CHAPTER 14.

An Act to amend the Relief of Distress (Ireland) Act, 1880; and for other purposes relating thereto. [2nd August 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) Amendment Act, 1880.

Amendment of 43 Vict. c. 4.

2. Whereas by the seventeenth section of the Relief of Distress (Ireland) Act, 1880, it is enacted that 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, and whereas the said limited sum has been found insufficient for the purposes of the Act: And whereas it is desirable to enable the Commissioners of Public Works on the recommendation of the Local Government Board to advance moneys by way of grant to the board of guardians in any union authorised to

43 Vict. c. 4.

give out-door relief under section three of the Relief of Distress (Ireland) Act, 1880, subject to the restrictions and conditions herein-after set forth:

Therefore, the seventeenth section of the said Act shall be construed as if the words one million five hundred thousand pounds were therein substituted for the words seven hundred and fifty thousand pounds: And with the view of facilitating the raising of the said increased sum, the Commissioners for the Reduction of the National Debt and the Commissioners of Church Temporalities may from time to time vary the terms for the repayment of any loan made or to be made by the Commissioners for the Reduction of the National Debt, and the security for such loan: And the Treasury may, if they think fit, from time to time continue their guarantee to the loan and security varied as aforesaid.

The Commissioners of Public Works in Ireland may from time to time on the recommendation of the Local Government Board grant to the board of guardians in any union

43 Vict. c. 4.

authorised to give out-door relief under the third section of the Relief of Distress (Ireland) Act, 1880, out of the said sum of one million five hundred thousand pounds, such moneys as the Local Government Board may find necessary, having regard to the financial condition of such union and the pressure of distress within its limits, to aid in giving out-door relief in such union: Provided that the entire sum to be so granted shall not exceed two hundred thousand pounds.

Powers of Board of Works.

3. The Commissioners of Public Works, may, if they think fit, from time to time, with the consent of the Treasury, out of any moneys placed at their disposal by Parliament for the making of loans or grants, apply such sums not exceeding in all the sum of forty-five thousand pounds as the Treasury may sanction for the purposes of the Fishery Piers Act,

9 & 10 Vict. c. 3.

to be expended in the manner therein mentioned, but subject to the conditions of this Act.

Provided that the power conferred upon the Commissioners by this section shall only be exercised with reference to works for which an application by memorial under the

9 & 10 Vict. c. 3.

Fishery Piers Act shall have been made before the passing of this Act or for which an application by memorial shall be made after the passing of this Act and before the thirtieth day of September one thousand eight hundred and eighty.

Terms upon which Commissioners may undertake works.

9 & 10 Vict. c. 3.

9 & 10 Vict. c. 3.

4. When any person interested in the execution of any work which might be executed under the Fishery Piers Act pays to the Commissioners of Public Works one-fourth part of the cost of such work as estimated by the Commissioners, they may, with the consent of the Treasury, publish in the Dublin Gazette or otherwise, as they shall think fit, a notice of their intention to undertake such work, which notice shall be instead of, and shall have all the force and effect of the final notice mentioned in the sixteenth section of the Fishery Piers Act.

Before publishing such notice the Commissioners may, if they think fit, do any matter or thing, and shall have and may if they think fit exercise any right, power, or authority in connexion with such work which they might do or would have with reference to any of the proceedings preliminary to the publication of the final notice mentioned in the Fishery Piers Act if the work were undertaken in strict compliance with the said Act. 9 & 10 Vict. c. 3.

The provisions contained in the following sections of the Fishery Piers Act, that is to say, section four, sub-section four, section five, and sections ten to fifteen, both included, relative to proceedings preliminary to the publication of such notice, shall not apply to any such work. 9 & 10 Vict. c. 3.

5. At any time after the publication by the Commissioners of Public Works of any such notice as is mentioned in this Act the Commissioners may commence and proceed with the works proposed to be executed and to which such notice relates. Power to undertake works.

The Commissioners may, if they think fit do any matter or thing, and shall have and may if they think fit exercise any right, power, or authority with reference to such work, which they might do or would have if the work were undertaken in strict compliance with the Fishery Piers Act, and all the enactments contained in that Act, save so far as they are modified by this Act, shall apply as nearly as may be with reference to any such work. 9 & 10 Vict. c. 3.

6. When such work has been constructed, all the provisions of the Fishery Piers Act and of the Act of the session of Parliament held in the sixteenth and seventeenth years of the reign of Her present Majesty, chapter one hundred and thirty-six, as amended by any Act or Acts, shall apply to such work as if it was a pier constructed in strict compliance with the Fishery Piers Act. Management and maintenance of works when constructed. 9 & 10 Vict. c. 3. 9 & 10 Vict. c. 3.

