CHAPTER 50.

An Act to provide for the Supply of Seed Potatoes, Seed Oats, and Spraying Machines and Material to Occupiers and Cultivators of Land in Ireland, and for the employment of Instructors in the use of such Machines and Material. [12th August 1898.]

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:

Powers of guardians to supply seed, spraying machines, and material, and to employ instructors.

1.—(1.) Where at any time before the first day of September, one thousand eight hundred and ninety-eight, the guardians of any poor law union satisfy the Local Government Board that the occupiers of land in any electoral division of their union are generally unable through poverty to procure an adequate supply of seed potatoes, seed oats, spraying machines, or spraying material, the guardians, with the sanction of the Local Government Board, may provide the same for the use of that electoral division, and employ, upon such terms and conditions as that Board may approve, persons to act as instructors in the use of such machines and material.

(2.) The expenses of the execution of this Act by the guardians shall be defrayed out of the poor rate, until the thirty-first day of March, one thousand eight hundred and ninety-nine, of the said electoral division, and afterwards of the union.

Power of guardians to borrow.

2.—(1.) The guardians may apply to the Local Government Board for a loan under this Act for the purpose of providing such seed, machines, or material, and the Local Government Board may approve of the application, and in that case shall transmit it to the Board of Works, who may, with the consent of the Treasury, make, out of any moneys at their disposal for the purpose of local loans, a loan to such board of guardians on the security of the poor rate without requiring any further or other security.

(2.) Such loan shall be repayable by the guardians to the Board of Works by two equal instalments, the first of which shall be paid on the first day of September, one thousand eight hundred and ninety-nine, and the second on the first day of September, one thousand nine hundred.

(3.) The interest, at the rate of two and three quarters per cent. per annum, on such loan, or on so much as is for the time being not repaid, shall be paid by equal half-yearly payments to the Board of Works out of the Irish Church Temporalities Fund.

(4.) When any such loan is made the poor rate leviable in the union shall become forthwith charged, without any deed of mortgage or other instrument, with the repayment of the loan by the said instalments.

(5.) If at any time the Board of Works certify that any sum is payable to them by the guardians of any union on account of any loan under this Act the Local Government Board shall, by order under their seal, assess that sum on the union and send copies of the order to the guardians and to the treasurer of the union; and within one month of the receipt of the copy of the order 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, then out of all moneys subsequently received by him on account of the guardians, pay the amount mentioned in the order to the Board of Works.

Application of loans.

3. The guardians may apply the whole or any part of a loan obtained under this Act in defraying all expenses incurred for the purchase of seed potatoes, seed oats, spraying machines, or spraying material, or for carriage, storage, and otherwise in providing the same for sale or hire, and shall when required by the Local Government Board repay to the Board of Works any portion of the loan which is not so applied.

Sale of seeds, spraying machines and material.

4. The guardians shall sell the said seed and material and shall sell or hire the said machines purchased by them under this Act, subject to the following provisions:—

(1.) Such sale shall not be made to a person unless he is either a small occupier, that is to say, an occupier of land the rateable value of which does not exceed fifteen pounds, or a cultivator, that is to say, a person who cultivates for his own use any land under a contract made by him with the occupier of the land.

(2.) The price shall not (save as respects the abatement hereinafter mentioned for cash payment) be less than the price paid by the guardians for the articles sold, including all expenses incurred for carriage, storage, or otherwise providing the same for sale.

(3.) The quantity of seed sold to a small occupier shall not exceed—

(*a*) if potatoes, twelve hundredweight; and

(*b*) if oats, three hundredweight.

(4.) The quantity of seed potatoes sold to a cultivator shall not exceed six hundredweight, and the sale shall only be made on the guardians obtaining such security as they think sufficient for the payment of the price, and no seed oats shall be sold to a cultivator.

(5.) Seed shall not be sold to any person unless the guardians, or such persons as the Local Government Board may nominate in that behalf, are satisfied that the land into which it is to be put has been properly prepared, and is ready for sowing.

(6.) The amount of spraying material sold shall not exceed the amount which, subject to the prescribed rules, appears to the guardians sufficient for the spraying, if the sale is to a small occupier of one statute acre, and if the sale is to a cultivator of half a statute acre.

(7.) A spraying machine shall only be sold upon payment in cash on delivery.

(8.) Where the price of the article sold is paid for in cash on delivery, an abatement shall be made therefrom of one-fifth, or in the case of a spraying machine of one-tenth, from the price, and any loss occasioned by such abatement shall be paid out of the Irish Church Temporalities Fund to the prescribed board or person.

(9.) The charges for the hire of a spraying machine shall be such as are estimated to be sufficient to prevent any loss to the guardians from the purchase, carriage, or storage of the machine, or otherwise providing the same for hire, or from the delivery thereof to the hirer and the repair thereof, and the charge for the hire shall be paid in cash on delivery.

(10.) Upon a sale under this section of an article, all sums received in cash on delivery shall, where a loan has been made under this Act for the purchase of the article, be paid by the guardians to the Board of Works at the prescribed times, and be applied in repayment of the loan.

Recovery of price from purchasers.

5.—(1.) The amount due to the guardians on account of any seed or spraying material sold by them, and not paid for in cash on delivery, shall be paid by two equal instalments.

