assigns to the said *C.D.* (herein referred to as the assignee), his executors and administrators, the site comprised in the within-written lease* [*or* the lease No. under the said Act, dated the day of 187 †], with the appurtenances, and with the dwelling and other buildings thereon, for the residue of the term of years, at the rent and subject to the stipulations and conditions at and subject to which that site is held immediately before the execution of this assignment.

*[*In case of assignment by indorsement.*]

†[*In case of assignment by separate deed.*]

And the assignee for himself, his executors and administrators, covenants with the assignor, his executors and administrators, that the assignee, his executors or administrators, will pay the yearly rent and observe and perform the stipulations and conditions aforesaid, and will at all times keep the assignor, his executors and administrators, indemnified in respect thereof.

In witness whereof, &c. this day of 187 .

A.B. (L.S.)
C.D. (L.S.)

CHAPTER 60.

An Act to amend and enlarge the powers of the Acts relating to the Navigation of the River Shannon; and for other purposes relating thereto.

[7th August 1874.]

WHEREAS an Act was passed in the session of Parliament held in the fifth and sixth years of the reign of His late Majesty King William the Fourth, chapter sixty-seven, intituled "An Act for the improvement of the navigation of the River Shannon," (in this Act called the Act of 1835,) and by that Act Commissioners were appointed to carry the same into effect:

5 & 6 W. 4. c. 67.

And whereas a further Act was passed in the session of Parliament held in the second and third years of the reign of Her present Majesty, chapter sixty-one, intituled "An Act "for the improvement of the navigation of the River Shannon," (in this Act called the Act of 1839,) whereby certain works were authorised to be constructed, subject to such alterations, additions, or reductions as might from time to time be found necessary:

2 & 3 Vict. c. 61.

And whereas by an Act passed in the session of Parliament held in the ninth and tenth years of the reign of Her present Majesty, chapter 86, intituled "An Act to extend and "consolidate the powers hitherto exercised by the Commissioners of Public Works in "Ireland, and to appoint additional commissioners," (in this Act called the Act of 1846,) it is amongst other things enacted, that from and after the thirtieth September one thousand eight hundred and forty-six, the Commissioners of Public Works in Ireland for the time being should be the commissioners for the execution of the Acts of 1835 and 1839; and all the powers, authorities, and privileges, rights, titles, and interests, then or theretofore vested in the commissioners for the execution of the Acts of 1835 and 1839 should vest in and devolve upon, and should be respectively used, exercised, and enjoyed by the Commissioners of Public Works in Ireland for the time being, who should, for the purposes of the said Acts, be and be deemed to be in the place and stead of the persons theretofore being commissioners for the execution of the said Acts:

9 & 10 Vict. c. 86.

And whereas the works by the aforesaid Acts authorised have been generally carried into effect, but large tracts of land bordering on the said river still remain subject to injurious flooding, and it would be of great public and local advantage if further works were executed by which the said lands would be relieved, facilities afforded for the relief of other lands now subject to be injuriously flooded on tributaries of the said river, and the navigation at the same time improved:

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:

Short title.

1. This Act may for all purposes be cited as "The Shannon Act, 1874," and the Shannon Acts of 1835, 1839, and 1846 may respectively be cited separately as the Shannon Act of 1835, 1839, and 1846, and all the Acts mentioned in this section may be cited under the short title of the Shannon Acts, 1835 to 1874.

Definition of terms.

2. The words "the Treasury" when used in this Act shall mean the Lords Commissioners of Her Majesty's Treasury, or any two or more of them.

The words "the Commissioners" shall mean the Commissioners of Public Works in Ireland for the time being.

The word "lands" shall have the meaning assigned to that word in section one hundred and fifty-nine of the five and six Victoria, chapter eighty-nine.

The word "person" in this Act shall comprehend all corporations sole or aggregate, or any number of persons united in partnership.

Commissioners of Public Works to be Commissioners for this Act.

3. The Commissioners shall carry into effect the objects and powers of this Act, having due regard in the execution of the works by this Act authorised to the prevention of injury to the lands situate on or near the Shannon below Worlds End.

Limits of works.

4. The works to be executed under the provisions of this Act shall be confined to the lower division of the said river Shannon between Athlone and Worlds End, and also in connexion therewith works at Athlone for the regulation of the water of Lough Ree.

Funds provided.