7. The fourth and fifth sections of the Relief of Distress (Ireland) Act, 1880, shall be amended as follows; (that is to say,) Amendment of terms of loans to boards of guardians.

(1.) The term for which money may be borrowed by the board of guardians of any union authorised to give out-door relief under the third section of the Relief of Distress (Ireland) Act, 1880, shall be extended to twelve years. The rate of interest at which the Commissioners of Public Works may lend to any such board of guardians shall be reduced to one per centum per annum; and, in the case of any loan by the Commissioners of Public Works to any such board of guardians, the payment of the first instalment payable in respect of such loan may, with the consent of the Treasury, be postponed for any period not exceeding two years from the making of the loan, and no interest shall be charged on such loan during any such period of postponement of payment of the first instalment: 43 Vict. c. 4.

(2.) The board of guardians of any union authorised as aforesaid, and which has contracted any loan for the purpose of giving out-door relief under the provisions of the said Act, may borrow money under the provisions of this section to pay off such loan:

(3.) So much as may be necessary of the said sum of one million five hundred thousand pounds payable by the Commissioners of Church Temporalities to the Commissioners of Public Works shall be applied by the Commissioners of Public Works in making good any advance by way of loan which they may make to a board of guardians under the authority of the Relief of Distress (Ireland) Act, 1880, as amended by this Act. 43 Vict. c. 4.

The provisions of the nineteenth section of the Relief of Distress (Ireland) Act, 1880, shall apply to the repayment of all amounts advanced as last aforesaid by way of loan to board of guardians as fully as if such advances had been specified in that section. 43 Vict. c. 4.

8. In addition to the sum of five thousand pounds which it is provided by the fifteenth section of the Act of the session of Parliament held in the tenth and eleventh years of the reign of Her present Majesty, chapter thirty-two, may be advanced by the Treasury to the Commissioners of Public Works in any one year, to be applied by them in making the necessary survey, inspection, and investigation, and in taking all other proceedings Funds for preliminary expenses of loans.

preliminary to making any loan or advance as therein mentioned, the Commissioners of Public Works may, at any time before the thirty-first day of March next after the passing of this Act, with the consent of the Treasury, out of any moneys placed at their disposal by Parliament for the making of loans, apply the further sum of five thousand pounds, or such other sum as the Treasury may from time to time deem necessary, for defraying the expenses mentioned in the said section.

Grant of out-door relief.

43 Vict. c. 4.

9. The Local Government Board shall, up to the first day of March one thousand eight hundred and eighty-one, be entitled to authorize the grant of out-door relief in food and fuel, or either, by order for the time and subject to the power of revocation stated in section three of the Relief of Distress (Ireland) Act, 1880, and the said section three shall be read and construed in all respects as if the said first day of March one thousand eight hundred and eighty-one had been there inserted instead of the thirty-first day of December one thousand eight hundred and eighty.

Definition of improvements under s. 4. of 33 & 34 Vict. c. 46.

43 Vict. c. 4.

33 & 34 Vict. c. 46.

10. Whenever by any award or otherwise the rent of any tenant shall be increased by reason or in respect of any works executed on his holding under the Relief of Distress (Ireland) Act, 1880, then, and in every such case, the works so executed shall, so far as such increase of rent shall exceed the rate of two and a half per centum per annum interest on the capital expended in the execution of the said works, and shall be paid by such tenant or his successor in title, be deemed to be improvements made by such tenant within the meaning of the fourth section of the Landlord and Tenant (Ireland) Act, 1870.

But the court in awarding compensation, if any, to such tenant in respect of such improvements shall, in reduction of the claim of the tenant, take into consideration the time during which such tenant may have enjoyed the advantage of such improvements, also the rent at which such holding has been held, and any benefits which such tenant may have received from his landlord in consideration, expressly or impliedly, of the improvements so made.

Postponement of making special rate under 43 Vict. c. 1.

11. At any time before the making by the board of guardians of any union of either of the special rates which the guardians are authorised to make under the provisions of the seventh section of the Seed Supply (Ireland) Act, 1880, the Local Government Board, if satisfied by the representations made to them by the board of guardians or otherwise that it is expedient and necessary to do so, may, by order, authorise, or, if they think fit, may require the board of guardians to postpone the making of such rate for one year, and the board of guardians shall postpone the making of such rate accordingly.

Such order may be made with reference to the whole of any union, or with reference to any electoral division in the union.

