 59.	25 & 26 Vict. c. 29.
13 & 14 Vict. c. 31.	29 & 30 Vict. c. 40.
15 & 16 Vict. c. 34.	