5. For the purposes of the works by this Act authorised the Lords Commissioners of Her Majesty's Treasury may from time to time direct to be issued, on the certificate of the Commissioners, out of the funds accruing under the provisions of the Acts twenty-four and twenty-five Victoria, chapter eighty-five, and twenty-nine and thirty Victoria, chapter seventy-three, and placed to the credit of the Commissioners from time to time with the Commissioners for the Reduction of the National Debt, the sum of one hundred and fifty thousand pounds, such sum to be a charge on the lands to be relieved from inundation or otherwise improved, to be secured and made repayable as herein-after provided, and the remainder of the cost of the said works shall be defrayed by moneys to be provided from time to time by Parliament; provided always, that the entire cost of the said authorised works shall not exceed the sum of three hundred thousand pounds; and provided also, that half the amount of the moneys from time to time advanced in manner aforesaid shall be a charge on the said lands so to be improved as aforesaid.

Plans of proposed works to be submitted to Treasury, and valuation to be made of lands to be charged.

6. Previously to undertaking any works under this Act the Commissioners shall from time to time submit for approval of the Treasury plans, specifications, and estimates of the works proposed to be executed under this Act; and so soon as conveniently may be after such plans, specifications, and estimates have been so approved, the Commissioners shall cause to be deposited at the Shannon Navigation Office, Athlone, or elsewhere, as they may consider convenient, a survey and valuation of the lands contemplated to be relieved from inundation and improved under this Act, describing in general terms and by reference to maps or schedules, or otherwise as the Commissioners may think fit and proper, the lands contemplated to be relieved from inundation and improved under this Act, and specifying the proprietors of such lands respectively, and the respective amounts to be charged on the lands respectively of each proprietor under this Act.

The plans and specifications required by this section are herein-after included under the term "plans," and the survey and valuation, including the specification of the amounts to be charged upon the lands, are herein-after included in the term "valuation."

Valuation to be deposited for public inspection.

7. The Commissioners shall, as soon as may be after the passing of this Act, cause the valuation to be printed, and a copy to be deposited in their office, and another copy thereof to be deposited with the clerk of every union wherein the lands to be charged, or any part thereof, are situate, and such clerk of the union is hereby authorised and required to receive the same, and all persons shall have liberty to inspect the same on payment of sixpence; and when such copy has been so deposited the Commissioners shall cause notice thereof to be inserted in some one or more newspapers circulating in the district in the vicinity whereof the lands are situate; and the Commissioners shall by the same or a separate notice require all persons who may desire to object to the said valuation in respect of the description of the lands charged or of the sums charged thereon to lodge such objections at such place and before such time as is specified in such notice; and the Commissioners shall also in the said notice state that they will proceed to hear

any such objection which may be made, and finally settle the valuation at such time and place as may be specified in such notice.

Commissioners to attend and hear objections.

8. The Commissioners, or one of them, shall attend at the appointed time and place, and examine into the matter of any such objection, and hear all such proper evidence as may be offered to them or him in respect thereof, and make such alterations (if any) in such valuation as they or he think fit, and may adjourn such attendance from time to time and to such place as they shall think fit, and shall settle and sign such valuation.

Commissioners to give notice.

9. The Commissioners, when they have settled such valuation, shall cause notice of such settlement to be given in the "Dublin Gazette," and in some one or more newspapers circulating in the counties of Westmeath, Roscommon, King's County, County Tipperary, Galway, Clare, Limerick, and Longford, and by such notice the proprietors of the lands contemplated to be relieved from inundation and improved under this Act shall be called upon to transmit to the Commissioners in Dublin, in such form and subject to such regulations as the Commissioners may direct, their assent or dissent to the execution of the works under this Act.

Works not to be commenced until assent of proprietors had.

10. No works shall be commenced under this Act unless the reputed proprietors of two thirds or more in value of the land proposed to be improved assent to the execution of the works by this Act authorised, and signify such assent in writing under their hands respectively to the Commissioners within six months from the date of the publication of such notice as aforesaid by the Commissioners in the "Dublin Gazette;" and the Commissioners shall, immediately upon the passing of this Act, take such steps as may seem to them desirable for obtaining such assent.

Incorporation of certain sections of 5 & 6 Vict. c. 89. (Irish Drainage Act), as to proprietors.

11. The twenty-third, twenty-fifth, twenty-sixth, and twenty-eighth sections of the Act fifth and sixth Victoria, chapter eighty-nine, are incorporated in this Act, and the definition of proprietor contained in section one hundred and fifty-nine of that Act shall apply to this Act.