Whenever any such postponement of the making of a special rate takes place in any union or electoral division, the payment of the amount of the instalment due in respect of the loan to such union or electoral division, and payable by the board of guardians of the union to the Commissioners of Public Works next after the issuing of such order, in accordance with the provisions of the fourth section of the said Act, shall likewise be postponed for the period of one year.

Guardians to be at liberty to sell seed sufficient for two acres.

43 Vict. c. 1.

12. In case where the guardians of any union shall have sold to the occupier of any land valued at not more than fifteen pounds a quantity of seed potatoes or other seeds sufficient to sow two acres of land statute measure, and that the total cost of such seed shall not have exceeded the sum of five pounds, the Local Government Board may, if they think fit, sanction the payment by the Board of Public Works of the seed so sold as aforesaid, notwithstanding the provisions of the sixth section of the Seeds Supply Act, 1880.

Railway and other loans.

13. The Commissioners of Public Works may, if they think fit, with the consent of the Treasury, out of any moneys placed at their disposal by Parliament for the making of loans, make loans to railway and other public companies, to the trustees of canal and river navigations, and to harbour commissioners, now or hereafter to be incorporated or constituted as the case may be, having borrowing powers, and in favour of which any such guarantee as is herein-after mentioned has been given; and also to the trustees of drainage districts

appointed and constituted under the provisions of the Act of the fifth and sixth years of Her present Majesty, chapter eighty-nine, and the Acts amending the same; at such rate of interest as the Treasury have fixed for loans to which section two of the Public Works Loans Act, 1879, applies, or may from time to time fix in pursuance of that section, and otherwise upon the same terms and conditions as apply to loans made by the said Commissioners for the like purposes under the Act of the session of Parliament of the first and second years of the reign of His late Majesty King William the Fourth, chapter thirty-three, entitled "An Act for the Extension and Promotion of Public Works in Ireland," and the Acts amending the same: Provided, that no loan under this section and the following section shall be made to any railway company or tramway company, or to the trustees of any canal and river navigation, other than those mentioned in the schedule to this Act. 42 & 43 Vict. c. 77.

Guarantees by presentment sessions.

14. For the purpose of enabling any barony or baronies to give a guarantee in favour of any such railway or other public company, or trustees of any canal or river navigation, the Lord Lieutenant may, from time to time, if he thinks fit, in exercise of the power conferred upon him by the Relief of Distress (Ireland) Act, 1880, convene extraordinary presentment sessions for any barony, and may, by instructions to the justices and the associated cesspayers assembled at such sessions, authorise and empower them by presentment to charge the barony, by way of guarantee, with the repayment of any principal sum, with interest, thereafter to be borrowed by any such company or trustees, upon such conditions as the Lord Lieutenant, with the consent of the Treasury, may prescribe. 43 Vict. c. 4.

The baronial presentment sessions may agree with the company or trustees as to the mode in which the company or trustees contracting the loan shall repay or secure to the barony any sums paid by the barony on account of such loan, with interest thereon.

Such security may be taken on behalf of the barony by the secretary of the grand jury of the county.

For the purpose of taking such security, the person holding the office of secretary of the grand jury of the county shall be a corporation sole, and shall have perpetual succession, with a capacity to acquire and hold lands, Government securities, shares in any public company, securities for money, and real and personal property of every description, to sue and be sued, using an official seal, to enter into engagements binding on himself and his successors in office, and to do all other acts necessary or expedient to be done in the execution of this Act.

Provision may be made by the Lord Lieutenant, with the consent of the Treasury, in any such instructions for all matters and things, whether of the same nature as those above mentioned or different, which appear to the Lord Lieutenant to be necessary or expedient for the purposes of such presentments.

So much of the provisions of the eleventh section of the Relief of Distress (Ireland) Act, 1880, as relates to the powers of the Lord Lieutenant, and to the instructions issued by him, and also the provisions of the twelfth, fourteenth, fifteenth, and sixteenth sections of the said Act, shall apply to all presentments made at any extraordinary presentment sessions convened in accordance with this Act. 43 Vict. c. 4.

For the purposes of this section only, the power of convening extraordinary meetings of the baronial presentment sessions of any barony vested in the Lord Lieutenant may be exercised by the Lord Lieutenant at any time before the thirty-first day of December one thousand eight hundred and eighty-one.

Supplementary provisions as to presentments.

15. The Commissioners of Public Works shall, from time to time, for the purpose of enforcing any presentment made by the baronial presentment sessions of any barony charging the barony with any sum according to the provisions of this Act, make out, before each assizes, a certificate for each county in which such presentment has been made, specifying the amount then properly chargeable upon the barony under such presentment, and 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 such barony, or, in default of such presentment, the amount

shall be raised off the barony by an order of the judge of assize, which order shall have the force of a presentment. The amounts raised under such presentment shall be paid to the Commissioners of Public Works in such manner as the Treasury shall direct.