(2.) For obtaining payment of each such instalment due from any person the guardians shall levy the amount, where the person is rated to the poor rate, either as part of the poor rate payable by such person, or by a special rate to be added to the poor rate assessed on the tenements occupied by such person, and to be collected therewith.

(3.) Where such person is not rated to the poor rate the guardians shall make a special rate for the purposes of this Act to which he shall be rated.

(4.) Every such special rate shall be recoverable in the same manner and with the same remedies by the collectors of the poor rate as if it were poor rate, and shall be lodged to the credit of the guardians with the treasurer of the union.

(5.) Provided that no person shall be entitled to make any deduction from his rent on account of any such special rate.

(6.) The first of such special rates shall be made at the same time as the first ordinary poor rate made after the first day of July, one thousand eight hundred and ninety-eight, and the second of such special rates shall be made at the same time as the first ordinary poor rate made after the last day of March, one thousand eight hundred and ninety-nine.

(7.) The first instalment payable by each purchaser of seed or spraying material shall be due on the day on which the first of such special rates is made, and the second instalment shall be due on the day on which the second of such special rates is made. Any such instalment may be paid to the guardians at any earlier date.

(8.) After the election of a county council for any county, all the powers and duties under this section of the board of guardians

as respects any electoral division in that county shall vest in that council, and the guardians shall certify to that council the sums of which payment is to be obtained.

Power to appoint inspectors, and approval of purchases.

6.—(1.) The Lord Lieutenant, on the application of the Local Government Board, may, with the consent of the Treasury, appoint inspectors to assist the guardians in the purchase of seed under this Act, and in all arrangements for the inspection, storage, and distribution of the same.

(2.) All purchases under this Act by guardians shall be made subject to the approval of the Local Government Board.

Rules and regulations.

7. The Local Government Board may make general rules and regulations as regards,—

(*a*) the times and manner of summoning and holding meetings of guardians for the purposes of this Act:

(*b*) the time within which applications for loans are to be made under this Act:

(*c*) the information to be given by guardians to the Local Government Board in respect of the persons in the several electoral divisions in the unions who are in need of, but are unable to procure, seed, spraying machines, or material, and who the guardians believe would be willing to purchase the same under this Act:

(*d*) the forms of all estimates, circulars, notices, and receipts to be used by the guardians under this Act:

(*e*) the times at which, where a loan has been made under this Act, sums received by guardians as the price of seed, spraying machines, or material, paid for either in cash or by special rate or otherwise, are to be paid to the Board of Works; and

(*f*) any other matter or thing, whether similar or not to those before-mentioned, in respect of which it may seem to the Local Government Board expedient to make rules and regulations for the purpose of carrying this Act into effect.

Savings.

8.—(1.) Nothing in this Act shall prejudice or affect any proceedings which might have been instituted by the Board of Works or by any guardians for the enforcement of any contract or the recovery of any debt.

(2.) No electoral disability or loss of parliamentary or other franchise shall be incurred by any voter by reason of the purchase of seed, spraying machines, or material, or hire of machines under this Act.

Repayment of loans made by Board of Works and confirmation of expenditure, &c.

9. If at any time within nine months before the passing of this Act the Board of Works have advanced any loan to any guardians, or any guardians have borrowed any money or purchased any seed potatoes, seed oats, spraying machines, or spraying material, or done any other act in relation to such loan, seed, spraying machines or material, or made any rate, and such advance, borrowing, purchase, rate, or thing would have been valid if this Act had previously passed, the same shall be deemed to have been validly

done in like manner as if it had been done in pursuance of this Act, and the loan shall be repaid and may be recovered, and the rate may be enforced accordingly, and all orders made and things done by the Local Government Board in relation to any of the matters aforesaid shall be as valid and effectual as if they had been made or done in pursuance of this Act.

Definitions.

10. In this Act—

The expression "poor rate" means any rate leviable under the Acts made for the relief of the poor in Ireland:

The expression "rateable value" means the annual rateable value under the Irish Valuation Acts, and, where any land occupied is not separately valued under those Acts, means such value as the guardians of the union determine would be the rateable value if such premises were so separately valued:

The expression "Local Government Board" means the Local Government Board for Ireland:

The expression "Board of Works" means the Commissioners of Public Works in Ireland:

The expression "guardians" means a board of guardians:

The expression "Irish Church Temporalities Fund" means the fund under the control of the Irish Land Commission by virtue of the Irish Church Act Amendment Act, 1881:

44 & 45 Vict. c. 71.

The expression "spraying machine" means any machine for spraying potatoes for the purpose of preventing or curing disease therein, and "spraying material" means any material used in such machines.

The expression "prescribed" means prescribed by rules made in pursuance of this Act.

Short title.

11. This Act may be cited as the Seed Supply and Potato Spraying (Ireland) Act, 1898.

CHAPTER 51.

An Act to make temporary provision for the Relief of Distress in Ireland. [12th August 1898.]

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

1.—(1.) At any time before the first day of September, one thousand eight hundred and ninety-eight, the Local Government Board for Ireland may, if they think fit, by order under their seal, authorise the board of guardians of any poor law union, subject to such conditions as may be prescribed by the said Local Government