Power to proceed with the works.

12. On receiving such assents as herein-before mentioned, it shall be lawful for the Commissioners to proceed with the works so approved by the Treasury, subject to such alterations or reduction therein as may from time to time be made therein, pursuant to the provisions in this Act contained.

To provide for alterations.

13. It shall be lawful for the Commissioners from time to time to make such alterations, additions, or reductions in or to the works sanctioned under this Act as may from time to time be approved by the Treasury.

Incorporation of Irish Drainage Act, 26 & 27 Vict. c. 88.

14. Subject to the provisions of this Act, sections from eighteen to thirty-one, both inclusive, of the Act of the twenty-sixth and twenty-seventh Victoria, chapter eighty-eight, under the head "General Powers of Drainage Boards," shall be incorporated with this Act, and all such powers shall and may be exercised by the Commissioners in carrying out the provisions of this Act; and such last-mentioned sections shall be read as if the word "Commissioners" had been inserted throughout such sections instead of the words "Drainage Board": Provided nevertheless, that the arbitrator to be appointed under the said Act shall be appointed by the Treasury.

On completion of works Commissioners to prepare draft award.

15. As soon as conveniently may be after the works by this Act authorised have been completed, the Commissioners shall prepare a draft award, in which they shall set forth the several parcels or portions of land drained and improved, as referred to and specified in the survey and valuation herein-before mentioned, the respective areas of each of the said parcels, and the original and increased values thereof; and such award shall also specify the due proportion half-yearly chargeable in respect of each such parcel of land, of the amount by this Act directed to be charged upon the lands for the drainage and improvement thereof by the works by this Act authorised and provided, and shall also specify the lands of the same denomination, and belonging to same proprietors, or settled to like uses, to be also held chargeable with the amount in each case repayable as hereinafter provided, and shall also set forth such other matters and things as to the Commissioners shall seem fit and proper.

A draft of the award to be printed and published, and a copy deposited with the clerk of the union.

16. When such draft award as aforesaid shall have been prepared, the Commissioners shall cause a copy thereof to be deposited with the clerk of each of the several unions wherein the lands drained and improved, or any part thereof, may be situated; and such clerks of unions are hereby authorised and required to receive the same; and the Commissioners shall cause notice of such lodgment to be inserted in one or more of the newspapers usually circulated in the counties or districts in which such several unions are situated once in each week for three successive weeks; and the Commissioners shall also in such notice require all persons being proprietors of lands charged as being improved who may desire to object to such award to lodge their objections at such time and place as shall be therein specified, and they shall also in the said notice state that they will proceed to hear and inquire into any objections which may be lodged at such time and place, or times and places, as shall in such notice be named.

Notice thereof to be posted at the usual places and inserted in newspapers, requiring persons objecting thereto to send in their objections.

Commissioners or one of them to examine into objections.

17. The Commissioners, or one of them, shall attend at such time and place, or times and places, so appointed, and shall examine into the matter of any objections to the award which shall have been lodged, and shall hear all proper evidence relative thereto, and may adjourn such attendance from time to time, and shall make such alteration as may to them seem proper, and finally settle said award: Provided always, that the whole amount by this Act directed to be charged on the lands which the works authorised are designed to relieve from injurious inundations shall, notwithstanding any alteration which on the hearing of any such objections it may be deemed proper to make, be so charged.

Award to be enrolled.

18. Such award when finally settled by the Commissioners, with proper schedules, map, or plan describing the lands therein to which such award shall relate, shall be enrolled in the Rolls Office of Her Majesty's High Court of Chancery in Ireland; and such award, when so finally settled and enrolled, shall be binding and conclusive on all parties; and a copy thereof, certified by the proper officer of Her Majesty's Rolls Office, shall be conclusive evidence that all the requisitions of this Act in relation thereto were complied with.

Lands to become chargeable with rentcharge.

19. The several lands mentioned in the said award shall from the date thereof become charged with the payment to Her Majesty of an annual rentcharge of five pounds for every one hundred pounds charged on the said lands respectively, and so in proportion for every lesser amount, to be payable for the term of thirty-five years; such rentcharge to be paid by equal half-yearly payments on the fifth day of April and tenth day of October in every year, the first of such payments to be made on the first of such days which shall happen after the date of said award: Provided always, that where the gross sum chargeable by the said award upon any particular parcel or denomination of land shall not exceed the sum of one hundred pounds, it shall be lawful for the Commissioners by the said award to fix and determine the instalments by which such sum, together with interest at the rate of four pounds per cent. per annum from the date of said award, shall be repaid; and such instalments shall be chargeable and recoverable in like manner as the rentcharge aforesaid.