Interpretation.

16. In this Act the term "the Fishery Piers Act" means the Act passed in the session of Parliament held in the ninth and tenth years of the reign of Her present Majesty, chapter three, as altered or amended by any Act or Acts.

The term "Commissioners of Public Works" means the Commissioners of Public Works in Ireland.

The term "the Lord Lieutenant" means the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being.

The term "the Treasury" means the Commissioners of Her Majesty's Treasury.

SCHEDULE.

1. Railway or tramway from Kilrush to Kilkee.
2. Railway or tramway from Ennis to Kilrush, viâ Kildysart.
3. Railway or tramway from Killaloe to Scariff.
4. Railway or tramway from Ennis to Ennistymon, and Miltown Malbay.
5. Railway from Loughrea to Attymon or its vicinity.
6. Railway from Tuam to Claremorris.
7. Railway or tramway from Galway to Clifden, or Galway to Oughterard.
8. Railway or tramway from Youghal to Cappa.
9. Railway from Macroom to Kenmare.
10. Railway from Bandon to Clonakilty.
11. Railway from Cork to Fermoy and Mitchellstown.
12. Railway from Mohill to Dromod.
13. Letterkenny Railway.
14. Stranorlar and Donegal Railway.
15. Donegal and Castlecaldwell Railway.
16. Ballymena and Portglenone Railway.
17. Clara and Banagher Railway.
18. Ennis and West Clare Railway.
19. Cork and Macroom Railway.
20. Killorglin Railway in Kerry.
21. Loughrea and Craughwell Railway.
22. Railway or tramway from Bundoran to Sligo.
23. Railway or tramway from Ennis to Tulla and Scariff.
24. Railway from Belturbet Junction, viâ Belturbet, Ballyconnell, and Ballinamore to Dromod.
25. Railway from Oldcastle to Kilnaleck.
26. Railway from Portumna to Loughrea.
27. Railway from Nenagh to Thurles.
28. Railway from Cashel to Slievardagh.
29. Ballinamore and Ballyconnell Canal.
30. Railway from Ardee to junction with Great Northern Railway at or near Blackmills, county Louth.
31. Railway or tramway from Port Oriel, Clogherhead, to junction with Great Northern Railway at or near the Cross of Grange, county Louth.
32. Railway from, at, or near Kingscourt to Carrickmacross, in the county of Monaghan.
33. Railway or tramway from Inniskeen to Carrickmacross, in the county of Monaghan.

34. Tramway from Bray to Enniskerry, in the county of Wicklow.
35. Tramway between railway station Kanturk and Newmarket, county Cork.
36. Railway from Swineford to Ballaghadereen, county Mayo.
37. Tramway from Youghal to Cappagh.
38. Causeway and toll bridge connecting Cunnigar with Dungarvan.
39. Railway or tramway from Cashel to Farranaleen.
40. Railway from Headford to Kenmare.
41. Railway from Ballina to Ballisodare, county Sligo.
42. Railway from Laffansbridge to Cashel.
43. Railway or tramway from Rhode to Edenderry.

CHAPTER 15.

An Act further to amend the Industrial Schools Act, 1866, and the Industrial Schools Act (Ireland), 1868. [2nd August 1880.]

WHEREAS it is expedient that children who are growing up in the society of depraved and disorderly persons should be withdrawn from contaminating influences, and that the benefits of industrial school training should be extended to them:

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:

Extension of 29 & 30 Vict. c. 118. s. 14. and 31 & 32 Vict. c. 25. s. 11. to other descriptions of children.

1. Section fourteen of the Industrial Schools Act, 1866, and section eleven of the Industrial Schools Act (Ireland), 1868, shall be respectively read and construed as if after the four several descriptions therein respectively contained, there were added the following descriptions, namely,—

That is lodging, living, or residing with common or reputed prostitutes, or in a house resided in or frequented by prostitutes for the purpose of prostitution:

That frequents the company of prostitutes.

Short title.

2. This Act may be cited for all purposes as the Industrial Schools Act Amendment Act, 1880.

CHAPTER 16.

An Act to amend the Law relating to the Payment of Wages and Rating of Merchant Seamen. [2nd August 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; (that is to say,)

Short title and construction. 17 & 18 Vict. c. 104, &c.

1. This Act may be cited as the Merchant Seamen (Payment of Wages and Rating) Act, 1880.

This Act shall be construed as one with the Merchant Shipping Acts, 1854 to 1876, and those Acts and this Act may be cited collectively as the Merchant Shipping Acts, 1854 to 1880.