

THE

PUBLIC GENERAL STATUTES,

43 VICTORIA.

CHAPTER 1.

An Act to enable Guardians of the Poor to borrow Money for the purpose of procuring Seed Potatoes and Seed Oats, and other Seed for Tenants in Ireland; and for other purposes. [1st 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:

1. This Act may be cited as the Seed Supply (Ireland) Act, 1880. **Short title.**

2. At any time after the passing of this Act, and before the thirty-first day of March one thousand eight hundred and eighty, the Local Government Board, if satisfied that the occupiers of land in any electoral division of any union are generally unable to procure an adequate supply of seed potatoes, seed oats, or other seed, may, by order, authorise or, if they think fit, may require the Guardians of the Poor of the union to put the provisions of this Act in force in reference to such electoral division; and the Local Government Board may from time to time, by order made for that purpose, revoke or vary any such order. **Application of Act.**

The Local Government Board shall prepare, and may from time to time add to or alter, a schedule of the unions, and of the electoral divisions thereof, in which they have authorised the Guardians to put the provisions of this Act in force.

3. The Guardians of the Poor of any union scheduled for the time being may apply to the Local Government Board for a loan for the use of any scheduled electoral division of their union. If the Local Government Board approves of any such application they shall transmit it to the Commissioners of Public Works, who may, with the consent of the Commissioners of Her Majesty's Treasury, make, out of any moneys placed at their disposal by Parliament for the purpose of loans, any loan to such Board of Guardians, on the security of any rate applicable to any of the purposes of the Acts for the Relief of the Poor which is leviable in the electoral division for the use of which the loan is made, and without requiring any further or other security. **Powers of Guardians to borrow.**

4. Such loans shall be made without interest, and shall be repayable by the Guardians to the Commissioners of Public Works by two equal instalments, the first of such instalments to be paid on the first day of August one thousand eight hundred and eighty-one, **Terms of loan.**

and the second of such instalments to be paid on the first day of August one thousand eight hundred and eighty-two.

When any such loan is made all rates leviable for any of the purposes of the Acts for the Relief of the Poor in the electoral division for the use of which the loan was made shall become forthwith charged, without any deed of mortgage or other instrument being required, with the repayment by such instalments of the sum lent for the use of the division.

Orders for payment of loans may be made by Local Government Board.

5. 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 made for the use of any electoral division for the purchase of seed, and is then payable to the Commissioners, the Local Government Board shall, by order under their seal, assess that sum on the electoral division, 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 electoral division with the amount so assessed upon the division.

Application of loans.

6. The Guardians may apply the whole or any part of the sum borrowed by them for the use of each electoral division in purchasing seed potatoes, seed oats, or other seed which the Local Government Board may authorise, and in defraying all expenses incurred for carriage, storage, or otherwise in providing such seed for sale. Such seed shall be sold by the Guardians to occupiers of land and cultivators of land (not being occupiers) on the application of the occupier, and on his security, in the electoral divisions, subject to the provisions of this Act.

The Guardians may sell such seed, subject to the following provisions:

1. They may sell to any occupier of land valued at not more than fifteen pounds a quantity of seed potatoes sufficient to sow an acre, and of seed oats or other seed sufficient to sow another acre of land, "statute measure;" provided that the total cost of such seed does not exceed five pounds for any one occupier:
2. They may sell to any person who cultivates for his own use any land under a contract made by him with the tenant of the land a quantity of seed potatoes sufficient to sow a quarter of an acre of land statute measure. No such sale shall be made except upon the application of the person who is tenant of the land, and upon his agreeing to pay to the Guardians the price of the seed so sold in the same manner as if the seed had been sold to him:
3. No seed shall be sold to any occupier of land valued at more than fifteen pounds, and no seed shall be sold for less than the net price paid by the guardians for it, including all expenses incurred for carriage, storage, or otherwise in providing such seed for sale:
4. No seed shall 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:
5. If in any case any premises in the occupation of any occupier are not separately valued under the Acts relating to the valuation of rateable property in Ireland, the Guardians may receive such evidence as they think fit as to the annual value of such premises, and such premises shall, for the purpose of this Act, be taken to be of the value which the Guardians shall determine, as if such premises had been separately valued at that amount under the said Acts.

Recovery of price from purchasers.

7. Payment of the amount due to the Guardians from each person indebted to the Guardians on account of any purchase of seed, whether made before or after the passing of this Act, shall be made by two equal instalments.

For the purpose of obtaining payment of each such instalment due from each such person the Guardians shall levy such sum, where the person is rated under the Acts for the Relief of the Poor, as part of the poor rate payable by such person, by a special rate to

be added to the poor rate assessed on the tenements occupied by such person, and to be collected therewith.

Where such person is not rated under the Acts for the Relief of the Poor the Guardians shall make a special rate for the purposes of this Act, in which he shall be rated.

Every special rate made for the purpose of obtaining payment of money due from each such person 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.

Provided that no person paying any such special rate shall be entitled to make any deduction on account of such payment from any rent which he is liable to pay.