Priority of rentcharge.

20. Every such rentcharge or instalment shall take priority of all charges and incumbrances whatsoever and whensoever made, and of all rent payable out of the said lands, save and except quitrents and rentcharges in lieu of tithes, and also save all charges prior in date (if any) created under the authority or provisions of any Act of Parliament heretofore passed; and section one of an Act passed in the twenty-ninth Victoria, chapter twenty-six, intituled "An Act to secure the repayment of public moneys advanced for the "drainage and improvement of lands and other like objects in Ireland," shall extend to and include charges created under the provisions of this Act.

Rentcharge upon other lands of the same proprietors.

21. The rentcharge aforesaid, charged by virtue of this Act upon any lands improved under this Act, shall be held to be chargeable upon such other lands being part of the same denomination or townland, and belonging to the same proprietor, or settled to the like uses as may, by the award of the Commissioners, be made chargeable therewith, subject as to such last-mentioned lands to the full amount of all incumbrances affecting the same at the date of such award.

Rentcharge to be paid to the Commissioners.

22. Any rentcharge payable under this Act shall be paid to the Commissioners, or to such persons and in such manner as the Treasury may from time to time appoint, and the receipt of the Commissioners or their accountant, or any other persons to whom any rentcharge directed to be paid, shall be a sufficient discharge for the same.

Incorporation of certain sections of 10 Vict. c. 32.
For recovery of rentcharge.
And as to tenants paying for landlords.
Proprietors charging increased rent.

23. The thirty-ninth, fortieth, forty-second, forty-third, forty-fifth, forty-sixth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-sixth, and fifty-seventh sections of the Act tenth Victoria, chapter thirty-two, being an Act to facilitate the improvement of landed property in Ireland, and section one of the Act twelve and thirteen Victoria, chapter fifty-nine, and the second section of the Act thirty-five and thirty-six Victoria, chapter thirty-one, shall be deemed to be incorporated in this Act, save that every act in any of said sections directed to be done by or to the Paymaster of Civil Service shall be done by or to the Commissioners, and shall be as effectual to all intents and purposes as any such act would have been if done by or to the Paymaster under the provisions of the said last-mentioned Act.

Incorporation of certain provisions of 2 & 3 Vict. c. 61.

24. The Act of 1839 shall, except where its provisions are inconsistent with or repugnant to the provisions of this Act, be incorporated therewith as one Act, and all the powers, authorities, and privileges of the Commissioners mentioned in that Act as to the execution of works, the care, conservancy, and maintenance of the River Shannon, and of the works connected therewith, imposing, demanding, receiving, and enforcing payment of tolls, making byelaws, or otherwise howsoever, shall vest in the Commissioners for the purposes of this Act.

CHAPTER 61.

An Act for granting Compensation to Officers of the Royal (late Indian) Ordnance Corps. [7th August 1874.]

WHEREAS it is expedient to grant compensation, in manner herein-after mentioned, to officers of the Royal (late Indian) Ordnance Corps:

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:

Short title.

1. This Act may be cited for all purposes as "The Royal (late Indian) Ordnance Corps Act, 1874."

Compensation to officers of the Royal (late Indian) Ordnance Corps.

2. Subject as herein-after mentioned, the Army Purchase Commissioners acting under the Regulation of the Forces Act, 1871, in this Act referred to as the Commissioners, shall have power to consider the claims on retirement of any officers, who on the first day of November one thousand eight hundred and seventy-one, were serving in any one of the corps following; that is to say,

The Royal (late Bengal) Artillery,
The Royal (late Bengal) Engineers,
The Royal (late Madras) Artillery,
The Royal (late Madras) Engineers,
The Royal (late Bombay) Artillery, or
The Royal (late Bombay) Engineers;

and to grant to any of the said officers who have retired since the said first day of November, or who may hereafter be permitted to retire, a compensation equal to the sums they would have received according to the custom, if any, of their corps, as or in the nature of a bonus for such retirement had they retired from their regiment on the said day, after deducting such sums (if any) as they may have received from the Indian revenues in respect or on account of such bonus.