The first of such special rates shall be made by the Guardians at the same time as the first ordinary rate made for the relief of the poor in the union after the first day of August one thousand eight hundred and eighty, and the second of such special rates shall be made by the Guardians at the same time as the first ordinary rate for the relief of the poor made in the union after the first day of August one thousand eight hundred and eighty-one. The first instalment payable by each person indebted shall be taken to be due on the day on which the first of such special rates is made, and the second instalment shall be taken to be due on the day on which the second of such special rates is made.

Any person indebted to any Board of Guardians on account of any such purchase of seed may pay off his debt, or each instalment of it, at any time before each such special rate is made.

Power of entry and inspection.

8. When any seed has been sold under this Act to any person in any union, any of the Guardians of the union, or any person nominated by the Guardians or by the Local Government Board, may at all reasonable times enter into and examine any land occupied or tilled by such person, for the purpose of ascertaining whether the seed sold to such person has been properly sown by him, and may do all acts reasonably necessary for that purpose. For the purpose of facilitating such examination the Guardians shall keep a list of all the names and addresses of all purchasers of seed, and shall permit such list to be inspected by any person having authority to make such examination under this Act. If any person refuses to a Guardian or other person acting in execution of this Act admission to any land which such Guardian or person is entitled to enter or examine, or obstructs or impedes him in so entering or examining, the person so offending may be prosecuted in a summary manner, according to the provisions of the Petty Sessions (Ireland) Act, 1851, and any Act amending the same, and on conviction shall be liable to a fine not exceeding five pounds.

14 & 15 Vict. c. 93.

Summary recovery of price of seed.

9. If any person to whom any seed has been sold by any Board of Guardians before or after the passing of this Act does not properly sow such seed, the Guardians of the union may forthwith proceed to recover the price of such seed, whether the amount is more or less than two pounds, before the justices in petty sessions, in the manner prescribed by the Act passed in the session of Parliament held in the twenty-second year of the reign of Her present Majesty, chapter fourteen, and any Acts amending it; and the provisions of such Act and Acts shall apply to such proceedings as if the debt sued for was under the value of two pounds.

22 Vict. c. 14.

Powers of Local Government Board where Guardians make default.

10. If at any time it appears to the Local Government Board that the Board of Guardians of any union have made default in any respect in the execution of this Act, the Local Government Board may, if they think fit, themselves carry this Act into execution with reference to such union and the several electoral divisions thereof, and shall have for that purpose all the powers vested by this Act in the Board of Guardians of a union scheduled under this Act. In such case application for any loan may be made by the Local Government Board directly to the Commissioners of Public Works, and in other respects the Local Government Board shall be in the place and stead of the Board of Guardians so making default.

Saving for other remedies.

11. Nothing contained in this Act shall be taken to prejudice or affect any proceedings which might have been instituted by the Commissioners of Public Works or by any Board of Guardians for the enforcement of any contract or the recovery of any debt.

Repayment of loans made by the Board of Works.

12. 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 for the purchase of seed, the sum so advanced, or any part thereof remaining unpaid from time to time, 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 the same manner as sums lent by the Commissioners of Public Works to Boards of Guardians under the authority of this Act, and the provisions of this Act relative to the repayment of loans made under the authority of this Act shall apply to such loans made before the passing of this Act.

Confirmation of expenditure by Guardians, and indemnity.

13. If at any time before the passing of this Act any outlay shall have been made by any Board of Guardians, with the sanction of the Local Government Board, for the purchase of seed for sale to occupiers of land or other persons qualified to purchase such seed under this Act in the union, 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 loan to any Board of Guardians, or in making any advance of money to the Commissioners of Public Works for the purpose of any such loan, or in making such outlay for seed, shall be released and indemnified from and against any penalties and surcharges in consequence thereof.

No electoral disability.

14. No electoral disability or loss of Parliamentary or other franchise shall be incurred by any voter who may be granted assistance under the provisions of this Act.

CHAPTER 2.

An Act to amend the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1875. [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 and construction of Act.

38 & 39 Vict. c. 49.

1. This Act may be cited as the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1880.

This Act shall be construed as one with the Artizans and Labourers Dwellings Improvement (Scotland) Act, 1875, (in this Act referred to as the principal Act,) and the principal Act and this Act may be cited together as the Artizans and Labourers Dwellings Improvement (Scotland) Acts, 1875 and 1880.

Amendment of schedule to principal Act.

2. The schedule to the principal Act shall be construed as if the schedule to this Act formed part thereof.

As to assessment of compensation.

3. On the occasion of assessing the compensation payable under any improvement scheme in respect of any house or premises situate within an unhealthy area, evidence shall be receivable by the arbitrator to prove that at the date of the confirming Act authorising such scheme, or at some previous date not earlier than the date of the official representation in which the scheme originated, such house or premises was by reason of its unhealthy state, or by reason of overcrowding or otherwise, in such a condition as to have been a nuisance within the meaning of the Acts relating to nuisances; and if the arbitrator is satisfied that, from either of such causes as aforesaid, such house or premises was, at such dates as aforesaid or either of them, a nuisance as aforesaid, he shall then determine what would have been the value of such house or premises supposing the nuisance to have been abated, and what would have been the expense of abating the nuisance; and the amount